



Rwanda – Researched and compiled by the Refugee Documentation Centre of Ireland on 25 May 2015

Any information on the party the National Republican Movement for Democracy and Development (French: Mouvement républicain national pour la démocratie et le développement) MRND in Rwanda - in particular on the treatment of former members of the MRND, and for information on the treatment of their relatives or those who are associated with them. Is there any information that former members, or those associated with former members of the MRND, are mistreated, targeted, or face serious harm in Rwanda?

Information on the treatment of former members of the National Republican Movement for Democracy and Development (MRND) was scarce among sources available to the Research and Information Unit.

An Amnesty International report states:

“On 6 April 1994, a plane carrying the Rwandan President Juvénal Habyarimana and the Burundian President Cyprien Ntaryamira was shot down over Rwanda’s capital, Kigali, triggering ethnic killings on an unprecedented scale. Tutsi and Hutu who opposed the organized killing and the forces that orchestrated it were massacred. The government trained and distributed arms, including machetes, to its supporters from the ruling party, the National Republican Movement for Democracy and Development (MRND). This included its youth wing, the interahamwe (‘those who attack together’), its ally, the Coalition for the Defence of the Republic (CDR) and its youth wing.” (Amnesty International (7 April 2014) *The world still failing to act despite Rwanda genocide shame*)

A BBC News report on the Rwanda genocide, in a paragraph headed “Why was it so vicious?”, states:

“Rwanda has always been a tightly controlled society, organised like a pyramid from each district up to the top of government. The then governing party, MRND, had a youth wing called the Interahamwe, which was turned into a militia to carry out the slaughter.” (BBC News (7 April 2014) *Rwanda genocide: 100 days of slaughter*)

This report also states:

“Twenty years on, many perpetrators of the genocide have been tried before Rwandan national courts and community courts, known as gacaca, by the International Criminal Tribunal for Rwanda (ICTR) and by courts in Europe and North America. Investigations continue into scores of genocide suspects living outside Rwanda. Killings by the RPF remain largely unprosecuted.” (ibid)

An Amnesty International report, in a section titled “Background”, states:

“In the aftermath of the 1994 genocide, the Rwandan government faced the challenge of assuring justice for those killed during the genocide. The majority of such trials took place before gacaca courts, a series of community tribunals to expedite trials of the vast majority of people suspected of participation in the genocide and reduce the prison population. Gacaca tribunals did not meet international fair trial standards, a concern expressed by Amnesty International, but the Rwandan authorities claimed that their fairness could be ensured by the participation of the local population. Gacaca lacked sufficient safeguards to prevent false accusations, especially after 2004 when accusations were gathered by local administrative officials, rather than at public gacaca hearings. Those accused were unable to challenge charges before the case came to trial. As one Rwanda scholar explained, ‘denunciation also became part of everyday life on Rwanda’s hills as neighbours settled local scores through genocide accusations (both true and false).’” (Amnesty International (31 August 2010) *Safer to stay silent: The chilling effect of Rwanda’s laws on ‘genocide ideology’ and ‘sectarianism’*, p.12)

In a section titled “Prosecutions for Statements Made Abroad” this report states:

“There appears to be an emerging pattern of Rwandans being prosecuted on their return to Rwanda under ‘genocide ideology’ and ‘sectarianism’ laws for statements made in exile or as part of asylum proceedings abroad.” (ibid, p.22)

See also section titled “Public Denunciations by Government Officials” which states:

“Public statements on ‘genocide ideology’ by government officials, other than the prosecution, insinuate guilt before accused individuals are brought to trial. Allegations of ‘genocide ideology’ were used to justify extrajudicial killings in police custody from November 2006 to May 2007. The then Commissioner General of Police, Andrew Rwigamba commented in June 2007 on a spate of extrajudicial executions in police custody, a practice which appears to have subsequently stopped. He stated that ‘the suspects involved in these cases were of extreme criminal character ready to die for their genocide ideology’. The detainees were killed before judicial proceedings against them had begun and only one was held on accusations of ‘genocide ideology’”. (ibid, p.26)

A report from the UN Human Rights Council, in a section titled “Institutional initiatives” (Paragraph 28), states:

“The National Service of Gacaca Jurisdictions highlighted that the Rwandan judicial system was overwhelmed by the aftermath of the genocide and had itself been decimated. Over 120,000 prisoners alleged to have committed genocide needed to be processed through the conventional judicial system. The capacity to investigate and prosecute was severely limited. Confronted by the need to speed up the justice process, avoid impunity and find a solution that also contributed to strengthening unity and reconciliation, the

Government looked to a traditional system of conflict resolution and participatory justice at the community level. The *gacaca* system was introduced and modernized in 2001.” (UN Human Rights Council (28 November 2011) *Report of the independent expert on minority issues, Gay McDougall: Addendum – Mission to Rwanda*, p.9

In paragraph 29 this report states:

“The Government highlights that, since *gacaca* courts commenced work in 2002, 1,211,412 cases have been tried and completed throughout the country. Emphasis was placed on confessions and reduced or community-based sentences were offered to those pleading guilty. A survey reported that over 80 per cent of Rwandans believed that *gacaca* courts made positive contributions in terms of facilitating the successful reconciliation of Rwandans and delivering justice.” (ibid, pp.9-10)

Paragraph 30 states:

