

DEVELOPMENTS IN RWANDA

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND
INTERNATIONAL ORGANIZATIONS

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTEENTH CONGRESS

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DEVELOPMENTS IN RWANDA

WEDNESDAY, MAY 20, 2015

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND INTERNATIONAL ORGANIZATIONS,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:10 p.m., in room 2200 Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will come to order, and I want to apologize for being a bit late. We did have some votes on the floor, so I appreciate your indulgence.

Ladies and gentlemen, in 1994, as we all know, the east African nation of Rwanda experienced one of the most horrific genocides in modern times. An estimated 800,000 Rwandans, mostly ethnic Tutsis and moderates among the ethnic Hutus, were brutally murdered in a state-backed extermination campaign that lasted for months.

Hutu-Tutsi tensions of course date back to colonial times when the Belgians created a superior class composed of Tutsis, shutting out Hutus from government jobs and higher education despite the Hutus comprising about 85 percent of the population. In 1959 and in 1960, tensions among the Hutus exploded in a campaign that left 20,000 Tutsis dead, and created about 300,000 Tutsi refugees.

As with this earlier genocide, the international community watched largely from the sidelines during the 1994 genocide in Rwanda as the death toll rose from April until July of that year until the Rwanda Patriotic Front or RPF defeated the Hutu-led government military. More than 2 million mostly Hutu refugees flooded into the Democratic Republic of the Congo, leading to continuing problems in that country. The RPF-led Rwanda Government has criticized the United Nations for sheltering Hutu participants in the genocide and for allowing them to arm in refugee camps.

Over the years, the RPF has used the guilt of the international community as a shield to prevent criticism of its action. U.N. Ambassador Samantha Power referred to Ambassador Susan Rice and her colleagues in the Clinton administration in the 1990s as bystanders to genocide. She quotes Dr. Rice in the 2002 book, saying, "If we use the word 'genocide' and we are seen as doing nothing, what will be the effect on the November congressional election?" she asked. Part of Rice's team during those years was Gayle Smith,

the current nominee to head the U.S. Agency for International Development.

As far back as May 1998, I chaired a hearing, and I chaired many hearings on the genocide, but this one included testimony about the willful U.S. neglect in preventing the Rwandan genocide. As recounted in an issue of the *New Yorker* magazine at the time, a high-ranking Rwandan informant had warned the U.N. leadership including Kofi Annan—and we actually had a hearing on the famous facts that was sent, and we had the reporter who broke that story, at a hearing—and the United States about preparations for killing 3 months before they actually began. And we all will recall that the U.N. peacekeepers had actionable information that went unacted upon. Furthermore, the United States has been accused not merely of inaction, but also of obstructing preemptive multilateral efforts to quell the crisis. Some have alleged that in the words of Refugees International president Lionel Rosenblatt, who also testified at my hearings and he said, and I quote in pertinent part, “The ball was not only dropped by the United States, it was blocked by the United States.”

Paul Kagame, now President of Rwanda, was hailed as one of “Africa’s new leaders” by Dr. Rice and her team during the 1990s and there has been no apparent change in their high opinion of him since then despite what Deputy Assistant Secretary Robert Jackson describes in several public administration statements related to human rights concerns and the ongoing dialogue with the Rwandan Government.

As a matter of fact, Secretary Jackson, that frankly and that you very clearly and unambiguously point out that activities that are seen by the government as possible threats of national security or the political dominance of the governing RPF are often met with intolerance and harsh punishments. And you point out again, over the past year Rwandans have quietly reported the disappearances and suspected deaths of family members at the hands of the Rwandan security services. These reports as you go on to say come from a wide cross-section of Rwandan society cutting across geographic, socioeconomic, and ethnic lines.

In the human rights report it is clear, though a little bit ambiguous the way it is written, it says there are fewer reports of disappearances and politically motivated abductions or kidnappings than in previous years. But local human rights organizations ceased investigating disappearances in 2012 after reporting pressure from the government officials, including threats and allegations of treason.

President Kagame, I would go on to say, has been considered a hero on the international stage and has long been immune, and I say this regrettably, to public criticism. However, human rights reports about abuses in Rwanda have grown over the years. And as I just quoted, there was much had been said by our Deputy Assistant Secretary and others within the administration.

In recent years there have been credible reports that the RPF government has commissioned assassins to kill dissidents living in exile who criticize the government or attempt to form political associations or parties.

Several years ago, our Committee Chairman Ed Royce and I were told face to face by Paul Rusesabagina of Hotel Rwanda fame that the Rwandan Government had targeted him and was behind several attempts on his life in Belgium. I mean people can snicker and laugh, but frankly he told us that and he was very worried about his own personal safety.

In early 2014, former Rwanda intelligence chief Patrick Karegeya who had been living in exile in South Africa was found murdered in his hotel room in Johannesburg. Karegeya was one of two dissidents one of our witnesses today, former Rwandan Major Robert Higiyo, says he was asked to have killed. He was asked to be the assassin. The assassination plot, he revealed, was investigated and substantiated in a series of articles in Canada's Globe and Mail newspaper, which interviewed Rwandan exiles in South Africa and in Belgium.

Since 2012, this subcommittee has held a series of hearings on the violence perpetuated by various militia in eastern DRC. Perhaps the best known of them, the so-called M23, was supported by Rwanda. This Congress has enacted restrictions on some military assistance to Rwanda in response to its involvement in militia activity in the DRC and involvement in resource smuggling from that country, as uncovered in several U.N. reports.

These charges of serious human rights and other abuses would be troubling in any case, but Rwanda is country that has enjoyed significant U.S. and international support. By largely avoiding criticism of Rwandan human rights issues, the Bush and Obama administrations raised assistance to Rwanda from \$39 million in 2003 to \$188 million. And some of it is for very laudable goals, like U.N. peacekeeping and some of the health initiatives including food security. But again, some of it has been for other issues.

Rwanda's economy, due to donor aid, political stability and favorable investor policies, has grown by an average of 8 percent over the last decade. Yet donors began reducing or redirecting funds in 2012 because of Rwanda's role in supporting M23. The growing reports of human rights abuses also are leading to caution among donor nations about directly supporting the Rwandan Government. And this hearing is to go into focus on that.

We have two very distinguished witnesses I will introduce shortly. I would like to yield to our distinguished Ranking Member Karen Bass.

Ms. BASS. Thank you, Chairman Smith, for your leadership and for holding today's hearing on Developments in Rwanda, providing us the opportunity to discuss the nation's challenges.

While Rwanda is geographically a small nation, its condition and role in the stability of the Great Lakes region is critical. I would also like to thank our distinguished witnesses today, including Ambassador Jackson and Steve Feldstein from the Department of State as well as several members of the Rwandan diaspora and the international human rights community. I look forward to hearing your varied perspectives on both the successes and challenges of developments in Rwanda.

As I often say, Mr. Chair, there are lots of challenges on the continent of Africa and I am always concerned that focusing on those challenges while very important it is also important to talk about

where there have been some developments. And part of the irony of Rwanda in just two decades since the tragic events of the 1994 genocide, the economy has been a bright spot on the continent and has maintained steady growth every year. According to the World Bank, Rwanda is on track to meet most of the MDG goals by the end of 2015. And I know reports are that the poverty rate has dropped. From a business perspective, Rwanda is often considered one of the easiest places to do business in sub-Saharan Africa.

One of the things that has always been interesting to me is as I have received many international delegations and many delegations from Africa is that Rwanda has made incredible strides in empowering women to occupy seats in government. In recent years the Parliament has grown to include an almost two-thirds majority of women as they hold 64 percent of the seats in Parliament.

But with all of this, the Rwandan Government has also faced accusations from many in the international community of being authoritarian and heavy-handed in its repression, of dissent and political opposition. This repression has included threats to journalists, detainment of political opponents, and even the killing of political dissenters.

In view of both the spectacular economic and development gains in Rwanda and the international community's concerns over human rights and freedom of speech, association, and assembly in the country, I hope that today's discussion will help to illuminate the challenges in Rwanda and also perhaps provide a pathway forward for where U.S. foreign policy should go. And I yield back.

Mr. SMITH. Thank you, Ms. Bass. I would like to now introduce our first two very distinguished witnesses beginning with the Acting Assistant Secretary of State for African Affairs, Robert Jackson. Ambassador Jackson previously served as Ambassador to Cameroon as well as Deputy Chief of Mission and Charge at the U.S. Embassies in Morocco and Senegal.

He also served at U.S. Embassies in Burundi, Zimbabwe, Portugal, and Canada. At the State Department headquarters he has worked in the commercial and consular sections and conducted officer training. He has also performed oversight work in the Office for the Promotion of Democracy and Human Rights after 9/11. Ambassador Jackson has appeared before this subcommittee several times and we are always appreciative of his insights and his recommendations.

Then we will hear from Mr. Steven Feldstein who is the Deputy Assistant Secretary of State in the Bureau of Democracy, Human Rights, and Labor and is responsible for its work in Africa on international labor affairs and international religious freedom. Previously Mr. Feldstein served as director of the Office of Policy in the Bureau for Policy, Planning, and Learning at USAID and served as counsel on the Senate Foreign Relations Committee where he oversaw a portfolio that included oversight of all U.S. foreign assistance agencies, budgets and programs, State Department management operations, and international organizations.

Mr. Ambassador, the floor is yours.

STATEMENT OF THE HONORABLE ROBERT P. JACKSON, PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE

Ambassador JACKSON. Mr. Chairman, Ranking Member Bass, thank you very much for this opportunity to discuss U.S. efforts to support the Rwandan Government and people as they continue rebuilding their political, economic, and social structures following the 1994 genocide. In the interest of respecting the subcommittee's time, Mr. Chairman, I would like to submit a longer version of my testimony for the record, which you have, and just read a shorter version.

Mr. SMITH. Without objection so ordered.

Ambassador JACKSON. For Rwanda, as for many countries in Africa, our policy is built around four interdependent and mutually reinforcing objectives—one, to strengthen democratic institutions; two, to spur economic growth, trade, and investment; three, to advance peace and security; and four, to promote opportunity and development. Rwanda has made enormous strides in spurring economic growth and promoting development while we continue to encourage further progress in ensuring that Rwanda plays a constructive role in the region and respects human rights and democratic principles.

Let me first talk about Rwanda's economic and development successes. Rwanda has become a model of inclusive economic growth and a world leader in leveraging development assistance into socioeconomic gains for the vast majority of its people. The United States and Rwanda share the belief that trade, investment, technological development, and market forces are keys to Rwanda's long term economic development. The commitment of the United States to supporting Rwanda's economic and social development is strong. USAID assistance to Rwanda's education sector more than doubled from Fiscal Year 2012 to present, and many American companies and community service organizations have started operations in Rwanda in recent years.

We have been proud to partner with Rwanda in the last decade as its economy has grown an average of over 7 percent per year, as its infant and child mortality rates have been halved, and as HIV and malaria rates have been reduced dramatically with help from the President's Emergency Fund for AIDS Relief, PEPFAR, and the President's Malaria Initiative (PMI), respectively.

With regard to Rwanda's contribution to regional peace and security, I would highlight that Rwanda is one of the world's most active and effective U.N. peacekeepers, the fifth largest contributor of troops in the world, despite its small size and population. Its peacekeepers serve in many of the world's most complicated conflicts including the Central African Republic, South Sudan, and Darfur, and frequently distinguish themselves by a willingness to take strong actions to protect civilians under imminent threat of violence.

We have recognized Rwanda's leading role in peacekeeping through its designation as a priority partner in President Obama's Africa Peacekeeping Rapid Response Partnership. At the same time, we continue to encourage Rwanda to play a constructive role in the Great Lakes region, and we were pleased when Rwanda

ended its support to the M23 rebellion in eastern Democratic Republic of the Congo (DRC) and supported the Nairobi declarations that ended that conflict.

We share Rwanda's continued concerns over the presence in eastern DRC of the Democratic Forces for the Liberation of Rwanda, or FDLR, the armed group, and we are encouraging the DRC Government, together with the U.N. peacekeeping operation MONUSCO, to carry out effective counterinsurgency efforts against this abhorrent armed group.

In the current crisis in Burundi, we have urged all countries in the region, including Rwanda, not to take unilateral actions and to work through multilateral frameworks to support a peaceful resolution to the internal conflict stemming from Burundian President Nkurunziza's decision to seek a third term in violation of the Arusha Accord.

Unfortunately, however, Rwanda's record of building democratic institutions and ensuring full respect for human rights is mixed. In response to and to protect against further destructive cycles of mass violence, the Rwandan Government has developed a strong state with an intense commitment to internal safety and security, national unity, and socioeconomic development. As a result, on the positive side, Rwanda is a country with low corruption and a strong record for combating not only corruption but demanding high accountability and performance from its public officials as well as ensuring prosecution for those who break the law. Violent crime rates are extremely low and have been dropping consistently over the last decade.

Rwanda is a leader in combating trafficking in persons, having put in place a comprehensive nationwide anti-trafficking plan that it is aggressively implementing with NGOs and partners. Rwanda is also a leader in promoting the rights of disabled persons, and especially for elevating women to positions of leadership in government.

As Congresswoman Bass noted, 63 percent of its Parliament is female, thus Rwanda boasts the highest number of women lawmakers anywhere in the world. And the rights of LGBTI persons are respected.

There is also another side to the security coin, however. Activities that are seen by the government as possible threats to national security or the political dominance of the governing Rwanda Patriotic Front, or RPF, are often met with intolerance and harsh punishment. In some of these cases suspected wrongdoers are submitted to the Rwandan judicial system in a transparent manner, but in other cases they are not. Over the past year, Rwandans have quietly reported the disappearance and suspected deaths of family members at the hands of the Rwandan security services. These reports, as you noted Mr. Chairman, come from a wide cross-section of Rwandan society cutting across geographical, socioeconomic, and ethnic lines.

In recent years domestic human rights organization have found it increasingly difficult to monitor and report on human rights violations and abuses. Among international human rights organizations, only Human Rights Watch maintains a permanent presence in Rwanda. Its staff report surveillance and occasional harassment

by government officials and security services. Restrictions on press freedoms in Rwanda continue to be a serious concern. Human rights concerns are part and parcel of our ongoing dialogue with the Rwandan Government, however.

We are concerned that political competition in Rwanda continues to be limited. There are 11 registered political parties, however, ten are aligned with the ruling RPF in a government of consensus. Only one, the Democratic Green Party, which advocates for policy alternatives and has taken a position against the removal of term limit positions in the constitution, has no seats in Parliament. We believe democracy is strengthened by inclusive political processes and active debate between parties and citizens. We continue to encourage the Rwandan Government to ensure protection of political freedoms particularly in the lead up to elections.

The upcoming 2017 Presidential election will be pivotal for Rwanda's future. Our consistent message to President Kagame and the Government of Rwanda, as it has been with other leaders in Africa facing elections, is that political space should be open to opposition parties that embrace peaceful democratic dialogue and transition. This includes ensuring freedom of expression, press freedoms, the ability of citizens to criticize the government and ruling party, and the ability of all to campaign freely for the candidates and causes they believe in.

We also believe that neither parties nor individuals should seek to change constitutions to extend their terms in office for personal or political gain. This is a principle that we uphold throughout the world. As we are sadly witnessing in Burundi, there are serious negative consequences when one group limits the ability of others to participate fully in the political process. In our view, the best way to ensure long term stability and prevent violence is by making sure that all peaceful voices are allowed to speak and be heard.

So while we applaud Rwanda's great development success, we should not ignore the need for strong and transparent democratic institutions that will lay the foundation for long term stability and economic growth. As Rwandans have shown by building a strong and dynamic country over the course of two decades, they have the ability to meet difficult challenges beyond all expectations. We will continue to work in partnership with Rwanda to help it build the prosperous and democratic country that Rwandans seek. I thank the subcommittee.

