

**RWANDA: DEMOCRACY THWARTED**

Chairman Chris Smith, Ranking Member Karen Bass, and Members of the Committee:

Thank you very much indeed for providing me with the opportunity to address the Committee on democracy and human rights in my country, Rwanda. Let me begin my testimony with the August 2017 presidential election won by the incumbent President Paul Kagame, by a purported 99% in voter turnout of 98%. Among those unconvinced by this extraordinary result were the main bilateral financiers of the Kagame regime – namely, the United States and the United Kingdom. For the United States, the State Department said that it was "concerned by the lack of transparency in determining the eligibility of prospective candidates." The State Department added that "**we are disturbed by irregularities observed during voting and reiterate long-standing concerns over the integrity of the vote-tabulation process.**"<sup>1</sup> The United Kingdom was even direct. The British High Commissioner in Rwanda stated that he was concerned by "**the lack of clarity in the registration process for candidates which appear to have made it impossible for certain credible candidates to register.**" He further stated that "**along with other international observers, I personally saw irregularities with the counting of ballots and vote tabulation.**" He concluded that he was "concerned by the arrests" in recent weeks and that "**It is concerning to see the targeting of opposition figures.**"<sup>2</sup>

Let me illustrate what the American and British governments are saying with the story of Diane Shima Rwigara. This story best demonstrates how the Rwandan state, under President Paul Kagame's rule, is determined to stamp out democracy and its advocates. But this account is also about courage, audacity, and determination to confront brute power at personal risk.

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<sup>1</sup> US State Department, "Presidential Election in Rwanda," August 5, 2017, <https://www.state.gov/r/pa/prs/ps/2017/08/273206.htm>

<sup>2</sup> William Gelling, the UK High Commissioner to Rwanda and Burundi, "International Day of Democracy," September 15, 2017, <https://www.gov.uk/government/speeches/international-day-of-democracy>

The Diane Rwigara story began in May 2017 when she announced plans to seek the Rwandan presidency. Her motivation to enter politics was to fight for democracy, free speech, justice, poverty and moral corruption. She asserted that she would no longer live in fear of the ruling party's violence that affects all Rwandans. Diane denounced politicians in Rwanda and Africa that change constitutions to cling to power. She raised the issue of rulers living like kings and queens while most Rwandans live in mass poverty. She criticized Kagame and his ruling Rwandan Patriotic Front for acquiring a US\$500 million business empire, Crystal Venture, based on cronyism, while terrorizing genuine businesspeople.

Diane Rwigara knew what she was talking about. Two years earlier her own father had died in a mysterious car accident. When her family demanded an official investigation, the government demolished the family's hotel. Diane had also observed many cases whereby business persons lost their assets on Kagame's orders. One such case is Tribert Rujugiro's US\$20 million shopping mall, which was illegally seized by Kagame.

Diane's audacity was unthinkable in Kagame's Rwanda. Most of her compatriots were stunned by her courage. The regime hit back by denying her the right to compete for high office.

But Diane Rwigara would not be silenced. She persisted with her peaceful fight for democracy and human rights. After being blocked for competing for the presidency, she launched a democracy movement. She formed a "People Salvation Movement" with a goal of sensitizing Rwandans about their rights. She would also continue to criticize the human rights abuses of the ruling party, the Rwanda Patriotic Front (RPF).

Kagame would have none of it. After angrily referring to Diane Rwigara as "a failed presidential candidate" who does not have immunity from prosecution, the Rwandan security forces raided the Rwigara home. She was locked up in her house along with her entire family for nearly a month. Each day Diane, her mother, and sister would be dragged to Rwanda intelligence headquarters for questioning for over 15 hours. Then on September 24, 2017, Diane, her mother Adeline, and her sister Anne, were arrested. They were charged with "offences against state security and other offences."

That sums up the political environment in Rwanda. There is no space for democracy or human rights in Rwanda. In prison, Diane Rwigara will join others who tried to challenge

Kagame's dictatorship. She will find people like Victoire Ingabire Umuhoza. She will find Deo Mushayidi, and many known and unknown political activists. Diane will find families of former intelligence chief, Patrick Karegeya, who was assassinated in South Africa three years ago. She will find families of former army chief of staff, Kayumba Nyamwasa, who has survived four assassination attempts. Democracy in Rwanda is very problematic. The 2015 amendment to the Rwandan constitutional made matters worse by giving a green light to incumbent head of state to commit crimes and get away with it. Article 114 on the "Exemption from prosecution for a former president of the Republic" asserts:

*"A former President of the Republic cannot be prosecuted for treason or serious and deliberate violation of the Constitution when no legal proceedings in respect of that offence were brought against him or her while in office."*<sup>3</sup>

Meanwhile the 2015 Rwandan constitution permits Kagame to stay in power until 2034.

What should the United States do to assist the people of Rwanda? As the top foreign aid-donor to Rwanda at \$128 million in 2016,<sup>4</sup> United States can at least isolate Kagame and his regime. The US State Department rightly condemned the August 2017 flawed elections that extended Kagame's rule. This is not enough. The United States should do more than merely calling Kagame out on his repression of the Rwandan people. The US should cut off nonessential support to Kagame such as military aid. Further, we call upon the American government to pressure the Kagame regime to free the Rwigara family and other political prisoners immediately. After all, one of the Rwigaras, Anne, is an American citizen.

I thank you for your kind attention.

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<sup>3</sup> Republic of Rwanda, "Constitution of Rwanda, 2015," [http://www.minijust.gov.rw/fileadmin/Law\\_and\\_Regulations/Official\\_Gazette\\_no\\_Special\\_of\\_24.12.2015\\_2\\_1\\_.pdf](http://www.minijust.gov.rw/fileadmin/Law_and_Regulations/Official_Gazette_no_Special_of_24.12.2015_2_1_.pdf)

<sup>4</sup> USAID, "The History of USAID/Rwanda," <https://www.usaid.gov/history-usaidrwanda>