“Criticisms levelled at the *gacaca* system included that: it did not meet international due process standards; judges had little or no legal training being appointed only as ‘people of integrity’; no defence counsel was available to offenders; the process lacked safeguards to prevent false accusations; some judges, survivors and witnesses were threatened or killed; some judges were corrupt or themselves implicated in crimes; and the sentences were not proportionate to the crimes. International experts questioned the degree to which the process fulfilled obligations to prosecute genocide perpetrators.” (ibid, p.10)

Paragraph 32 states:

“Now that the *gacaca* process has ended, there are concerns over how new returnees will be reintegrated into their former communities and how tensions arising from their return will be handled. Many Rwandans refugees, including ex-Rwandan Armed Forces (ex-FAR) combatants and members of the *interahamwe* militia, have returned to Rwanda and tensions around their return have been processed through the *gacaca* village-level courts.” (ibid, p.10)

A BBC News report states:

“Rwanda's community courts, known as *gacaca*, have finished their work, after 10 years of trying those accused of involvement in the 1994 genocide. The courts were set up to speed up the prosecution of hundreds of thousands of genocide suspects awaiting trial. Human rights group say the *gacaca* fell well short of international legal standards. About 65% of the close to two million people tried have been found guilty, according to latest government figures.” (BBC News (18 June 2012) *Rwanda 'gacaca' genocide courts finish work*)

This report also states:

“The Rwandan government says about two million people went through the *gacaca* system - final official figures about how many were found guilty are yet to be released, but data from two years ago points to a conviction rate of

about 65%. Some of those found guilty have been sentenced to long jail sentences, with hard labour.” (ibid)

An article from the New York Times states:

“A United Nations tribunal on Friday handed a former government minister and her son life imprisonment for their roles in Rwanda’s 1994 genocide, finding them guilty of genocide, war crimes and crimes against humanity, including multiple rapes. The former minister, who had been in charge of family and women’s affairs, is the first woman to be convicted of genocide by an international tribunal. Four others at the joint trial were also convicted Friday by the court, the International Criminal Tribunal for Rwanda, which is based in Arusha, Tanzania.” (New York Times (24 June 2011) *Life Sentences in Rwanda Genocide Case*)

A report from the UN News Service states:

“Édouard Karemera and Matthieu Ndirumutse, both senior members of the ruling party in Rwanda during the genocide, were found guilty of genocide, direct and public incitement to commit genocide, extermination as a crime against humanity, rape and sexual assault as crimes against humanity, and killings as causing violence to health and physical or mental well-being. Mr. Ndirumutse was the chairman of Rwanda's then-ruling National Revolutionary Movement The International Criminal Tribunal of Rwanda (ICTR) delivered its judgment after finding that both men were members of a ‘joint criminal enterprise’ to destroy the Tutsi population of Rwanda or Development (known by its French acronym, MRND) party while Mr. Karemera was his deputy at the time.” (UN News Service (21 December 2011) *Key organizers of Rwandan genocide jailed for life by UN tribunal*)

See also Agence France Presse report which states:

“The UN tribunal for Rwanda on Wednesday handed life sentences to two former heads of the ex-ruling party for genocide crimes committed in 1994. ‘After considering the gravity of the crimes for which Ndirumutse has been found guilty as well as all the attenuating and aggravating circumstances, the court has the discretion to impose a single sentence and has decided to do that,’ presiding judge Dennis Byron said. ‘The court unanimously sentences Matthieu Ndirumutse to life in prison,’ Byron said. The judge then handed down the same sentence to Édouard Karemera, the former deputy leader of Ndirumutse’s National Revolutionary Movement for Development.” (Agence France Presse (21 December 2011) *UN court hands life to Rwanda ex-ruling party bosses*)

A BBC News report states:

“A Rwandan man has been deported from Canada to Kigali where he faces charges of helping to incite the 1994 genocide. Leon Mugesera has been fighting deportation for 16 years with a series of appeals, even after the Canadian Supreme Court upheld the order in 2005. He faces charges in Rwanda of inciting genocide and crimes against humanity stemming from an incendiary anti-Tutsi speech he gave in 1992. Mr Mugesera maintains that the speech was taken out of context. He has previously said that he fears torture

or death if deported.” (BBC News (24 January 2012) *Canada deports Rwanda genocide suspect Leon Mugesera*)

An article published by the Kigali-based newspaper The New Times states:

“The Appeals Chamber of the International Criminal Tribunal for Rwanda (ICTR) has upheld life sentences against three men convicted for masterminding the 1994 genocide against the Tutsi. Those whose life sentence was maintained include Mathieu Ndirumpatse and Edouard Karemera, the former president and vice-president, respectively, of MRND [National Republican Movement for Democracy and Development], the political party that orchestrated the genocide. The other convict handed life sentence by the Arusha-based court is Callixte Nzabonimana, the minister for youth in the genocidal government, who was also chairperson of MRND in then Gitarama Prefecture (current Muhanga District).” (The New Times (30 September 2014) *Rwanda tribunal upholds life sentences against genocide masterminds*)

A Reuters report states:

“Rwanda's High Court sentenced a former high-ranking politician and businessman on Friday to 30 years in jail for involvement in the 1994 genocide in which 800,000 minority Tutsi and politically moderate Hutus died. Charles Bandora, once a senior member of the National Republican Movement for Democracy and Development (MRND) party, denied complicity in the attempt to exterminate Tutsis.” (Reuters (15 May 2015) *Rwanda jails former high-ranking politician for 30 years for genocide*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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