[The prepared statement of Ambassador Jackson follows:]

**Acting Assistant Secretary Robert P. Jackson's Testimony before the
House Foreign Affairs Committee
Subcommittee on Africa, Global Health, Global Human Rights,
and International Organizations
Wednesday, May 20, 2015, 2 p.m. – 5 p.m.**

Developments in Rwanda

Mr. Chairman, Ranking Member Bass, and Members of the Committee,

I welcome this opportunity to discuss U.S. efforts to support the Rwandan government and people as they continue rebuilding their political, economic, and social structures following the 1994 genocide. For Rwanda, as for other countries in Africa, our policy is built around four interdependent and mutually reinforcing objectives: (1) to strengthen democratic institutions; (2) to spur economic growth, trade, and investment; (3) to advance peace and security; and (4) to promote opportunity and development. Rwanda has made enormous strides in spurring economic growth and promoting development, while we continue to encourage further progress in ensuring that Rwanda plays a constructive role in the region and respects human rights and democratic principles.

Let me talk first about Rwanda's economic and development successes. Rwanda has become a model of inclusive economic growth and a world leader in leveraging development assistance into socioeconomic gains for the vast majority of its people. The United States and Rwanda share the belief that trade, investment, technological development, and market forces are keys to Rwanda's long-term economic development. The commitment of the United States to supporting Rwanda's economic and social development is strong; USAID assistance to Rwanda's education sector more than doubled from FY 2012 to present, and many American companies and community service organizations have started operations in Rwanda in recent years. We have been proud to partner with Rwanda over the past decade as its economy has grown at an average of over 7 per cent per year, as its infant and child mortality rates have been halved, and as HIV and malaria rates have been reduced dramatically with help from the President's Emergency Fund for AIDS Relief (PEPFAR) and the President's Malaria Initiative (PMI), respectively.

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group and are encouraging the DRC government, together with the UN peacekeeping operation, MONUSCO, to carry out an effective counterinsurgency effort against this abhorrent armed group. In the current crisis in Burundi, we have urged all countries in the region, including Rwanda, not to take unilateral actions and to work through multilateral frameworks to support a peaceful resolution to the internal conflict stemming from Burundian President Nkurunziza's decision to seek a third term in violation of the Arusha Accord.

Unfortunately, however, Rwanda's record on building democratic institutions and ensuring full respect for human rights is mixed. In response to and to protect against further destructive cycles of mass violence, the Rwandan government has developed a strong state with an intense commitment to internal safety and security, national unity, and socioeconomic development. As a result, on the positive side, Rwanda is a country with low corruption and a strong record for combatting corruption, demanding high accountability and performance from its public officials, and ensuring prosecution for those who break the law. Violent crime rates are extremely low and have been dropping consistently over the past decade. Rwanda is a leader in combatting trafficking in persons, having put in place a comprehensive nationwide anti-trafficking plan that it is aggressively implementing with NGOs and partners. Rwanda is also a leader in promoting the rights of disabled persons, and especially for elevating women to positions of leadership in government. With 63 percent of its parliament female, Rwanda boasts the highest number of women lawmakers anywhere in the world. The rights of LGBTI persons are respected. Rwanda has extended universal health care and access to free education through the high school level to all of its citizens, and it is working to establish electrical and internet connections for all its people both as a tool for education and as a necessary accelerator for economic development. These accomplishments are essential to the Government of Rwanda's vision for the development of the country and its people.

There is also another side to the security coin, however. Activities that are seen by the government as possible threats to national security or the political dominance of the governing Rwandan Patriotic Front (RPF) are often met with intolerance and harsh punishment. In some of these cases suspected wrongdoers are submitted to the Rwandan judicial system in a transparent manner, but in other cases they are not. Over the past year, Rwandans have quietly reported the disappearance and suspected deaths of family members at the hands of the Rwandan security services. These reports come from a wide cross-section of Rwandan society, cutting across geographical, socioeconomic, and ethnic lines.

In recent years domestic human rights organizations have found it increasingly difficult to monitor and report on human rights violations and abuses. Among international human rights organizations, only Human Rights Watch maintains a permanent presence in Rwanda. Its staff report surveillance and occasional harassment by government officials and security services.

Restrictions on press freedoms in Rwanda continue to be a serious concern. In 2013 Rwanda announced forward-leaning media reforms that empowered journalists to self-regulate content and accreditation. In the past year, despite positive steps forward—such as the establishment of an independent media commission and radio debates that encourage citizens to discuss controversial subjects—press freedoms continue to be restricted. Journalists report that editors ensure content supports government policy, and some journalists have been detained or

threatened for reporting deemed to be critical of the government. The Rwandan government shut down the BBC-Kinyarwanda broadcasts because of a controversial documentary about President Kagame and the genocide. We are concerned that, since establishing the Rwanda Media Commission as an independent body, the government has interfered with its work, undermined its role as the sole regulator of media content, and at times threatened commissioners.

These human rights concerns are part and parcel of our ongoing dialogue with the Rwandan government. We have and will continue to raise these issues at all levels of the Rwandan government. We previously issued several public statements related to our human rights concerns: we publicly expressed concern in January 2014 about the succession of what appeared to be politically motivated killings of government critics in exile; we expressed concern in June 2014 about the arrest, incommunicado detentions, and disappearances of scores of Rwandan citizens; in September 2014 we called for an independent investigation of the bodies found in July and August in Lake Rweru, which sits astride the Rwanda-Burundi border; and in October 2014, following the suspension of BBC's Kinyarwanda broadcasts, we publicly urged the government to protect the freedoms of press and speech as the cornerstones of democracy.

We are also concerned that political competition in Rwanda continues to be limited. There are eleven registered political parties in Rwanda. Ten are aligned with the ruling RPF in a government of consensus. Only one—the Democratic Green Party—advocates for policy alternatives and has taken a position against the removal of term limit provisions in the Constitution. The Green Party holds no seats in Parliament. It was unable to compete in previous elections because authorities took years to approve the party's documentary submissions required by regulation to register as a political party. Green Party leaders report that members are regularly harassed and threatened by local officials. Other opposition parties have sought registration but have been stymied by procedural delays and changing registration requirements. We believe democracy is strengthened by inclusive political processes and active debate between parties and citizens. We continue to encourage the Rwandan government to ensure protection of political freedoms, particularly in the lead up to elections.

The upcoming 2017 presidential election will be pivotal for Rwanda's future. Our consistent message to President Kagame and the Government of Rwanda – as it has been with other leaders in Africa facing elections – is that political space should be opened to opposition parties that embrace peaceful, democratic dialogue and transition. This includes ensuring freedom of expression, press freedoms, the ability of citizens to criticize the government and ruling party, and the ability of all to campaign freely for the candidates and causes they believe in. Intimidation and harassment of human rights organizations and journalists is unacceptable, and security services should ensure the rights of all citizens are upheld within the boundaries of the law and justice system. We also believe that neither parties nor individuals should seek to change constitutions to extend their terms in office for personal or political gain. This is a principle that we uphold throughout the world. As we are sadly witnessing in Burundi, there are serious negative consequences when one group limits the ability of others to participate fully in the political process. In our view, the best way to ensure long-term stability and prevent violence is by making sure that all peaceful voices are allowed to speak and be heard.

So, while we applaud Rwanda's great development success, we should not ignore the need for strong and transparent democratic institutions that will lay the foundation for long-term stability and economic growth. However, as Rwandans have shown by building such a strong and dynamic country over the course of two decades, they have the ability to meet difficult challenges beyond all expectations. We will continue to work in close partnership with Rwanda to help them build the prosperous and democratic country that they seek.

Thank you.

Mr. SMITH. Mr. Ambassador, thank you so much for your testimony. Mr. Feldstein?

STATEMENT OF MR. STEVEN FELDSTEIN, DEPUTY ASSISTANT SECRETARY OF STATE, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S. DEPARTMENT OF STATE

Mr. FELDSTEIN. Thank you, Chairman Smith, Ranking Member Bass. Thank you for holding this important hearing. I know it has been several years since the committee last held a dedicated hearing on Rwanda and I appreciate the opportunity to speak today. Like Ambassador Jackson, I have a longer version of testimony for the record I would like to submit.

Mr. SMITH. Without objection, so ordered.

Mr. FELDSTEIN. Great. Rwanda holds a very personal connection for me. Fifteen years ago I first went to Rwanda as a fellow with the International Rescue Committee. I spent a year in the country supporting its efforts to recover from war and genocide. Living in Rwanda had a profound impact on me. It has been a key inspiration for my decision to pursue a career in foreign policy and human rights.

Rwanda's progress since the 1994 genocide has been remarkable. With an annual growth rate that has averaged 7 percent, with 1 million people removed out of extreme poverty, with having achieved close to 100 percent primary school enrollment, and with infant mortality down over 60 percent since 1990, the accomplishments have been significant. Several years ago I paid a return visit to Kigali and I found a city profoundly changed. Modern office towers have replaced dilapidated buildings, the streets were spotless thanks in part to a widely acclaimed ban on plastic bags, new businesses seem to be springing up daily such as coffee ventures supplying top quality beans to U.S. brands like Starbucks and Peet's.

But this is only part of the story. Alongside Rwanda's development progress there have been equally consistent efforts to reduce space for independent voices and to diminish the ability of the media, opposition groups and civil society to operate. This space matters. It is essential not only for democratic progress but for cementing Rwanda's impressive economic and development gains.

We see three key trends in Rwanda's human rights situation. First, political space in Rwanda and the overall human rights environment continues to shrink. Second, this trend is reinforcing the wrong lessons for Rwanda, particularly that a country can continue to experience robust economic growth and foreign investment even while repressing its citizens further and reducing democratic space. This is not a sustainable path. At some point, if unchecked, human rights violations will begin to affect Rwanda's economic performance, stability, and foreign investment. Third, Rwanda's human rights record is setting a disturbing precedent for the region and continent. Other countries are carefully watching Rwanda's model of economic liberalization and political repression. My counterparts frequently point to Rwanda and question whether protecting the rights of their citizens matters if they can achieve substantial economic development.

The answer of course is that protecting the rights of all of Rwanda's citizens and residents matters immensely to Rwanda's

long term stability and prosperity, to its continued positive economic trajectory, and to whether other countries recognize they can follow a similar path to greater prosperity. Rwanda can be a model for the region, or it can slip backwards over time never truly fulfilling its potential.

We have articulated our concerns about Rwanda's human rights record for many years directly to Rwanda's senior leaders, including President Kagame, and we have highlighted Rwanda's deteriorating situation through the State Department's annual human rights report. The Department's 2013 report for Rwanda noted that the government harassed, arrested and abused political opponents and human rights advocates, disregarded the rule of law, and placed significant restrictions on freedom of expression, peaceful assembly and association, and the press. It also highlighted reports that arbitrary or unlawful killings took place both inside and outside Rwanda.

The credibility of elections provides an important indication of the level of space for independent voices and views. Unfortunately, Presidential elections in 2010 and parliamentary elections in 2013 were beset by irregularities both in the pre-electoral period and on election day. This includes suppressing and denying registration to opposition parties, security officials present at polling booths, multiple voting, and local election officials filling out ballots in the absence of voters. Rwanda's next Presidential election is in 2017, and we are cautiously hopeful that this election will mark an improvement upon previous contests.

Our concerns about restrictions and fundamental freedoms extend beyond electoral processes. The U.S. has expressed deep concern about the arrest and disappearance of dozens of Rwandan citizens as well as credible reports that individual journalists are being threatened and sometimes directly censored. Rwandan journalists routinely self-censor their work and some journalists have been detained or threatened for reporting deemed to be critical of the government.

Last year, the Rwandan Government shut down the BBC Kinyarwanda broadcast because of a controversial documentary about President Kagame and the genocide. We are concerned that since establishing the Rwanda Media Commission as an independent body the government has interfered with its work, undermined its role as a sole regulator of media content, and at times threatened commissioners. We are also deeply troubled by what appears to be politically motivated murders of prominent Rwandan exiles. This includes the December 2013 killing of former Rwandan Government official Colonel Patrick Karegeya who was found dead in a hotel room in South Africa. Months later, armed men raided the south African home of former Rwandan Army Chief of Staff Kayumba Nyamwasa who had been previously targeted for assassination attempts. President Kagame's 2014 statements about consequences for those who betray Rwanda has further heightened these concerns.

Also of deep concern are dozens of corpses, some bound and wrapped in sacks, that appeared in Lake Rweru along the border between Rwanda and Burundi in 2014. Four of those bodies were recovered and buried in Burundi. Fishermen reported that on two

separate nights in September, Rwandan Marines attempted to exhume the bodies, allegedly to return them to Rwanda. In December, Burundi accepted an offer of forensic assistance funded by the U.S. and several other donors for an African Union-led investigation into the four recovered bodies. Rwandan officials stated the government also supported a joint investigation, but no investigation has been conducted. The U.S. continues to press the African Union to move forward with an investigation and accountability for those responsible.

Rwanda is an important ally. It is a respected contributor to peacekeeping missions, it has rebuilt itself from genocide, and it has achieved impressive development and economic gains. I believe there is a bright future ahead for its people, which is why Rwanda's current human rights situation is so personally disappointing to me. Ensuring respect for freedoms of expression, association, and peaceful assembly, and respect for the rule of law are essential for cementing and building from these gains. The United States will continue to urge Rwanda to respect the rights of all its citizens. Thank you very much and I welcome your questions.

[The prepared statement of Mr. Feldstein follows:]

**TESTIMONY OF
DEPUTY ASSISTANT SECRETARY
STEVE FELDSTEIN
BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR**

**BEFORE THE
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, GLOBAL HUMAN
RIGHTS AND INTERNATIONAL ORGANIZATIONS
May 20, 2015**

“DEVELOPMENTS IN RWANDA”

Chairman Smith, Ranking Member Bass and Members of the House Subcommittee on Africa, Global Health, Global Human Rights and International Organizations. Thank you for holding this important hearing on Rwanda and for the opportunity to speak today.

Rwanda holds a very personal connection for me. Fifteen years ago I first went to Rwanda as a fellow with the International Rescue Committee. I spent a year in the country supporting its efforts to recover from war and genocide – helping unaccompanied children and youth reintegrate back into their communities, working with villages to provide access to clean water, and traveling throughout the country to try to better understand what gives people the capacity to pick up their feet and move forward after such a shattering experience. Living in Rwanda had a profound impact on me and has been a key inspiration for my decision to pursue a career in foreign policy and human rights.

Indeed, Rwanda’s progress since the 1994 genocide has been remarkable. Rwanda’s GDP has grown at an estimated annual rate of 7 percent, youth literacy rates have improved from 65 percent in 2000 to 77 percent in 2010, and child and infant death rates have plummeted, going from an under-5 mortality rate of 152 children out of every 1,000 in 1990 to just 52 out of 1,000 in 2013. Rwanda also plays a crucial role in international peacekeeping operations, and has made great strides in its inclusion of women at all levels of government. Several years ago I paid a return visit to Kigali, and I found a city profoundly changed. Modern office towers have replaced dilapidated buildings. The streets were spotless – thanks in

part to a widely acclaimed ban on plastic bags. New businesses seemed to be springing up daily, such as coffee ventures supplying top quality beans to U.S. brands like Starbucks and Peet's.

But this is only part of the story. Alongside Rwanda's remarkable development progress, there have been equally consistent efforts to reduce space for independent voices and to diminish the ability of the media, opposition groups, and civil society to operate. This space matters. It is essential not only for democratic progress, but for cementing Rwanda's impressive economic and development gains.

When it comes to the human rights situation in Rwanda, we see three trends of note. First, political space in Rwanda and the overall human rights environment continues to shrink. There are reports of targeted killings, and an increasing number of reports of disappearances and harassment of civil society groups and opposition parties. Second, this trend is reinforcing the wrong lessons for Rwanda—particularly that a country can continue to experience robust economic growth and foreign investment even while repressing its citizens further and reducing democratic space. This is not a sustainable path. At some point – if unchecked – human rights violations will begin to affect Rwanda's economic performance, stability and the willingness of foreign investors to bring in outside capital and do business in the country. Third, Rwanda's human rights record is setting a disturbing precedent for the region and continent. Other countries are carefully watching Rwanda's model of economic liberalization and political repression. In my discussions, counterparts frequently point to Rwanda and question whether protecting the rights of their citizens matters if they can achieve substantial economic development.

The answer, of course, is that protecting the rights of all of Rwanda's citizens and residents matters immensely to Rwanda's long term stability and prosperity, to its continued positive economic trajectory, and to whether other countries recognize they can follow a similar path to greater prosperity. When governments repress fundamental freedoms and universal human rights, international investment can falter because this repression is a sign of societal fissures that can lead to instability and violence. This is also true when governments stifle civil society organizations that provide checks and balances on

corruption and increase government accountability. Rwanda can be a model for the region, or it can slip backwards over time, never truly fulfilling its potential.

We have articulated our concerns about Rwanda's human rights record for years directly to Rwanda's senior leaders, including President Kagame, and we have highlighted the deteriorating situation in Rwanda, through the State Department's annual human rights report. The Department's 2013 human rights report for Rwanda noted that the government targeted political opponents and human rights advocates for harassment, arrest, and abuse. It reported that the government disregarded the rule of law and placed significant restrictions on the enjoyment of freedoms of expression, peaceful assembly and association, as well as restrictions on press freedoms. It observed that the government harassed and placed substantial limitations on local and international NGOs, particularly organizations that monitored and reported on human rights. And it highlighted reports that arbitrary or unlawful killings took place both inside and outside Rwanda.

The credibility of elections provides an important indication of the level of space for independent voices and views. Unfortunately, Presidential elections in 2010 and parliamentary elections in 2013 were beset by irregularities both in the pre-electoral period and on Election Day. Part of this is due to the passing in 2008 of the "genocide ideology" law, which was intended to restrict any actions that could lead to genocide. In practice, the government has used this law to impede the activities of opposition parties, opposition candidates, and civil society organizations. In the 2010 elections, in which President Kagame was reelected with 93 percent of the vote, there was a lack of critical opposition voices in the pre-election period, opposition political parties were unable to register, and two opposition party leaders were arrested on what appear to be spurious charges. Two unregistered political parties were unable to field presidential candidates due to legal or administrative issues.

International observers reported that Rwanda's 2013 parliamentary elections also failed to meet standards for free and fair elections. While the elections were calm and well organized, there were numerous irregularities, including the presence of security officials in polling rooms, multiple voting, and local election officials filling out ballots in the absence of voters. Rwandan electoral officials

denied U.S. Embassy observers access to polling stations and vote tabulation centers, thereby making it impossible to verify the accuracy of the final vote count and official participation rate. Rwanda's next presidential election is in 2017, and we are cautiously hopeful that this election will mark an improvement upon previous contests.

Our concerns about restrictions on press freedom, freedom of assembly, expression, and association extend beyond electoral processes. Most Rwandan news outlets follow party lines. Rwandan journalists self-censor their work, and some have fled the country out of fear of government harassment. The Rwandan government has also stepped up its use of a law amended in 2012 that allows security officials to monitor online communications. During the period surrounding the 20-year genocide commemoration in spring 2014, the country's few remaining independent journalists were increasingly targeted for harassment and arrest. This led the United States to issue a statement in June 2014 expressing deep concern about the arrest and disappearance of dozens of Rwandan citizens and credible reports that individual journalists were being threatened, and in some cases directly censored.

We are also deeply troubled by the succession of what appear to be politically motivated murders of prominent Rwandan exiles. This includes the December 2013 killing of former Rwandan government official Colonel Patrick Karegeya, who was found dead in a hotel room in South Africa. Months later, armed men raided the South African home of former Rwandan Army Chief of Staff Kayumba Nyamwasa, who had previously been targeted for assassination attempts. President Kagame's 2014 statements about "consequences" for those who betray Rwanda has further heightened these concerns.

Also of deep concern are corpses that appeared in Lake Rweru, along the border between Rwanda and Burundi, between July and October in 2014. Fishermen reported seeing dozens of floating bodies, some bound and wrapped in sacks, four of which were recovered and buried in Burundi. Fishermen reported that on the nights of September 21 and 22, Rwandan marines attempted to exhume the bodies, allegedly to return them to Rwanda. Both Rwanda and Burundi called for a joint investigation into the identity and origin of the bodies. In December, Burundi's minister of foreign affairs accepted an offer of forensic

assistance funded by the United States and several other donor governments for an investigation led by the African Union. Rwandan officials stated that the government also supported a joint investigation, but no investigation has been conducted. The United States continues to press the African Union to move forward with an investigation into these killings and accountability for those responsible.

As a close partner with Rwanda on many global and regional issues, we have and will continue to maintain a close dialogue with the government on these concerns, while recognizing their strong policies and actions with respect to issues of concern, such as human rights, open space for civil society, women's rights, the rights of LGBTI persons, and access to health and education.

In closing, Rwanda is an important ally. It is a respected contributor to peacekeeping missions throughout the region, it has rebuilt itself from genocide, and it has achieved impressive development and economic gains. I have seen with my own eyes the remarkable progress that Rwanda has made. I believe there is a bright future ahead for its people, which is why Rwanda's current human rights situation is so personally disappointing to me. Ensuring respect for freedoms of expression, association, and peaceful assembly, and respect for the rule of law is essential for cementing, and building from these gains. The United States will continue to urge Rwanda to respect the rights of all its citizens

Thank you very much and I welcome your questions.

Mr. SMITH. Thank you very much for your testimony and for being so thoroughly candid about your personal as well as professional disappointment when it comes to the human rights situation as practiced by the Rwandan Government.

Let me just ask you. One of our witnesses who will be testifying, Robert Higiroy, was in the military for a number of years, and he was interviewed by General Dan Munyuza, who is the director of military intelligence, who said, we have decided to give you this job—kill General Kayumba, and the colonel you just mentioned, Karegeya, who died of course, and you mentioned that in your testimony as you concluded.

And I am wondering, in a couple of days a Bishop Romero will be beatified by Pope Francis who was killed by all indications by a right wing death squad in El Salvador. I remember I had a meeting with President Duarte during the fight when the fight was between the FMLN and between the government, and I for one was one of those who believed passionately in strong human rights conditionality, and it was contrary to the Reagan administration. They didn't want it.

And I asked President Duarte about that, about the conditionality, and frankly in an absolute moment of candor, and refreshing candor, he said keep the human rights conditionality. Because there were people, I gleaned from that conversation, even within his own government that he did not have confidence in or trust for. But there is concern that when it comes to Kagame how high up does this go? Does it go to his level? And when I interviewed and spoke to Robert, who again will be testifying shortly, I asked him about that and the answer, and he will tell it in his own words, was not a good one in terms of complicity, if not outright direction, from the very top when it comes to death squads, which both of you in your testimonies have brought great, I think, focus upon. And I thank you again for that candor.

It is great to be providing troops for peacekeeping and it is great to have an economic model that seems to be flourishing for some, but I think as you pointed out, the human rights record is setting a disturbing precedent for the region and the continent. That is very much of an indictment. What we all hoped would be a turning of the page seems to be turning in the opposite direction, and that was again your, Mr. Feldstein, testimony just a moment ago.

So I wonder if you could tell us, have you tried to interview Mr. Higiroy? He is here, if not now in the near future. He certainly has been very prominent and I think he lives in some concern of a potential death squad coming after him, and I say that with great sadness.

The others that you mentioned in your testimony, Mr. Ambassador, which I thought was excellent, we expressed concern in January of 2014 about the succession of what appeared to be politically motivated killings of government critics in exile, then you went through a whole long list. I am wondering, when we raise that with Paul Kagame what is the response? Is it denial? Is it we are committed to tracking down who committed these extrajudicial killings, like in South Africa when they tracked the colonel down.

What has been the response, and could you provide those responses for the record if you don't have it with you today? I would

love to who is currently as I said the acting administrator assistant I should say. He see them. And how high up does it go? I mean, death squads are death squads and when people are killing critics we have to be absolutely clear that there is a penalty from our point of view to that kind of behavior. Mr. Ambassador?

Ambassador JACKSON. Thank you, Mr. Chairman. Allow me to address your second and third questions. As for Mr. Higiro, the State Department has certainly had contact with him. He is well known and we will continue contacts with him. As for President Kagame——

Mr. SMITH. Before you leave that, did you find him credible? Were you able to take any of that information? Was it actionable? He has tape recordings that he shared with a Canadian newspaper which seems to make a very clear case that they attempted to hire him to do an assassination. He turned it down, not just one but two, again putting his life at peril. Did you hear those recordings yourself?

Ambassador JACKSON. I have not heard the recordings, Mr. Chairman, and——

Mr. SMITH. Anybody at State?

Ambassador JACKSON. I believe people at State have. Mr. Feldstein may have more information about that.

Mr. FELDSTEIN. I don't have personal information on this specific case. I can say in general we have looked at a number of the different allegations that have been mentioned in testimony today and we do find a significant amount of those to be credible, enough to warrant further discussion.

Mr. SMITH. What is the response from Paul Kagame?

Ambassador JACKSON. So I think President Kagame has been very clear in his public and private statements and they have been consistent that he is very concerned about people who he sees in opposition. He appears to distrust any political dissent and freedom of speech and fears another genocide, Mr. Chairman, which does not in and of itself justify repression, but it is certainly reflective of his mindset.

Mr. SMITH. But in no way is a suitable excuse——

Ambassador JACKSON. I agree.

Mr. SMITH [continuing]. For killing people. Will you interview our witness in the next panel?

Ambassador JACKSON. I will make certain that my colleagues renew their contacts with him, Mr. Chairman.

Mr. FELDSTEIN. Thank you, Mr. Chairman. I would just add, in terms of how far high up does it go and what are we looking at when it comes to decision making, I think a lot of that is still somewhat opaque, but I think one of the points that we mention is the fact that there have been statements attributed to President Kagame publicly that does talk about the threat inherent to certain actors in terms of what they say and how that affects the country. So I think the rhetoric has been dangerous.

And I think the other thing that we do recognize is that in terms of how Rwandan Government and the military is organized it tends to be a fairly tightly controlled group that has very close links to the very top. And so we can make some assumptions that there is

at least some knowledge of some of the actions that have been documented in the human rights reports and so forth.

Mr. SMITH. Is there any evidence or is there any suspicion on the part of the State Department that it is coming from the top? I mean it almost begs credulity that somehow he is not aware of it and perhaps not even directing it.

Ambassador JACKSON. Mr. Chairman, I think there is a lot of credible evidence suggesting that President Kagame is aware of that. Whether he is ordering it or not is not entirely clear, but certainly he is aware of it and awareness means he should act upon it.

Mr. SMITH. And he has not.

Ambassador JACKSON. And to my knowledge he has not.

Mr. SMITH. Chairman Royce asked that I ask you a couple of questions with regards to VOA in Rwanda. He sent a letter a couple of weeks ago to the Broadcasting Board of Governors, BBG, expressing deep concern over their plan to end VOA local language broadcasts in Rwanda. And he asked that I ask you, does the State Department believe radio to be a powerful news medium in Rwanda? Does State support the closure of VOA local language broadcasts there? And do you believe the remaining broadcasts in English and French will reach a broad audience given the fact that a large majority still speak Kinyarwanda?

Ambassador JACKSON. Mr. Chairman, the State Department strongly supports continuation of the broadcasts in Kinyarwanda and Kirundi. We believe that they are very useful, particularly with the closure of the British Kinyarwanda service submissions to Rwanda, and we hope that we can work with the Broadcasting Board of Governors and this committee to ensure the continuation of those broadcasts.

Mr. FELDSTEIN. Yes, Mr. Chairman, I would echo those sentiments extremely strongly. I think with the closing of the BBC Kinyarwanda Service this is the last international service available to a large portion of Rwandans that is broadcasting Kinyarwanda that they can access and have information, especially as we lead up to some very critical milestones including the 2017 elections. So I think it is extremely important to allow that access to information especially given the fact that local sources are more and more self-censored if not directly censored.

Mr. SMITH. Let me ask you. The South African Government has taken legal action against alleged assassins. Have any other governments taken a legal approach in response to killings of Rwandans abroad? For example, have the Belgians reacted in any way?

Ambassador JACKSON. Not to our knowledge, Mr. Chairman. But the South African investigation of the murder in the hotel room continues.

Mr. SMITH. Let me just ask you. If again Kagame is at least acquiescing to if not directly complicit in these assassinations and attempted assassinations what would that do to our response to his government and to him personally?

Ambassador JACKSON. We are constantly reviewing our relations and possible sanctions against leaders who violate human rights. And Mr. Chairman, I want to be on the record saying that in terms

of our cooperation with the Rwandan Armed Forces and security services we ensure that they are vetted in compliance with the Leahy laws for not having committed gross violations of human rights.

Mr. SMITH. But how does that pan out when the director of intelligence and other high ranking military people appear to be complicit in these killings?

Ambassador JACKSON. The appearance of complicity is the issue, Mr. Chairman, and we are continuing to look into it.

Mr. SMITH. Do we have a task force or a very dedicated group of people trying to ferret out the information on this? Because it seems to me this cries out, I mean if he is involved with this or again acquiescing to it or in any way complicit, I mean these are serious crimes.

Mr. FELDSTEIN. Yes, Mr. Chairman, I think in terms of at least how the connection between the allegations of gross violations of human rights and the assistance that we provide to Armed Forces we go through a very stringent vetting process. Every name that either potentially will receive some type of assistance or units that will receive assistance go through a screening process that is done by a team of people both through posts as well in Washington. It goes through a database, and so far the names that have been submitted have proven to be clean. I do think that when it does come to some of the allegations that are mentioned, I don't think they extend extremely widely into the broader Armed Forces.

I do think that they tend to be probably more localized in a smaller cohort of people, but we do take very seriously every single allegation and we are making sure to be very vigilant about ensuring that the assistance that we provide on the security side does conform to Leahy requirements.

Mr. SMITH. Again I hope when all the information is out, if he is clean, let us ascertain that. But if he is not and we are unwittingly aiding and abetting him that would be a, and we have done that before under administrations of both Republicans and Democrats.

And what I am suggesting is that there needs to be a very aggressive look to see what his complicity is with regards to these extrajudicial killings. And you only have to intimidate so many people to get everyone else to toe the line or at least mute, and we know that with human rights groups not being there, except for perhaps Human Rights Watch, that the reporting becomes less robust because it is that much harder to come by, people are less willing to talk. It has a chilling effect, I would think, on the real snapshot of what is truly going on in Rwanda.

I would just ask, Mr. Ambassador, you were somewhat effusive when it came to trafficking and their record in combating human trafficking. I know they have a national plan. I have seen it. But my information suggests that last year they were designated Tier 2 watch list, and you might recall I wrote that law, the Trafficking Victims Protection Act. I wrote the watch list provision which we put in not as a parking lot, but as a between, on the bubble between an egregious violator as well and those who have a problem and they are trying to take some action.

I don't see much change from last year to this when it comes to investigations and actions, when it comes to penalties, people getting jail sentences. You can do a lot to put a superficial gleam on with a national plan, but if you don't get people who are going to jail and getting real jail time, breaking up brothels—and as you know, the opening statement in the TIP Report couldn't be more condemning that Rwanda and forced labor, sex trafficking and it goes on, about some of these people are exported to other countries like commodities.

I just hope that—and I know there is always a battle between the TIP office and the bureaus—that when it comes to the designation we will not err on giving Kagame a pass, but we will say exactly what is happening on the ground in real terms not in superficial terms, in terms of having a plan and saying we are doing this and doing that when in reality it is not being done. I just would urge you, just speak truth to power. What you do in terms of the penalty phase which we wrote into the law, that shoe drops later. That is largely up to you if not exclusively up to you.

But getting it right, they are on the Tier 2 watch list now and that is like a thread, I should say, an inch away from being an egregious violator as a Tier 3 country. Mr. Ambassador.

Ambassador JACKSON. Mr. Chairman, the tier and the overall trafficking report for 2014 are still being finalized so decisions about rankings have not yet been made. However, I can tell you, absolutely, that there have been prosecutions. There has been a real effort at protection. We understand that more than 3,000 children and women have received benefits of services provided by the Rwandan Government and centers for women who have been the victims of gender based violence and children who have been in conflict. I am confident that will be reflected in the report and I believe statistics about prosecutions will show the trend.

I would say that I think what is significant in terms of trafficking in persons is that the Rwandan Government has ceased its support for M23 and therefore for M23's child soldiering, and I feel it is important to recognize that. That is a significant change from years past.

Mr. SMITH. I don't think that should give them an enhanced ranking, I mean that was so egregious that they were backing M23 that it defies that they got away with it for as long as they did. And Rwanda as you know does not offer trafficking-specific aftercare for survivors and that is a very serious omission, I would respectfully submit, on their part. I am hoping that my distinguished friend and colleague Ms. Bass, she wanted to ask some questions, will be returning shortly.

Again just to reiterate in a way, you will interview I hope our witness as he comes forward in the next panel. And if you could get back to us what Kagame's reaction to our protests, and I assume demarches. Have we gotten to that point where we demarche him on the extrajudicial killings? How have we conveyed our displeasure over these killings, assassinations?

Ambassador JACKSON. Mr. Chairman, I was in a meeting with President Kagame last summer on the margins of the U.S.-Africa Leaders Summit. I can assure you that we raised our human rights concerns with him forthrightly.

Mr. SMITH. And did we do it with specific names of murdered individuals and for a clear explanation as to what their understanding of it is and whether or not they were complicit in any way? I expect a denial on the complicity part, but it is not until certain colonels and certain people are being indicted and convicted that we can take seriously that they are against extrajudicial killings.

And that is exactly what we argued in the '80s with the FMLN and the Duarte government. Okay, where are the convictions? How many people have you grabbed and put behind bars for slaughtering people including Archbishop Romero, and my understanding is the killers have never been found on that case. So do you get down to that level?

Ambassador JACKSON. We do not usually get to that level, Mr. Chairman. However, the human rights report documents in great detail individual cases, and I will defer to my colleague here about the release of the next human rights report. But I believe it is imminent.

Mr. FELDSTEIN. Yes, we intend to make an announcement in a short period about the release of the human rights report. Really, at this point it has just been a matter of finding the right moment in the Secretary's schedule to allow that to happen given the importance that we have placed with having him actually deliver this year's report.

Mr. SMITH. And could you give me your assurance that you will interview Mr. Higiuro and have your relevant staff if necessary listen to those recordings? Because they are devastating.

Mr. FELDSTEIN. Yes, absolutely. I will take that back to my colleagues and we will make sure that they connect with them.

Mr. SMITH. Ms. Bass?

Ms. BASS. Thank you very much, Mr. Chair. You were probably aware, Ambassador Jackson, that a few weeks ago I was involved along with Chairman Royce and probably Chairman Smith as well in expressing concerns over the VOA. And I was just wanting to know if you could comment about that especially if, what you think about that whether or not we will be able to keep VOA open and on the air in Rwanda.

Ambassador JACKSON. Congresswoman Bass, as I said to Chairman Smith, I want to assure you that we believe VOA's broadcast in Kinyarwanda and Kirundi provide an enormous service. They are the only source of outside information in local languages for many of the people who listen to them, and we strongly support their continuation.

Ms. BASS. Well, with that maybe you could talk about kind of where we are in our relationship with Rwanda. The thrust of U.S. funded programs to increase civil society, what is the dialogue? I mean it is often said in these hearings that we send messages to the government about one subject or another, but it is not really clear what the response back is. And I believe Chairman Smith was asking you questions along those lines when unfortunately I had to leave. But it is one thing that we send messages, what are the messages back?

Ambassador JACKSON. So for Fiscal Year 2015, we have set aside \$2 million for programs on rule of law and civil society strengthening.

Ms. BASS. So tell me what that means. Give me an example.

Ambassador JACKSON. So I don't know. Let me give an example from another country because I don't have the facts for Rwanda in front of me. But for civil society strengthening in Cameroon, where I was last posted overseas, we brought in Freedom House to do seminars training to help the civil society groups do fundraising. And one of the really remarkable results of that was that the civil society groups decided to form their own coalitions, because one of the struggles that we have had in Cameroon has been that civil society has been so fractional and divided.

So our goals in these programs are to bring people to together to advocate for common causes, and I would envision the same type of program in Rwanda. As for rule of law programs, across Africa we are working with judiciaries to help them to be stronger, more organized, more independent and—

Ms. BASS. Is that accepted in Rwanda?

Ambassador JACKSON. I would have to get back to you on that. And I would like to defer to my colleague on some of DRL's programming, if I may.

[The information referred to follows:]

WRITTEN RESPONSE RECEIVED FROM THE HONORABLE ROBERT P. JACKSON TO
QUESTION ASKED DURING THE HEARING BY THE HONORABLE KAREN BASS

In its new Strengthening Participation and Accountability (SPA) program, USAID has identified specific themes for which it seeks proposals from local civil society organizations to strengthen systems and processes to ensure rule of law, strengthen the role of civil society in development, and empower citizens to exercise their rights. Among the identified themes is strengthening the rule of law, where "rule of law" means that laws are knowable and understandable by all, apply to all, and apply to all equally. Through SPA, USAID seeks to strengthen the rule of law in Rwanda, by improving the skills of judges, prosecutors, lawyers and other legal practitioners, and establishing effective oversight mechanisms, so that the justice sector institutions are able to perform their functions effectively, particularly as they relate to upholding laws protecting women and members of vulnerable populations. Moreover, rule of law may be strengthened and government accountability fostered by facilitating lawyers and human rights groups' engagement in public interest litigation. By strengthening the rule of law, USAID/Rwanda will strengthen the institutions and frameworks that make it possible for civil society to engage in open debate regarding respect for civil liberties and human rights and participate effectively in decision-making.

Mr. FELDSTEIN. Thank you, Congresswoman Bass. I would also have to defer in terms of the specifics of the Rwanda program. But we do have a couple different things that we use that are applicable across Africa. These include specific human rights defenders programs that when there are dissidents or activists under duress we are able to provide needed assistance to help them find a safe space. We also have broader civil society strengthening programs. That means trainings outside of the country as appropriate to help build their capacity and ability to exert leadership at the right moments.

I think one of the challenges in Rwanda, as I mentioned and as we document in the human rights report, is that they have fairly restrictive NGO registration laws. They watch very carefully the activities of different civil society groups. Any time a group moves

across sort of an invisible line when it comes to political activity or human rights activity there tends to be a pretty stern, quiet reaction. And so that has really led to a chilling effect when it comes to the ability of civil society to operate in a free and fair manner.

Now I think there is a broader amount of space available for service provision NGOs who do more development and humanitarian assistance work and I think that is something that is a positive. But on this sort of more political human rights front we have had a lot of problems in terms of finding groups that we can work with who aren't subject to the type of restrictions I mentioned.

Ms. BASS. Can you describe some of the service programs that we fund in Rwanda?

Mr. FELDSTEIN. There is a range of those, and I would defer that more toward colleagues at USAID in particular. But in my prior experience, I know they range from health programs to agriculture to other of the sort of standard run of development programs that USAID oversees.

Ms. BASS. So what about our security assistance to Rwanda specifically?

Ambassador JACKSON. Let me address that, Congresswoman Bass. So our security assistance is primarily in terms of peacekeeping training and support for Rwandan peacekeeping. Rwanda is involved in eight peacekeeping operations with 5,500 soldiers and police involved in those operations. We, you may recall, suspended at the direction of this Congress our international military education and training programs in 2012. The plan is to resume those this year. So our security assistance has been focused on supporting Rwanda's deployments in peacekeeping operations.

Ms. BASS. What are we resuming this year?

Ambassador JACKSON. International military education and training.

Ms. BASS. What does that mean?

Ambassador JACKSON. So this is primarily bringing officers and enlisted men from Rwanda to the United States for specific training programs.

Ms. BASS. That is one of the things that is always confusing to me about our policy. Because we are going to criticize the government for their human rights record and then we are going to train their military. So it is like which one is it?

Ambassador JACKSON. I respectfully submit that you need to do both. And it is important to train the military in order to make sure that they do not commit gross violations of human rights and that they are effective peacekeepers.

Ms. BASS. Yes. It is just that it seems like some of the time it doesn't turn out that way, right? So I would like to ask, not to put you on the spot here but maybe you could get back to me with some of the specific democracy programs.

Ambassador JACKSON. I will have to get back to you on that.

[The information referred to follows:]

WRITTEN RESPONSE RECEIVED FROM THE HONORABLE ROBERT P. JACKSON TO QUESTION ASKED DURING THE HEARING BY THE HONORABLE KAREN BASS

Our democracy programs in Rwanda are designed to encourage dialogue among political parties, civil society organizations (CSOs), youth, and the media. These programs are:

The Civil Society Support Program (CSSP); a \$1.4 million contribution to a multi-donor fund designed to strengthen the operations and effectiveness of local organizations operating in Rwanda. The key objectives of this program are to strengthen the capacity of independent local civil society organizations (CSOs) to engage with the Government of Rwanda (GOR) as more equal and effective partners on public policy, and rights and development issues, and to facilitate opportunities for the GOR and CSOs to engage on such policies and issues. It also allows us to more easily coordinate assistance to CSOs with other donors.

- The Strengthening Participation and Accountability (SPA) Program: This activity will be up to \$7 million, implemented through a call for proposals. Proposals will be requested from Rwandan CSOs, or international NGOs and Public International Organizations to implement grants that strengthen systems and processes to ensure rule of law, strengthen the role of civil society in development, and empower citizens to exercise their rights.
- Promoting Civic Engagement in Political Processes (PCEPP) Program: This activity, an up to \$10.7 million investment, will seek to increase civic engagement and policy dialogue in Rwanda's political and electoral processes. During the upcoming elections, PCEPP will support increased free speech, policy debate and civic awareness throughout the electoral cycle. Activities will strengthen civil society engagement on public dialogue, policy advocacy and oversight; strengthen the media's professionalism and ability to generate issue-based public policy dialogue, provide independent and objective information to citizens, and objectively report on the government's actions; and enhance civil society provision of civic education that informs and empowers citizens.
- LAND Project: 2012–2017, planned investment of \$12 million. The primary goal is to strengthen the resilience of Rwandan citizens, communities and institutions and their ability to adapt to land-related economic, environmental and social changes. The project primarily does this through producing evidence-based research led by Rwandan civil society and research institutions on the GOR's land policies and through communication and advocacy efforts to ensure citizens are aware of, and engaged in, land policy issues.
- Human and Institutional Capacity Development (HICD): 2012–2017, planned investment of \$15 million. The project supports the Government of Rwanda's efforts to develop a more responsive civil service that meets the public service needs of Rwandan citizens. It will also help civil society organizations (CSOs) become more capable of contributing to the development of the country through training and skill-building efforts. The goal of the project is to improve the overall performance of targeted institutions to support Rwanda's development goals and long-term social, economic, and environmental sustainability.
- Youth for Human Rights: 2014–2017, planned total investment of \$350,000: Youth for Human Rights (Y4HR) works to build the leadership and advocacy skills of young Rwandans (both women and men) to better understand and be able to stand up for their own rights and the rights of vulnerable communities.

Ms. BASS. And then I am also interested in to what extent we fund Rwandans versus fund U.S. contractors to do work in Rwanda. How much of it goes to NGOs that Rwandans run?

Ambassador JACKSON. I will have to get back to you on that.
[The information referred to follows:]

WRITTEN RESPONSE RECEIVED FROM THE HONORABLE ROBERT P. JACKSON TO
QUESTION ASKED DURING THE HEARING BY THE HONORABLE KAREN BASS

Of funding provided by the USG for democracy programs in Rwanda in FY 2014, \$9.3 million of a total of \$111.9 m in FY 2014 was provided directly to Rwandan NGOs to program.

Ms. BASS. No, no. That is what I was asking. I know that you don't know that now. You made reference, I believe, Ambassador Jackson, in your opening remarks to Burundi. And I was wondering if you could expand on that in terms of what is happening

obviously in relation to Rwanda, but I don't remember exactly what you said and I want you to expand on that.

Ambassador JACKSON. So in Burundi we see protests continuing following the coup attempt. The protests have now gone on ever since President Nkurunziza's party nominated him for a third term and he was——

Ms. BASS. I am sorry. I don't think I was clear. I was meaning specifically Rwanda's role. I am familiar with what is going on.

Ambassador JACKSON. Rwanda's role in Burundi has been very constructive from my point of view. President Kagame has been very outspoken about the need for President Nkurunziza to respect the Arusha Accord, and Rwanda has been very welcoming to refugees. And President Kagame has participated in the meetings with other regional leaders to attempt to persuade President Nkurunziza to restart dialogue with the opposition and create an environment that will be conducive to free and fair elections.

Ms. BASS. And by the way, the general that attempted the coup?

Ambassador JACKSON. General Niyombare's whereabouts as far as I know remain unknown.

Ms. BASS. Was he one of the ones we trained?

Ambassador JACKSON. Pardon?

Ms. BASS. Was he one of the ones we trained?

Ambassador JACKSON. I would have to get back to you. I am not aware.

[The information referred to follows:]

WRITTEN RESPONSE RECEIVED FROM THE HONORABLE ROBERT P. JACKSON TO
QUESTION ASKED DURING THE HEARING BY THE HONORABLE KAREN BASS

Major General Godefroid Niyombare attended the 2010 African Land Forces Summit in Washington at U.S. expense. Our records do not indicate that we have provided training to Niyombare.

Ms. BASS. Okay, thank you.

Mr. SMITH. Follow up on my friend's question. With IMET being resumed or in the process of being resumed, again Robert Higiroy today will testify and will reiterate what he has said before that the director of military intelligence, Colonel Dan Munyuza was the one who—and he has got this on tape—said, "We have decided to give you this job. You have to go to South Africa and take out General Kayumba and Colonel Karegeya."

Now my question is when we are doing training, and as you said it is officers as well as others, will this man be left out of that training? I mean it seems to me that if this is true he ought to be indicted for conspiracy to commit murder. Is that on your radar screen? Do you know this man, the colonel?

Mr. FELDSTEIN. Thank you, Mr. Chairman. I think this is one of those cases that precisely falls into the Leahy vetting requirements. So for anyone who would be submitted by the Rwandan Government for participation in the IMET program we would extensively go through all the different allegations that are there, different public accusations and so forth, assess the credibility and then make a determination about whether this person would be barred or not by law. I think with a person like this who is so publicly connected to some of the allegations that we have discussed, I would assume that that name wouldn't come forward anyway.

Mr. SMITH. Let me ask you if I could, is Colonel Dan Munyuza, do you know of him? He is the director of military intelligence.

Mr. FELDSTEIN. It is a name I am familiar with. I haven't personally met him.

Mr. SMITH. What is your take on him? Is this a credible allegation? He is the one on the tape who is saying—and the BBC carried this and of course the Canadian newspaper that, we can listen to it if you would like—that he was trying to hire Higiuro for this assassination.

Mr. FELDSTEIN. I think the allegations carry a lot of weight. I think when it comes to the investigations taking place in South Africa related to this incident we are waiting to see what the judicial process does.

Mr. SMITH. What are we doing regarding this man? I mean does our military intelligence, does our State Department interface with him as well? I mean if he is an alleged killer, an assassin or at least someone who puts people up to it, what is your view of this man?

Mr. FELDSTEIN. From a democracy standpoint I have not have any contact with him and I couldn't answer for other colleagues on that. I am not sure.

Mr. SMITH. Mr. Jackson.

Ambassador JACKSON. I have not had any direct contact with him, and given the nature of our training programs I would have to get back to you to see if there is any contact, Mr. Chairman.

Mr. SMITH. Could you?

Ambassador JACKSON. Yes.

[The information referred to follows:]

WRITTEN RESPONSE RECEIVED FROM THE HONORABLE ROBERT P. JACKSON TO QUESTION ASKED DURING THE HEARING BY THE HONORABLE CHRISTOPHER H. SMITH

U.S. Embassy Kigali's Regional Security Office maintains regular contact with senior Rwandan National Police leaders in order to ensure the security of the Embassy and American citizens in Rwanda. As the Deputy Inspector of Police—the second most senior position in the Rwandan National Police—the Regional Security Office has infrequent contact with Colonel Dan Munyuza on matters related to embassy security.

Mr. SMITH. It is very important. We will make that a part of the record. Okay, Ms. Bass, anything else?

Ms. BASS. No, thank you.

Mr. SMITH. We thank you very much, gentlemen. We will have some additional questions we will submit for the record. But it is concerning, disconcerting to me that the director of military intelligence have allegations pending against him, and you have to get back to me on that, back to us as a subcommittee. I wish you would have known that. And I wish something would, if it is true and maybe it is not credible, but it would appear that when you get a phone message and it is recorded we have methods and ways to ascertain whether or not it is an accurate tape recording. So please get back.

I would like to now welcome our second panel—and thank you again, gentlemen—beginning with Mr. David Himbara who is an educator, political economist, and author currently working as a consultant focusing on African economic reform. A Rwandan native, Mr. Himbara spent a total of 6 years working for President Paul

Kagame as head of strategy and policy in the office of the President and a principal private secretary to the President. Tasked with improving national competitiveness, Mr. Himbara spearheaded efforts that ultimately improved Rwanda's ranking in the World Bank's annual Doing Business Report, from 143rd to 67th out of 183 countries. Prior to his time in Rwanda he was based in South Africa working as a private consultant.

We will then hear from Major Robert Higiroy who served as an officer in the Rwandan military from 1990 to the year 2010. Major Higiroy ran several training operations and commanded troops in the Democratic Republic of the Congo and the African Union's peacekeeping force in Sudan among other missions. Last year, the Canadian newspaper, The Globe and Mail, reported that Major Higiroy was one of several men hired to assassinate Rwandan dissenters living in exile. Despite living in exile thousands of miles from Rwanda, he remains concerned about his own security and believes that he is being hunted.

We will then hear from Mr. Willis Shalita who is a Rwandan American freelance photojournalist who writes about African affairs. In 1999, on the fifth anniversary of the genocide against the Tutsi, he wrote an opinion editorial that was recognized by the San Francisco Chronicle as the best national opinion editorial of the year. He is a retired special investigator from the California State Bar.

We will also hear from Ms. Sarah Margon who is the Washington director of Human Rights Watch. Prior to joining Human Rights Watch she was an associate director of sustainable security and peacebuilding at the Center for American Progress where she researched and wrote on a wide range of issues including human rights, foreign aid, good governance, and global conflicts and crises. She also served in the Senate as staff director of the Senate Subcommittee on African Affairs, been a senior policy advisor to Oxfam America and worked at the Open Society Institute. She also testified before this subcommittee several times. So welcome back.

Mr. Himbara?

STATEMENT OF MR. DAVID HIMBARA, COORDINATOR FOR THE USA AND CANADA, DEMOCRACY IN RWANDA NOW (FORMER AIDE TO THE PRESIDENT OF RWANDA)

Mr. HIMBARA. Thank you, Mr. Chairman Smith, Ranking Member Bass. First of all, I thank you very, very much indeed for your leadership for holding this hearing. Secondly, I also submitted my—

Mr. SMITH. Without objection, your full statement and any attachments, for all of our witnesses, will be made a part of the record. So proceed as you would like.

Mr. HIMBARA. Let me also thank you very, very much indeed for your leadership in trying to save the VOA Kinyarwanda/Kirundi service. For God's sake that is now the only remaining link to the outside world for Rwanda. After the closure of the BBC there is nothing out there. Let me also take the opportunity to say that in fact the chairman of the Independent Media Commission just fled, just a week ago. So this space, space is shrinking, shrinking. So that VOA, Mr. Chairman, help us.

Now going back now to my presentation. As was mentioned I worked for President Kagame twice, in 2000 to 2002. It didn't work out, when I decided to leave back to South Africa where I used to live, out in good terms. 2006, he invites me back. We sort ourselves out. He says, no, you can come back and lead the economic reforms, some of the things you were hearing, which I did up to January 2010. I fled.

And one of the issues was actually the same, same celebrations of the economic miracle, statistics that are not really credible. I always stood my ground and said, Your Excellency, we are analysts, monitors, reviewers. So we can't cook statistics. I throw some statistic here that people can go out and look for themselves. If you see, for example, poverty reduction, one would say, well, 43 percent of the population are poor. You go to the World Bank or IMF, if you use \$1.20 as a definition that is the globally accepted definition, 63 percent live under that. If we use another global accepted definition, \$2 a day, 83 percent of Rwandans are poor. So people are mistaking the clean streets of Kigali as measure of development.

So anyway that was my conflict. I said no. We develop, but development is not a lie, it is not a prestige, no it is hard knocks of policy making. So I fled, and when I fled to South Africa then that is really when my problems began. Chased, chased, chased. Then in 2013, 2014, after the death of my colleague Karegeya, same town, Johannesburg, I think I thought that was a good sign. I fled then from South Africa. So I went back to Canada. The Canadian Government itself monitors me and other colleagues because we are not safe, but I do say I can sleep a little more peacefully than staying in Johannesburg.

Now the human rights situation, I really don't have much to add beyond what the colleagues earlier on presented, but what I can add on though is the angle that most reports fail to capture. They fail to capture four things. First of all, if we look at the human rights situation, the horrific situation in Rwanda, we have to, we divide prior to 2012 as a phase, then after 2012. Then in those two periods we look at the targets, who are the targeted types. We look at the official stance. We look at the global environment in Rwanda. And then we look at the impact on development.

So let us look at the target between those two periods. Prior to 2012, the targets for harassment, imprisonment, or even killings like political opponents or media, so individuals like Victoire Ingabire, Deo Mushayidi, these are the people wanted to compete that are now in jail. We look in terms of killings, we look at people like Seth Sendashonga. We look at the opposition leader basically beheaded in 2010. So the media types, editors. So really that period the targets are clear and predictable. It is either political or media types.

But now when we go now into post-2012 it is no longer, it is no longer just that. No. Three months ago, President Kagame's personal doctor, Dr. Emmanuel Gasakure, shot in a police cell, killed. Gustave Makonene, this is the coordinator for Transparency International, strangled. Kagame's personal driver killed. So whereas in the prior period, as I said, it is clear the targets, but now it's almost random.

Okay, now, number two, the difference between the two periods. Prior to 2012, the official stance or the official attitude was deny, deny, deny. Post-2012, no, it is celebration. President Kagame himself after Karegeya died said no, we did not kill him but I wish we did. Moreover, people like him is only when and how. Of all places, that was said in a breakfast prayer. Then 2 months later, again the President Kagame say, oh those people who are making noise about the human rights, no, no, no. We are not only going to imprison people, we are shooting them. We are going to shoot them in broad daylight. All this is in the public domain. So that is difference number two.

So the difference number three between the prior and post-2012, prior 2012 you see the environment was basically, the environment kind of the usual dictatorial regime. The usual dictatorial regime is where for ordinary folk you just live on and there is no problem. The people who are problems are those high up in politics. But you see this is no longer the situation. The situation now is actually we are not talking about dictatorship, we are talking about now is a totalitarian state. Seeking to control. So as we move and drive fear into the population.

So as we move to 2017 with this business of constitution, the villages, the towns, they are being forced to sign up to say we want a constitutional amendment. So what you are going to see then in Rwanda is not people demonstrating against the third term, but rather people demanding that the man stays. It is orders. In Rwanda, the smallest administrative unit in the system is called "nyumba kumi." That means ten houses. Every ten houses are watched by one individual. And as you move on, the whole state machinery, driving fear, is well established.

Okay. The last difference between the two periods, the impact on development. Again you hear how Rwanda is a great success story. Prior to 2012 you see underground the government was grabbing business, business, business. Not on surface, you wouldn't know it. Even American companies like Chevron, property grabbed, but those was kind of underground. But now in this current period, there is no apology for grabbing business. A \$20 million mall, UTC, in the center of Kigali is grabbed and because the owner does not live there. It is like saying, so in UK if I said, well, since Bill Gates does not live in UK we are grabbing Microsoft. Pure madness. So it is that environment then that really, it is anti-developmental.

So let me now conclude. We thank you again for holding this hearing. We thank you for fighting for the VOA. We also encourage you that we take this, I saw those hard questions you were posing. So I think we need to keep on that, perhaps even think of a congressional resolution that can seriously have an impact on policy change toward Rwanda. I thank you very much.

[The prepared statement of Mr. Himbara follows:]

Testimony by David Himbara on Developments in Rwanda
 House Committee on Foreign Affairs
 Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations
 May 20, 2015

I. Background

I express my gratitude to the Chairman Christopher Smith and Ranking Member Karen Bass for the opportunity to give testimony on the troubling human rights situation in Rwanda to the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

My association with Rwanda, and in particular, Paul Kagame, dates back to 2000, when he became president. He invited me from South Africa, where I was working as development strategy consultant, to join his government, which I did. He made me his principal private secretary, and after two years in this position, I resigned and returned to South Africa. President Kagame persuaded me to return to Rwanda in 2006, and this time assigned me a variety of responsibilities. Between 2006 and January 2010, I held several positions in the President's office, including head of strategy, and Chairman of the Rwandan Development Board, which promotes investment, exports, and development.

By 2009, however, I had decided to leave Rwanda after witnessing a series of abuses, including physical beating of public servants by the President. I, too, became a regular victim of verbal abuse, mostly over my resistance to exaggerating Rwanda's economic growth rate. That is when I started to plot my escape from Rwanda, which I did in January 2010. I soon realized, however, that South Africa was not safe either. Death threats, attempted assassinations, and the killing of other exiled compatriots, as well as advisory warnings from South African authorities convinced me to flee South Africa. I currently live in Toronto, Canada, and work as a development strategy consultant. I am also a founding member of Democracy In Rwanda Now (DIRN), which advocates for human rights and democratic governance in Rwanda. Even in Canada, I have been advised by the authorities to be extremely cautious, and to report any suspicious signs of harassment and death threats.

II. The troubling human rights situation in Rwanda

Mr. Chairman, Rwanda's human rights abuses are well documented, including by Freedom House and the U.S. State Department's Country Report on Human Rights. Abuses of human rights in Rwanda include suppression of freedom of expression, harassment, arrest without due process, imprisonment and murder of political opponents. The State Department's Rwanda 2013 Human Rights Report best sums up the situation:

The most important human rights problems in the country remained the government's targeting of political opponents and human rights advocates for harassment, arrest, and abuse; disregard for the rule of law among security forces and the judiciary; [and] restrictions on civil liberties...Other major human rights problems included arbitrary or unlawful killings both inside and outside of the country, disappearances, torture, [and] harsh conditions in prisons and detention centers.

The March 2015 report "Rwanda - Freedom of Association and Expression" by Britain's Foreign and Commonwealth Office makes similar conclusions: "The UK continues to have concerns about civil and

political rights...we are deeply concerned by what appears to be a succession of acts of violence against Rwandan opposition figures."

I wish to suggest, however, that most of these reports and other writings miss the nuanced difference between Rwanda's human rights abuses up to 2012, and the abuses since then and to the present.

I highlight four differences between these two periods.

In the period up to 2012, there was a predictable pattern. In this phase, targets for human rights abuses included real or perceived political opponents as well as journalists. Examples include Victoire Ingabire, a political activist in the Rwandan diaspora who returned to Rwanda in 2010 to run against Kagame in the presidential elections. She was prevented from doing so and was subsequently imprisoned and charged with attempts against state security and espousing a genocide ideology. Another example is Déo Mushayidi, who was kidnapped from Burundi in the same year and is serving a life sentence on trumped-up charges. Andre Kagwa Rwisereka was not so lucky. His partially beheaded body was dumped on a river bank in July 2010. Rwisereka's murder came after the June 2010 killing of Jean-Léonard Rugambage, acting editor of the *Umuwugizi* newspaper. Rugambage's murder closely followed his reporting on the attempted assassination in South Africa of General Kayumba Nyamwasa, an exiled former Rwandan army chief and top critic of President Kagame. Charles Ingabire, editor of Inyenyeri News, an online publication critical of the President Kagame's government, was gunned down in Kampala, Uganda, in late 2011.

From 2012, the target of human rights abuses appears to be random, expanding into all kinds of categories:

- Théogène Turatsinze, former Managing Director of the Rwanda Development Bank, was murdered in Maputo, Mozambique, in October 2012.
- Gustave Makonene, a member of Transparency International Rwanda, was murdered in July 2013.
- Patrick Karegeya, former intelligence chief, was murdered on New Year's Day in 2014, in Johannesburg, South Africa.
- Dozens of dead bodies were found in July 2014 floating in Lake Rweru, where the River Akagera enters the lake from Rwanda.
- Leading businessman Assinapol Rwigara was killed in a mysterious "accident" in Kigali, Rwanda, in February 2015.
- Dr. Emmanuel Gasakure, President Kagame's former personal physician, was killed in a police station in Kigali, Rwanda, in February 2015.

The second difference between the two phases is the attitude of the Rwandan President himself. In the latter phase the killings do not appear to bother Kagame. On the contrary, he appears to publicly condone murder, and seems to promise more killings. In reference to Patrick Karegeya's death, the President stated at the Rwandan National Prayer Breakfast in January 2014: "Anyone who betrays our cause or wishes our people ill will fall victim. What remains to be seen is how you fall victim?"

And in reaction to criticism about his human rights abuses, Kagame stated in June 2014: "Those who talk about disappearances ... we will continue to arrest more suspects and if possible shoot in broad daylight those who intend to destabilize our country."

The third difference is the atmosphere of repression in Rwanda. Since 2012, intimidation, fear and control of society by security organs has become nearly total, to the degree that Rwanda warrants description not merely as a dictatorship, but as a totalitarian state.

The fourth difference is that until 2012, the purported goal of the government was to promote the private sector. I was personally engaged in that effort, traveling around the world with President Kagame to encourage foreign investment and trade. Since 2012, Rwanda has transitioned to crony capitalism, with the ruling party dominating the economy and seizing others' private property.

III. What the U.S. Congress can do to help the Rwandan people

By holding this hearing, this Subcommittee has demonstrated leadership in addressing the unfolding nightmare in Rwanda. Let us also recall that the Chairman of the House Committee on Foreign Affairs, the Hon. Ed Royce, expressed deep concern in 2014 about assassinations and attempted assassinations of Rwandan government critics, and called for American reevaluation of its engagement with Rwanda. I humbly request this Subcommittee, and the US Congress more broadly, to build on these efforts.

For starters, Congress should seek to reverse the decision made by the Broadcasting Board of Governors to close down Voice of America's (VOA) Central Africa Branch by 2017. VOA currently broadcasts into Rwanda in the Kinyarwanda language, and therefore is the only truly independent media voice reaching the people of Rwanda, particularly now that the Rwandan government shut down BBC broadcasting services. In an environment of press censorship and repression, it would be a huge mistake for the United States to end these broadcasts and deny the Rwandan people their only source of objective news and analysis.

In addition, I urge you to take note of the evidence presented today regarding the role of the Rwandan state in organizing and carrying out assassinations of government critics beyond the country's borders. There is another name for this kind of activity: international terrorism. America has laws aimed at identifying and discouraging state sponsorship of terrorism. I encourage this Subcommittee to consider how these laws should be applied to the Rwandan state sponsored terrorism that we are witnessing today.

Finally, I encourage Congress to adopt legislation requiring not only a reevaluation of current US policy, but concrete action to put Rwanda in its proper category - a pariah state.

Mr. SMITH. Mr. Himbara, thank you so very much for your testimony. I would like to now ask, Mr. Higiroy, if you would proceed.

**STATEMENT OF MAJOR ROBERT HIGIRO, RDF, RETIRED,
COORDINATOR FOR BELGIUM, DEMOCRACY IN RWANDA NOW**

Mr. HIGIRO. Chairman Smith, Ranking Member Bass, members of the subcommittee, ladies and gentlemen, good afternoon. I think my name has been mentioned several times. I am Robert Higiroy. I was born in Uganda because my parents lived there after being forced out of Rwanda in 1959. So I share the same background with the President because he was also raised in Uganda as a refugee.

I was part of the force that seized control of Kigali in 1994 which actually led to the falling of the former Hutu regime and brought an end to the genocide in Rwanda. I did work for two decades with the Rwandan Military and served in different capacities. I had two tours as a peacekeeper—one with the African Union, the initial launch of the full peacekeeping, and another one with the United Nations/African Union Hybrid mission which is still ongoing.

On returning home, that was 2010, I only learned that I had been de-commissioned and out of job. What that means in Rwanda is that no single investor or businessman is going to work with you because it means you are disfavored from the system. So as my colleague just mentioned it is a controlled business environment. So I went to Uganda to pursue business opportunities, but not so long I was summoned back to Rwanda and I was questioned about my links with the former Army Chief of Staff, General Kayumba Nyamwasa, and former National Intelligence and Security chief Colonel Patrick Karegeya. These two officers had of course fallen out with President Kagame and had fled to South Africa. This happened to me but even to other many officers.

The most recent example are Colonel Tom Byabagamba who actually protected President Kagame since 1990 until recently in 2010 or 2012, looking after Kagame, protecting him. He was a deputy sector commander in southern Sudan as a peacekeeper. When he got home he was taken straight to prison. Same happened to General Frank Rusagara, military attache in the United Kingdom. After his services, straight to prison. David Kabuye served for a long time, straight to prison, and many, many, many others.

The military we are talking about today is no longer there. He has young boys doing the peacekeeping. But all the top colors that actually helped him get into power, they are either in cells, dead, running, all over the world. Others are idle in the country which is a very dangerous aspect when it comes to national security.

Well, after my interrogation I was suspicious. I knew that something is wrong that they wanted to use me for that job as usual. Having served 20 years I knew exactly why they summoned me, and I was met by the military leadership. It was not long my former trainees warned me that if I don't leave the country I would be in danger. So I fled to Senegal, thinking that if I go as far as possible they will forget all about me.

But a few months, 2 or 3, somebody was sent by the Director of Military Intelligence Dan Munyuza to tell me that they have a job for me. He calls me directly and tells me that they have sat down

and decided to give me a job, and the job was to go to South Africa and eliminate former Chief of Staff General Kayumba Nyamwasa and former National Security and Intelligence chief Colonel Patrick Karegeya.

And there is a question you asked, I should state on the record, is Kagame involved and up to where? When Munyuza, Director of Military Intelligence, is giving me a mission he is only quoting the President. Now I was desperate and I needed time to think about it, because I know that whether you do the job or not you are going to die anyway. So I called Colonel Patrick, gave him the story, and we agreed that I go to South Africa and play by Dan's motions.

I went to South Africa. We discussed between me and General Nyamwasa and Colonel Patrick, how to go about it. So we agreed that I should gather as much evidence as possible by recording each and every conversation of the instructions over this assassination plan which could be used like we are using it today. So I recorded these conversations for over 7 months, and eventually I told Munyuza of course that I could do the job. And he said he would offer up to \$1 million for the job.

We went on and on—modalities, the weapons to be used, what he wants me to do, how to do it, etc., etc., and then eventually couldn't send in the money because we were waiting for the money to come in which would add on this evidence. But he started saying that the boss was saying, he tells me, we should wait, wait until you eliminate them first before you are paid. And I knew something is wrong, and then I had to flee South Africa. I went to Uganda, crossed to Nairobi and eventually found myself in Belgium where I live today as a dissident like others.

In Rwanda, like others, I am a wanted man. Abroad I am on the hit list. Like him, like anybody else. Well, like you said, or the previous speakers, on the New Year's Eve of 2014 Kagame achieved his wish and that is when Colonel Patrick Karegeya was found strangled in a Johannesburg hotel. I should add here that some of these individuals involved are known. We know them. South Africa is conducting the investigations. We are waiting. But we know some of these individuals. General Kayumba Nyamwasa has survived, I think, three assassination attempts in South Africa. The first one he was actually shot but he didn't die. The others, they would find him in a different location and it has been three or four times. He is still living, we don't know for how long.

For me, when this happened, when Patrick died, I decided to find a leading newspaper, the Canadian newspaper, The Globe and Mail, and shared my story. I gave them access to the tapes. These tapes were independently verified and translated. This paper went as far as interviewing former military officers and they confirmed, indeed, the voice belongs to Munyuza. And not only that but particularly as you are telling them, Department of State we can verify this voice, if the government says, no, this is not Dan Munyuza then they should give us the official voice of Munyuza and we compare with the one I have. If it is not true, then well it is not.

I cannot go again over the list of Rwandans who were assassinated abroad and in the country. You have talked about it. He

has talked about it. We have submitted a copy of that. It is a long one. But the reality is tragic.

I would like to end with a message to my fellow Rwandans, Hutus and Tutsis have much to attain for with regard to another. Like me, many Tutsis support the establishment of truly independent courts that would follow these crimes committed by President Paul Kagame and his allies. If you allow me I will read you this quote from Mandela in 1994. I quote,

“Out of the experience of an extraordinary human disaster that lasted too long, must be born a society of which all humanity will be proud. The time for the healing of the wounds has come. The moment to bridge the chasms that divide us has come. The time to build is upon us.”

I sincerely thank the subcommittee for its time and interest, and respectfully ask for help, and the help of the entire U.S. Congress, to urge Rwandans to put aside their divisions—regional, political, and ethnic—and work peacefully together to end this repressive regime. Thank you.

[The prepared statement of Mr. Higiroy follows:]

**Testimony of Robert Higirot
Subcommittee on Africa, Global Health, Global Human Rights, and
International Organizations
U.S. House of Representatives
May 20, 2015**

Chairman Smith, Ranking Member Bass, members of the subcommittee, and ladies and gentlemen: Good afternoon.

I'd like to thank you for inviting me here today.

My name is Robert Higirot. I was born and grew up in Uganda, where my parents lived as refugees after being forced to flee from Rwanda in 1959. In 1990, I joined the Rwandan Patriotic Army to fight for justice back home. I was part of the forces that seized control of Kigali in July 1994. Those efforts led to the toppling of the former Hutu government and brought an end to the genocide in Rwanda.

At that time, like many of my compatriots, I sincerely hoped that Rwanda could be rebuilt from the ashes, and that the country would ultimately become a place where Hutus and Tutsis could live together in peace and harmony. I was committed to the ideals of the new country.

I spent two decades in the Rwandan Patriotic Army, working my way up the ranks to the position of Major. I served two tours as a peacekeeper with the African Union and United Nations missions in Darfur, Sudan.

I returned home to Rwanda in 2010 and learned I had been de-commissioned and was out of a job. It was clear I had fallen out of favor with the government. Yet I had a family to feed and needed a job. I went to Uganda to pursue business opportunities there.

Before long, I was summoned back to Rwanda for questioning by the military leadership through the Director of Military Intelligence, Col. Dan Munyuzo. I was interrogated about my links to the former Army Chief of Staff, Gen. Kayumba Nyamwasa, and the former head of National Intelligence and Security, Col. Patrick Karegeya. Both Nyamwasa and Karegeya had fallen out of favor with President Kagame and had fled Rwanda to South Africa.

This happened to me and to many other officers. Brigadier General Tom Byabagamba, deputy sector commander in South Sudan, and General Frank Rusagara, military attaché in the United Kingdom, were both sent to prison in Rwanda upon completion of their service. And there were others. It is clear that the Rwandan military leadership was extremely fearful that decommissioned soldiers would join up with individuals they viewed as dissidents.

After my interrogation, I became suspicious that they were trying to recruit me to become an assassin. My fears were confirmed by my former officer trainees who were charged with following me. They approached me and warned that trouble would ensue if I didn't leave the country. I fled to Senegal where I started to work for a French security company.

In 2011, Col. Dan Munyuza, the Director of Military Intelligence who interrogated me about my links to Nyamwasa and Karegeya, tracked me down. One of his intermediaries approached me in Senegal and said Munyuza had a job for me.

At that moment I was worried. I knew the military leadership wanted me to do a dirty job and that there would be no way out of it. That's the way it works in Rwanda. They look for people they think are vulnerable or weak. If you say no, they track you down and kill you; if you agree, they will eventually kill you too. You have no options.

Eventually Munyuza called me and said: "We have decided to give you this job: you have to go to South Africa and take out General Kayumba Nyamwasa and Colonel Patrick Karegeya."

He said if I succeeded I would "be a hero."

I was desperate. I needed to buy time. I called Patrick Karegeya, someone I knew, to warn him. I told him the story. Patrick was unfazed. We agreed I would come to South Africa – to do as Munyuza said, at first – and that we'd figure out a plan.

Patrick and Kayumba told me how to handle the situation. They advised that I go through the motions, play along and tape my conversations with Munyuza to gather evidence. So that's what I did. I told Munyuza I knew people who could facilitate access to Patrick and Kayumba's bodyguards. Munyuza said he'd offer \$1 million to carry out the assassination. We discussed the weapon, the modalities of payment and other financial incentives if the assassinations were successful.

In the end, Munyuza didn't want to hand over the money before Kayumba and Patrick were dead. I feared for my life so I fled South Africa for Uganda and then crossed over into Kenya. I am now living as a refugee in Belgium. I am today -- like other dissidents -- a wanted man in Rwanda and on a hit list abroad.

On New Year's Day 2014, Kagame achieved his wish. Patrick Karegeya was found strangled in a hotel room in Johannesburg.

Kayumba Nyamwasa, who had already been shot and survived previous assassination attempts, is still standing.

For me, Patrick's death was the straw that broke the camel's back.

I decided to share my story with a leading Canadian newspaper called the Globe and Mail. I gave the newspaper access to the tapes I had recorded, and they had the tapes independently translated. Journalists confirmed with several former Rwandan officers that the voice on the tape was indeed Dan Munyuza's. I was able to offer material evidence of a murder-for-hire operation planned by the Rwandan government. The BBC picked up the story as well.

Patrick was not the first Rwandan dissident targeted and murdered, however.

Here I give examples of Rwandans murdered at home or across borders:

In October 1996, Colonel **Théoneste Lizinde**, a prominent Hutu who had joined Kagame's Rwandan Patriotic Front as a senior intelligence officer and Member of Parliament, was shot dead on the outskirts of Nairobi, along with Hutu businessman **Augustin Bugirimfura**.

In May 1998, Rwandan assassins gunned down former RPF interior minister **Seth Sendashonga**, also a Hutu, in the streets of Nairobi.

In 1995 and 1998 respectively, journalists **Manasse Mugabo** and **Emmanuel Munyemanzi** disappeared in Rwanda and were never found again.

In March 2000, a prominent Tutsi genocide survivor and founding member of Ibuka, the national organization for genocide survivors, **Assiel Kabera**, was shot three times and killed in front of his home in Kigali.

Ahead of elections in 2003, opposition Member of Parliament **Léonard Hitimana** disappeared in Kigali, never to be seen again.

In 2010, in the run-up to another election, **Andre Kagwa Rwisereka**, the deputy head of the Democratic Green Party, was found beheaded.

In 2010, journalist **Jean-Leonard Rugambage** was shot dead in Kigali. In 2011, outspoken journalist **Charles Ingabire** died after being shot twice in the chest in Kampala.

In late 2011, a member of the opposition party FDU, **Jerome Ndagijimana**, was found in a pool of blood in Kampala. His throat had been slit.

The list goes on and on, unfortunately. In the last few months alone, a prominent Tutsi businessman **Assinapol Rwigara** and Kagame's former doctor **Emmanuel Gasakure** were murdered in Kigali.

The reality is tragic.

I'd like to end with a message to my fellow Rwandans. Hutus and Tutsis have much to atone for with regard to one another.

Like me, many Tutsis support the establishment of a truly independent court that would prosecute crimes committed by President Paul Kagame and his allies.

When Nelson Mandela was inaugurated in 1994 he said:

Out of the experience of an extraordinary human disaster that lasted too long, must be born a society of which all humanity will be proud.

The time for the healing of the wounds has come. The moment to bridge the chasms that divide us has come. The time to build is upon us.

I sincerely thank the subcommittee for its time and interest and respectfully ask for its help – and the help of the entire U.S. Congress – to urge Rwandans to put aside their divisions - regional, political and ethnic – and work peacefully together to end this repressive regime.

Thank you.

Mr. SMITH. Mr. Higiuro, thank you very much for your testimony and for your courage, both you and Mr. Himbara coming forward as you are knowing that there are risks. And I thank you. Ms. Margon?

**STATEMENT OF MS. SARAH MARGON, WASHINGTON
DIRECTOR, HUMAN RIGHTS WATCH**

Ms. MARGON. Thank you. I will just give a bit of a shortened version. I did want to thank you, Chairman Smith and ranking member, for holding this really important hearing—I know it has been a longtime interest—and for inviting me to testify. I am glad to be part of it and also to even out the gender balance on the panel a little bit. So thank you.

Twenty-one years after the genocide, Rwanda has come a long way. By any measure, there has been real concrete improvement in terms of economic growth and access to public services. I won't go over the indicators that were mentioned on the last panel, but I do think it is worth noting the country is on track to meet the Millennium Development Goals as you said, Ms. Bass, for 2015, and the Parliament is majority female at nearly 65 percent.

By the sounds of it, Rwanda is not a country in crisis. It is a country where things work. But in reality, it is only some things that work. The same government that has helped so many Rwandans out of poverty and propelled the country's economic growth has done so while severely restricting the fundamental civil and political freedoms of many.

Indeed, gains are undermined by two persistent trends. One, systematic domestic repression that stifles, sometimes very violently, dissent, opposition, and independent thought; and two, repeated cross-border meddling and support for abusive armed rebel groups in neighboring Democratic Republic of the Congo, or the DRC. International and regional attention of Rwanda has usually been when it has gone cross-border into the DRC, and this has happened at least four times since 1996.

I, today, would like to talk much more about the domestic issues, because I think actually it is within this environment that government accountability and transparency need to begin. Because, in fact, if there had been a viable civil society and media, perhaps the authorities in Kigali might have stopped their meddling operations and other adventures abroad.

Rwanda is a country of double realities. Visitors are impressed with the facade, the apparent security. But it is a smokescreen, because many Rwandans live in fear and not just because of the legacy of genocide but because the current government—the only one since the end of the genocide in 1994—runs the country with a tight grip on power. Indeed, the ruling party, the Rwandan Patriotic Front, dominates all aspects of political and public life.

This is not new. It has been a constant feature since the end of 1994. Civil society is weak as a result of years of state intimidation, infiltration, and heavy, heavy administrative burdens. Activists have fled, and the one remaining domestic human rights organization was taken over by members sympathetic to the government in 2013. My organization, Human Rights Watch, is falsely ac-

cused of supporting the Democratic Forces for the Liberation of Rwanda, or the FDLR, time and time again.

Along similar lines, the Rwandan media remains heavily dominated by pro-government views with most journalists unable or unwilling to investigate and report on sensitive issues. To be fair, the Rwandan Government did introduce new media laws and reforms in 2013, which enshrine journalists' rights to freedom of opinion and expression, but for the most part these reforms haven't translated into any reality because of years of intimidation that have led to self-censorship and a decreased interest in investigating alleged abuse or even dissent.

The Rwandan Government invokes the need to prevent a resumption of ethnic violence as justification for restricting freedom of expression. The practice is disingenuous because it silences all forms of dissenting criticism including many that have nothing to do with ethnic violence, and that is a tactic that could end up reversing Rwanda's apparent stability and even its economic successes.

Despite abundant evidence of serious repression by the Rwandan Government there has been muted international criticism. Kigali enjoys strong support from donor countries like the U.S., international financial institutions such as the World Bank, and a range of other political actors and independent foundations. The absence of a comprehensive policy approach to address Rwanda's disregard for fundamental rights is stark. Rwanda is held up as the all too rare model of successful development in Africa so the focus stays there. The repressive domestic environment is treated as an ancillary problem or not treated at all mostly because, it seems, it is just too difficult to reconcile this bad narrative with the more positive one.

But there is good reason beyond moral considerations for donor governments and all others to consider all at the same time. In 2011, the World Bank's World Development Report argued that peace is most likely to endure if Rwanda's political space is gradually opened up, and it also argued that post-conflict stability premised on economic growth and strong leadership, but without political liberalization in the long term may have a finite duration and possibly a dramatic ending. His conclusion is an important warning for this Congress, particularly with the Fiscal Year 2016 budget for foreign operations approaching.

So what does this mean for U.S. policy? I will make a couple very quick recommendations. For starters, the administration and Members of Congress should keep speaking out against abuses by the Rwandans. Recent statements have had a tremendous impact. Rwandan officials' insistent denials of repression in their country make it clear that the statements matter. International legitimacy is very important to the Rwandan Government. It wants to be a regional player and condemnation of poor domestic behavior doesn't fit that model. So please keep up the pressure.

Second, I won't go over the VOA again, but Human Rights Watch does support the full funding of VOA, and I was very pleased to hear State Department say that as well. Thank you both for your leadership on that issue as well as the chairman and ranking member of the full committee.

I would also urge you and the administration to push the Rwandan Government to permit the development of a truly independent civil society by allowing human rights groups to operate freely. This is not going to be easy. I note that while it was said on the earlier panel that there is \$2 million for the Fiscal Year 2015 budget, if you look at the Fiscal Year 2013 budget, USAID spent \$3.2 million on democracy and governance in Rwanda, but only \$500,000 of this went to civil society and none went to support the rule of law and human rights.

Sorry?

Ms. BASS. Where did it go?

Ms. MARGON. I don't know. You can't find that information too publicly. I can try to look. But the absence of the funds doesn't mean there isn't engagement on the issue. What worries me is that because there is no funding specifically allocated for human rights and the rule of law and more money for civil society, there is no strategic approach being invoked to address these issues in a difficult environment. So I would encourage Congress, and the subcommittee in particular, to engage very robustly on this issue.

Finally, I will just say that the United States should use its prominent role at the World Bank and with other financial institutions to urge broader guiding principles that are not only rooted in the freedom from want but also the freedom from fear. I will close by saying that I am aware of concerns expressed by some in the administration and also here in Congress that a more public stance on Rwanda's domestic environment would undermine the bilateral relationship between Rwanda and the United States. But the U.S. often underestimates its own leverage and becomes overly cautious. The U.S. may need Rwanda for peacekeeping and other issues, but Rwanda needs the U.S. too. So the U.S. should continue refining its policy on Rwanda and send a strong signal of support to the many citizens who crave the freedom of expression and greater political space but haven't had access to it. Thank you.

[The prepared statement of Ms. Margon follows:]



Subcommittee Hearing: Developments in Rwanda
Subcommittee on Africa, Global Health, Global Human Rights, and International
Organizations

Testimony of Sarah Margon
Washington Director, Human Rights Watch

May 20, 2015



Chairman Smith, Ranking Member Bass, members of the Subcommittee: thank you for holding this important hearing on the human rights situation in Rwanda and for inviting me to testify. I am glad to be a part of it.

Just 21 years after the genocide, Rwanda has come a long way. By any measure, there have been real, concrete improvements in terms of economic growth and access to public services. The numbers show a dramatic turnaround for a country left devastated and traumatized by unspeakable brutality. According to the United Nations Development Program, a million people have been lifted out of extreme poverty; annual economic growth has averaged 8 percent; more than 95 percent of children have access to a full cycle of primary education; infant mortality is down 61 percent, three quarters of the population have access to drinking water. The country is on track to meet most of the 2015 Millennium Development Goals. The parliament is majority female, at nearly 65 percent.

By the sound of it, Rwanda is not a country in crisis. It is a country where things work.

But in reality, it is only some things that work. The same government that has helped many Rwandans **out of poverty and propelled the country's economic growth** has done so while severely restricting their fundamental civil and political freedoms.

Indeed these gains are undermined by two persistent trends:

- systematic domestic repression that stifles – sometimes very violently – dissent, opposition, and independent thought; and
- repeated cross-border meddling and support for abusive armed rebels groups in neighboring Democratic Republic of Congo, or the DRC.

International and regional attention on Rwanda has often been an outgrowth of its interference in the DRC – which has happened at least four times since 1996. Each cross-border intervention by Rwanda has included a range of support for extremely violent armed groups responsible for killing, raping, and looting. And until recently, the reaction from governments has never come close to adequately addressing the scale and scope of their abusive support. Three years ago, however, things started to change when **Rwanda's support for the M23 rebel group was forcefully criticized by the United States (and other governments)**. This condemnation brought about serious diplomatic activity and a suspension of security assistance by the US, as well as suspension of other forms of assistance by European governments – all of which ultimately contributed to **Rwanda's decision to cease its** military support for the M23.

While these measures set an important precedent for US policy, today I'd like to switch gears and focus on **Rwanda's** domestic challenges because it is within this environment that government accountability and transparency need to begin. In fact, if there had been a viable Rwandan independent civil society and media able to denounce these repeated cross-border interventions, perhaps the authorities in Kigali might have stopped their most recent meddling operation.

Rwanda is a country of double realities. Visitors are impressed with the façade, the apparent security. The streets are clean, the traffic lights work, economic growth is strong, and tourism is high. In many ways this is a smokescreen: many Rwandans live in fear, not only because of the legacy of the genocide, but because the current government – the only one since the end of the genocide in 1994 – runs the country with a tight grip on power.

The ruling Rwandan Patriotic Front (RPF) dominates all aspects of political and public life. It won the last parliamentary elections (2013) with more than 76 percent of the vote, and President Paul Kagame won the last presidential elections (2010) with 93 percent of the vote. The absence of political space means opposition parties cannot operate in a meaningful way. This is not new – it has been a constant feature of RPF rule since the end of 1994.

Independent civil society is extremely weak as a result of years of state intimidation, infiltration, and heavy administrative burdens. One by one, activists have either fled the country for fear of ending up in prison or been silenced through repeated threats. The last remaining national independent human rights group, the Rwandan League for the Promotion and Defense of Human Rights (LIPRODHOR), was taken over by members sympathetic to the government in 2013. The Rwandan government and pro-government media regularly and publicly attack and misrepresent the work of my own organization, Human Rights Watch – for example falsely accusing us of supporting the Democratic Forces for the Liberation of Rwanda (FDLR), a predominately Rwandan armed group operating in eastern Congo, some of whose members participated in the 1994 genocide.

Along similar lines, the Rwandan media remains heavily dominated by pro-government views with most journalists unable – or unwilling – to investigate and report on sensitive issues because of the constant threats they face. The Rwandan government introduced new media laws and reforms in 2013, which enshrine **journalists' rights to freedom of opinion and expression and introduced self-regulation** by the media. But for the most part these reforms have not translated into reality, as years of intimidation have led to self-censorship and decreased interest in investigating alleged abuse or even dissent. And even after the passage of these reforms in 2013, **the Rwandan government suspended the BBC's Kinyarwanda service in 2014** – following the broadcast of a television **documentary entitled "Rwanda's Untold Story"** – on the grounds that it was inciting, among other things, hatred and divisionism. The suspension of the BBC local language service deprives many Rwandans of a precious source of independent information they **can't find elsewhere** because it often broadcast issues and angles not covered by the pro-government, domestic media.

The Rwandan government invokes the need to prevent a resumption of ethnic violence as justification for restricting freedom of expression. This practice is disingenuous, because it silences all forms of dissent and criticism, including many that have nothing to do with ethnic violence – a tactic that could end up **reversing Rwanda's** apparent stability and its economic successes.

One of the ways the Rwandan government silences opposition and dissent is by engaging in tactics such as arbitrary detention, arrest, and even enforced disappearances of those who criticize the government. Human Rights Watch has documented scores of cases of individuals held unlawfully by the military or police in unofficial detention centers – some for several weeks or months. Some of those detainees have been tortured and their families not notified of their whereabouts. There is also a phenomenon of killings, attacks, and threats against government opponents and critics in exile. The most prominent example of this is **Patrick Karegeya, the former head of Rwanda's external intelligence services and leading member of the Rwanda National Congress (RNC), an opposition group in exile.** On January 12, 2014, Karegeya was found murdered in a hotel room in South Africa. The South African authorities launched an investigation, the outcome of which is not yet known.

Despite abundant evidence of serious repression by the Rwandan government over the last 21 years, there has been only muted international criticism. Instead, Kigali has enjoyed strong support from key donor countries like the United States, international financial institutions such as the World Bank, and a range of other political actors and independent foundations. The absence of a comprehensive policy approach that addresses Rwanda's disregard for fundamental rights is stark. Indeed, because Rwanda is held up as an all too rare model of successful development in Africa, the focus stays there, to the exclusion of all else. The repressive domestic environment has been treated as an ancillary problem – or not treated at all – for the most part because, it seems, because it is just too difficult to reconcile with the positive narrative.

But there is good reason – beyond just moral considerations – for donor governments, financial institutions, and foundations to support the exercise of civil and political rights by Rwandan citizens alongside economic growth. Indeed, in a case study on Rwanda for the **World Bank's World Development Report 2011**, Omar McDoom argued that **"peace is most likely to endure if Rwanda's political space is gradually opened up"** and that **"post-conflict stability premised on economic growth and strong leadership – but without political liberalization on the longer term – may have a finite duration and a possibly dramatic ending."**¹ His conclusion is an important warning for all donor governments and particularly for this Congress as it considers the FY16 foreign operations budget. To the extent that

¹ Specifically he says "The long term durability of peace depends also on the gradual opening of political space and de-concentration of power in the hands of the ruling elite to allow Rwanda's state institutions and civil and political society to evolve into responsible and independent counterweights to the regime. In the absence of such a shift in political culture Rwanda's prospects for a peaceful and constitutional change of regime one day may be diminished and the remarkable achievements of the current regime after the genocide undone." See Omar McDoom, "Rwanda's exit pathway from violence: a strategic assessment," World Development Report, April 2011. http://reliefweb.int/sites/reliefweb.int/files/resources/Fu1_Report_1089.pdf (accessed May 20, 2015). For articles by a range of authors on different aspects of post-genocide Rwanda, see Scott Straus and Lars Waldort, eds., *Remaking Rwanda: State Building and Human Rights after Mass Violence*. (University of Wisconsin Press, 2011).

Rwanda's development success depends on use by the Rwandan Patriotic Front of repression and fear to maintain its rule, that success is likely to be fragile.

So what does this mean for US policy?

There are a number of steps the US could take to help shift international perceptions of Rwanda so they take into account **the government's human rights record**. Congress has a big role to play in making sure this happens.

For starters, the Obama administration and members of Congress should keep speaking out against abuses by the Rwandan government. Recent statements by the administration – and by senior members of this committee – have had tremendous impact. **Rwandan officials' insistent denials** of repression in their country make it clear that these statements matter. International legitimacy is very important to the Rwandan government; it wants to be a key regional player and condemnation of poor domestic behavior **doesn't fit that model**. So sustained pressure is important.

Second, the administration needs to make unequivocally clear its support for the VOA Central Africa service. Here, Congress has a specific role to play in ensuring there is full funding for services in local languages, including Kinyarwanda. Robust support to the VOA Central African service, particularly in light of the recent BBC Kinyarwanda service shut down, sends a doubly important message about the **United States' commitment to press freedom**. Many Rwandans who live in the countryside, far from the cities, can frequently be seen listening to the VOA on their radios. They rely on it as one of the most precious and dependable sources of impartial, objective information. If this VOA service were to end, it would leave a major gap that could not be filled. As with the absence of the BBC, there is no similar service to replace it.

The United States should also urge the Rwandan government to permit the development of a truly independent civil society by allowing human rights groups to operate freely and by minimizing registration and administrative burdens. There should be absolutely no toleration of arbitrary arrests and detention, and in particular enforced disappearances, as tools to silence criticism. Congress can make a valuable contribution by making sure there is adequate funding for democracy and governance initiatives and that it is allocated smartly. For example, in FY13, USAID spent \$3.2 million on democracy and governance in Rwanda but only \$500,000 went to civil society and no funds were specifically allocated to support the rule of law or human rights.² **The absence of funds does not necessarily mean the US isn't engaging on** some of these issues, but it does signal the absence of a strategic approach to support independent and critical voices in a difficult environment.

Finally, the United States should use its prominent role at the World Bank and with other financial institutions to urge broader guiding principles that are not only rooted in the freedom from want but also the freedom from fear. In Rwanda, this would mean the multilateral development banks pursuing more

² See USAID, "Dollars to Results: Rule of Law and Human Rights in Rwanda," 2013, <http://results.usaid.gov/rwanda/democracy-and-governance/rule-law-and-human-rights#fy2013> (accessed May 20, 2015).

than just a narrow development agenda but also raising concerns about the impact of the **government's** repression on sustainable, effective development. The US should also be a leader in making sure that international financial institutions take all necessary measures to ensure that in complex environments like Rwanda, they **aren't directly or indirectly supporting** rights abuses.

I'll close by saying that I am aware of concerns expressed by some in the administration – and even here in Congress – that a more public stance on **Rwanda's** domestic environment might undermine the bilateral partnership between Kigali and Washington – including cooperation on important regional issues and **Rwanda's** active role in peacekeeping. But the US has often underestimated its own leverage and been overly cautious as a result. The US may need Rwanda – but Rwanda needs the US too. Instead, the US should continue refining its policy on Rwanda and send a strong signal of support to the many Rwandan citizens who crave freedom of expression and greater political space but whose fight for dignity and freedom has been all but quashed.

Mr. SMITH. Appreciate it very, very much. Mr. Shalita?

**STATEMENT OF MR. WILLIS SHALITA, PHOTOJOURNALIST
AND BLOGGER**

Mr. SHALITA. Mr. Chairman, Ranking Member Bass, other members of the panel, it is an honor to be invited to speak before you at this hearing. Thank you very much. The diverse viewpoints included here demonstrates your commitment toward strong partnership between the United States and Rwanda. No topic is closer to my heart, Mr. Chairman.

My name is Willis Shalita and I am a proud American, but also a very proud Rwandan. But at one time, Mr. Chairman, I had no country. In the early '60s, hundreds of my fellow Rwandans were expelled from our homeland. I lived in exile in Uganda up until Idi Amin's reign of terror made me a refugee for the second time.

Mr. Chairman, I have lived under a dictatorship. I know how it feels. I know what to look for. I am here to tell you today, Rwanda is not a dictatorship. Forty-two years ago America welcomed me into this country. I found a home and also my vocation as a special investigator for the State Bar of California. My job was to separate fact from fiction, build a strong case, and testify under oath about my findings. I did so hundreds of times, Mr. Chairman, over my 28-year career as an officer of the court. Today I work primarily as a writer with a focus on Rwanda.

After the genocide, 1 million Rwandans lay dead. No one had any real idea how to render justice, survivors and perpetrators, much less how to live together again. Twenty-one years later, Mr. Chairman, the country stands out. Rwanda leads the world in women's representation in Parliament. Mr. Chairman, things don't happen where there are no conducive conditions.

Rwanda ranks number one among low-income countries in the World Bank's annual Doing Business index. Professor Paul Farmer of Harvard Medical School found that the Rwandan health system, "achieved some of the steepest declines in premature mortality ever documented anywhere." Funding from the United States played an important role.

As has been said, Rwanda is the fifth largest troop contributor to U.N. peacekeeping missions. Religious freedom is protected in Rwanda. An attempt to criminalize homosexuality was defeated in Rwanda. Rwanda is socially conservative, but gays and lesbians need not worry about government interference in private matters.

Now Mr. Chairman, at this point you may be thinking, "Yes, but," but why does there have to be a "but"? The facts are real. The data comes from trusted, independent sources. Is Rwanda perfect? Not even close. But the best way to uncover its flaws is to go to Rwanda where the most scandalous data about a country is made public by its own institutions. Go attend a citizen outreach meeting and tell me if you think Rwandans are too intimidated to tell truth to power. I say not.

So why do we often find ourselves adrift in this strange Bermuda Triangle of confusion when it comes to Rwanda? To prepare for this hearing, Mr. Chairman, I put my investigator hat back on. How is it that individuals who once proudly contributed to Rwanda's success now calmly assert that the country is some kind of tropical

North Korea? Mr. Chairman, the answer is simple and facts simpler than I thought—money and politics.

The House lobbying database records that my fellow witness, Dr. Himbara, hired the top-tier firm in 2014 paying them \$190,000. If he can afford that sum on his own, then I want whatever consulting gigs he has. And Mr. Chairman, if the money isn't his, then this subcommittee deserves to know the source of this money. Democracy in Rwanda Now, DIRN, registered this domain, this is his outfit. They registered their domain a week ago around the same time this hearing was announced. Was something wrong with whatever affiliations were being used before? This subcommittee needs to know.

I note that Mr. Higiro, here, is a senior cadre of the Rwandan National Congress, a foreign political party whose leaders seek the violent overthrow of the Rwandan Government and they even collaborate with the FDLR, a genocidal terrorist organization. Mr. Chairman, people have a right to seek influence provided they follow the rules. But until we know who know who foots the bill and why, there is no way to assess the credibility of claims made by this shadowy network. Maybe I am naive, Mr. Chairman, but my experience is that truth is more or less free for the picking. But if you want people to believe lies, well, that is going to cost you.

References have been made about trials or fake trials and imprisonments of Rwandans. Mr. Chairman, I am here to tell you that trials in Rwanda are open. There has been confidence expressed in the Rwandan judicial system by countries like the U.S., Canada, Norway, Denmark, who have extradited people who had bloody hands during the genocide against Tutsi.

Mr. Chairman, this malicious campaign damages the strong bilateral relationship between Rwanda and America, but we must not let cynicism prevail over common sense and core human value that my beloved two countries share in equal strength and measure. Mr. Chairman, I will submit a longer presentation for the record. Thank you, sir.

[The prepared statement of Mr. Shalita follows:]

Testimony of Willis Shalita

Hearing on Developments in Rwanda
Committee on Foreign Affairs — Africa Subcommittee
U.S. House of Representatives
May 20, 2015

Mr. Chairman, Ranking Member Bass, Distinguished Members — it is an honor to be invited to testify at this important hearing. Thank you very much for this opportunity.

It makes me happy to see such a wide range of viewpoints included. This diversity is a demonstration of your commitment to keep strengthening the partnership between Rwanda and the United States.

No topic is closer to my heart. My name is Willis Shalita, and I am a proud American, and an equally proud Rwandan. But at one time, I had no country at all.

In the early 1960s, hundreds of thousands of Rwandans were expelled from our homeland in an orchestrated campaign of ethnic cleansing. I lived in exile in Uganda, up until Idi Amin's reign of terror forced me to become a refugee for the second time.

America welcomed me with open arms, some 42 years ago. In this country, I found not only a home, but also a lifelong vocation as a special investigator with the California State Bar, where I examined allegations of attorney misconduct.

My job was to separate fact from fiction, build the strongest case possible, and then testify under oath about my findings, so that the law could run its course. I did so hundreds of times over my 28-year career as an officer of the court.

My life has been about fighting against dictatorship, persecution, and injustice, in whatever way I can. Today, I do so primarily as a writer, through a weekly blog on social and political developments in America and Africa, with a particular focus on Rwanda.

After the 1994 Genocide, a million Rwandans lay dead, around 15% of the population. The state coffers were looted, and insecurity was rampant. No one had any real idea how justice could be rendered to survivors and accused perpetrators, much less how to live together again. Rwanda was a country that could afford only the most modest ambitions for itself.

Twenty-one years later, Rwanda stands out. Let me highlight a few examples.

Rwanda leads the world in women's representation in Parliament, with nearly two-thirds.

Rwanda is building a culture of entrepreneurship, self-reliance, and free enterprise. It has emerged as one of the top performers in the World Bank's annual *Doing Business* index, it ranks No. 1 in the world among low-income countries, and 46th globally.¹

Rwanda is investing massively in the well-being of citizens, as well. Professor Paul Farmer of Harvard Medical School found that over the last decade, the Rwandan health system "achieved some of the steepest declines in premature mortality ever documented anywhere".² Global health funding from the United States played an important role in this success.

Rwanda shoulders its share of the burden for international peace and security. It is the fifth-largest contributor to UN Peacekeeping missions globally. Here again, there is strategic partnership with the United States. In early 2014, when Rwanda agreed to deploy forces to the Central African Republic within a fortnight to help halt a terrifying descent into communal violence, it was the U.S. Air Force that got the troops there in time to make a difference.

Religious freedom is protected in Rwanda, and the faith sector is vibrant and dynamic. Moreover, Rwanda's leaders continually re-affirm the intrinsic value of each and every life. Last year, campaigns on road safety and human trafficking were launched. Numerous Rwandans trafficked abroad, including minors, have already been rescued and brought home.

Parliament's decision not to decriminalize abortion also falls under this rubric. I know there is a wide range of perspectives on this matter, including even my own. But I have no doubt that the law springs from a broader culture of valuing human life.

At the very same time, Parliament also voted not to criminalize homosexuality, bucking the African trend. Rwanda is a socially conservative country, but at least gays and lesbians do not have to worry about the state interfering in private matters. Rwanda is not afraid to vote its conscience to either, regularly teaming up with the United States to defeat efforts to remove anti-homophobia provisions in international human rights instruments.

Now, at this point, some of you may be thinking to yourselves, "Okay, sure, *but...*"

"Yes, great, *but...*"

¹ <http://www.doingbusiness.org/data/exploreeconomies/rwanda>

² <http://www.bmj.com/content/346/bmj.f65> and

<http://www.washingtonpost.com/blogs/wonkblog/wp/2013/12/29/paul-farmers-graph-of-the-year-rwandas-plummeting-child-mortality-rate/>

But why does there always have to be a “but”? The facts are real. The data come from trusted, independent sources such as academia, international organizations, NGOs, and even regular Gallup polls that ask Rwandans themselves what they think.³

Is Rwanda perfect? Not even close. But logically, it should be possible to offer robust critiques of Rwanda’s policies and performance without disparaging its most remarkable achievements.

Let me tell you the best way to uncover the juiciest “secrets” about waste, fraud, and misconduct: Come to Rwanda. The dirty laundry is hanging out for all to see. Parliamentary committees, the Ombudsman, the Human Rights Commission, the Rwanda Governance Board, the evaluation of the performance contracts that all public officials sign each year, the soul-searching discussions at the annual national leadership retreat.

Come watch how Rwandans interact with their leaders on Twitter in real time, and get results. Come attend a citizen outreach meeting in a rural district, and then tell me if you still think that Rwandans are too intimidated to speak truth to power. I assure you, they are not.

The truth is that the most scandalous data about Rwanda is made public by Rwanda’s own institutions. There are also dozens of private media outlets whose muckraking gets overlooked by outsiders because they operate only in Kinyarwanda.

Rwanda now even has a comprehensive freedom of information law, and already a private NGO has set up a web portal that citizens and journalists can use to harangue government departments into complying with the disclosure rules.⁴

Not convinced? No problem, just check in with some of the thousands of Americans who have settled in Rwanda to start businesses, churches, and non-profits, not to mention the 100,000 Americans who visited the country last year alone.

So why do we find ourselves, time and time again, in this strange Bermuda Triangle of confusion, which tends to overpower any effort to conduct reasonable, fact-based conversations about Rwanda?

To prepare for this hearing, I put my investigator hat back on, to see if I could make some sense of it. How is it that some of the very people who once proudly contributed to Rwanda’s success, now calmly assert that stats are fake, foreign eyewitnesses are dupes, and Rwanda is some kind of tropical North Korea?

³ http://www.gallup.com/topic/country_rwa.aspx

⁴ <https://sobanukirwa.rw/>

And why does anyone believe them, when the mountain of contrary evidence is so high?

The answer is simpler than I thought: politics and money.

The House lobbying disclosure database records that a fellow witness, Dr. Himbara, who works as a "human rights advocate and good governance consultant", personally hired a top-tier DC lobbying firm in August 2014. He paid them \$70,000 in the first quarter of this year, and a total of \$190,000 since the contract started.⁵

If that's his money, then I want whatever consulting gigs he is doing. If it's not all his, then I think this committee deserves to know the true source of the funds.

I also noticed that the domain name for the fancy website of the new organization that two witnesses today represent, Democracy in Rwanda Now (DIRN), was registered only about a week ago, on May 13, 2015.⁶ I suppose it could be a coincidence that the invitation to this hearing would have arrived around the same moment.

That's fine. We could all use better websites. But why the sudden need for a brand new platform? Was something wrong with whatever affiliations were being used before?

I can't say, but I found that Mr. Higiroy also serves as a senior cadre for the Rwandan National Congress (RNC), a foreign political party whose leaders openly state their commitment to the violent overthrow of the Rwandan government and the assassination of its president. RNC have even resorted to collaborating with the FDLR, a terrorist organization made up of the remnants of the groups responsible for the Genocide.

If I were in Mr. Higiroy's shoes, I would also want to put a different face forward to the U.S. Congress.

So a lot of money is being spent to circulate disinformation about Rwanda to decision-makers and opinion-makers in this country. People have a right to do that, provided they follow the rules. But I for one am curious to know who is bankrolling it. How else can the credibility of any claims that emerge from this shadowy network be assessed?

Maybe I am naïve, but my experience is that truth is more or less free for the picking. But if you want to get people to believe lies, well, that's going to cost you.

I believe that this malicious political campaign weakens the strong bilateral relationship between Rwanda and America, which would ironically make the U.S. less effective as a trusted partner accompanying Rwanda towards its highest goals.

⁵ https://www.opensecrets.org/lobby/client_reports.php?id=F46923

⁶ Whois registration data for <http://democracyinrwandanow.org> can be found at <http://who.is/whois/democracyinrwandanow.org>.

But I suppose that is exactly the point. We must not let cynicism prevail over common sense, reason, and the defense of the core human values that my two beloved countries share in equal strength and measure.

Mr. Chairman, Ranking Member, Distinguished Members — thank you for your kind attention. I look forward to responding to questions. Given my late addition to this panel, may I also respectfully request that my full written testimony be accepted for inclusion in the official record. Thank you again.

Mr. SMITH. Thank you, Mr. Shalita. Let me just ask you, Mr. Shalita, the Globe and Mail in an article by Geoffrey York and Judi Rever, which is a very extensive piece that they did, an investigative piece, they point out, and I quote them in pertinent part, that

“The investigation by The Globe and Mail found a common thread in interviews about plots to murder exiles: Rwandan agents search for vulnerable people within the social circles of their targets and then put pressure on them or offer them money in exchange for their cooperation. In some cases, the agents go back repeatedly to the same potential assassins even if they failed to do the job, urging them to do what they were paid to do.”

You have heard today witnesses, two, who have personal knowledge. One with recordings that I have asked and I will continually ask the State Department to review. I find it appalling that they have not done so yet, and maybe they have and somebody will emerge and say, oh, I have done that. But it certainly has not percolated to the point where the policymakers, the Acting Assistant Secretary, and of course Mr. Feldstein have any knowledge of. They have to get back to us on that. And then of course Mr. Himbara who was literally there with him and was part of a team on the economic side. Are you saying this isn't true?

Mr. SHALITA. Mr. Chairman, thank you for the opportunity to respond to that. Having been an investigator for 28 years, let me say this. Allegations are simply that. I welcome your request that these allegations, these accusations, be verified by independent persons. Let me say this, Mr. Chairman. The South African Government looking into General Nyamwasa's attempted assassination has not finished its investigation, so how do we rush the conclusion that the Rwandan Government was involved?

Mr. SMITH. Well, before I go into our other witnesses, just let me say, and even Acting Assistant Secretary Jackson pointed out that they expressed concern in January 2014 about the succession of what appeared to be politically motivated killings of government critics in exile. And then we went through a long list of—he did not elaborate when asked and I am sure he will get back, but I think there are people very concerned within our U.S. Department of State.

I think Ms. Margon is probably very concerned about these people who are turning up dead. And when South Africa and other nations do take actions to investigate, and it is very hard to cross borders especially to really get to the truth of what is happening and when and where, but when you see a pattern, reasonable men and women say there is a real problem here. And as Mr. Higiuro said, and I thought that was very telling, that when statements are made by the director of intelligence about killing he is only quoting the President. That is a pretty strong allegation.

Ms. BASS. Yes, if you don't mind, Mr. Chair, if you could yield. Didn't the—you said that the South Africans were still investigating, and I thought the South Africans expelled the Rwandan representatives. No? I thought they had.

Mr. SHALITA. Thank you, Ranking Member. No, if I can correct you, the South African Government has come to the conclusion that

the alleged assassins were from Rwanda. The conclusion, Madam Member, has not been made that the Rwandan Government was involved. We live in America where you are assumed innocent until proven otherwise. There is no conclusive evidence.

Ms. BASS. No, no. But I thought they expelled the Rwandan diplomats. So it wasn't just that it was a Rwandan that they said committed the crime, but I thought that they kicked out the diplomats. They did not kick out the Rwandan Ambassador in South Africa?

Mr. SHALITA. Thanks again. During the exchange of words, as happens always, the Rwandan Ambassador was asked to leave. But soon thereafter Rwanda sent back another Ambassador and we have, Rwanda has an Ambassador in Johannesburg.

Mr. SMITH. Let me just ask you further on this. If Paul Kagame is not in any way complicit in any of this nor his director of national intelligence, would you then support and would the Rwandan Government support an international team of investigators who would have unfettered access to information to people so that they can investigate this and go to source material, look at logs, look wherever the investigation takes them? Because otherwise I would be concerned about a whitewash, again more people dying.

I am very worried that this is in escalation, not in decline, especially as Mr. Himbara mentioned earlier. The two phases, political opponents but now it has morphed into his driver and other people who are selected for killings, and it just raises serious questions about how wide and how deep this will go in terms of the killings.

So would you support? Do you believe the administration would support? I am talking about the Kagame administration, unfettered access and investigation by an international team of maybe under U.N. auspices or AU auspices who would get to the bottom of this?

Mr. SHALITA. Mr. Chairman, thank you for the question. As I stated before, I don't speak for the Rwandan Government. I am here on my own as an American Rwandan who is interested in what goes on in my country. Mr. Chairman, your question is above my pay grade, but I will join with you having an independent body investigating these allegations. Again, Mr. Chairman, these are nothing but allegations.

Mr. SMITH. Again, we did invite you to join us. The Embassy of Rwanda requested that. And I want all sides at all times on something so important as this to be present at the table. So I would hope you would take that back and join us in asking that Kagame allow that kind and even embrace it. If I were innocent and I were in his shoes I would demand that there be an international investigation to clear my name. There is nothing, as Proverbs says, more important than one's name. The Book of Proverbs. If your name is tarnished you invite people who have no political agenda whatsoever to go in and uncover the truth.

Mr. SHALITA. Mr. Chairman, again I was asked by the Rwandan Embassy to come and testify because they know of my passion about what goes on in Rwanda. I have no affiliation. I have no place in making decisions like you are asking for. However, let me say this, Mr. Chairman. I would support you fully, 100 percent, to send an independent organization to look into allegations. Again, Mr. Chairman, these are nothing but allegations, and making allegations doesn't make a witness believable or not believable. It

should be put to test and all evidence should be brought in and verified.

Mr. SMITH. Mr. Himbara, did you want—

Mr. HIMBARA. Thank you, Chairman. I think the ranking member Karen Bass, she got it right. The court case on the attempted assassination of Nyamwasa, the original one, was settled in court. And the result of that case while that no, it is not actually the Ambassador that was kicked out, no, the Ambassador of Rwanda is the only person that was left. All the other diplomats were expelled.

And it is important to hear what the judge said. This South African judge said, well, we are sending these four people to jail for this attempted assassination, but actually the people who should be in this court are authorities in Rwanda. That is clear. Then farther north in Sweden, Sweden expelled a Rwandan diplomat for harassing a Rwandan diaspora. Down south in UK, the Metropolitan Police, also the Scotland Yard had to send warnings to British Rwandans to watch out because they were targets. But for the South African case. It is a done deal. Absolutely. You are right, yes.

Mr. SMITH. I just want to ask a couple other questions and we will get back. Let me ask Mr. Higiuro, in your opinion is the U.S. Department of State pressing an investigation into the killings and the alleged conspiracy to assassinate well enough, aggressive enough? Have you been interviewed by anyone? Have your tapes been analyzed from CIA to U.S. Department of State as far as you know? And where is Colonel Dan Munyuza, the Director of Military Intelligence. Is he still in that position in Rwanda or has he been dismissed? Where is he?

Mr. HIGIRO. Thank you, Mr. Chairman. Dan Munyuza actually was moving with me. I was employing him indirectly. So he started this when he was the Director of Military Intelligence, but we have the Chief of External Intelligence who is supposed to be dealing with people like us who are supposed to be killed outside the country.

So because of the way they thought I am going to do something great and become a hero as they told me, he was moved from the Director of Military Intelligence to the Director of External Intelligence. So I continued with him. When the mission aborted, he was taken to prison straightaway and then he was brought back, he is now the deputy national police commander, but he is still in Rwanda.

Let me make something clear. It doesn't really matter where Dan Munyuza or Jack Nziza, what post they hold in the government or in the military or in the police. It is just a shadow for them to do what they are supposed to do. These are two gentlemen who get direct orders from the President. They are the ones who have killed almost everybody that has died. Seth Sendashonga they are talking about, was killed by Jack Nziza in Nairobi when he was a diplomat there. It doesn't matter where they are.

But I am going to defend my colleague, Mr. Shalita. I feel sorry for him. I feel sorry for Rwandans who are here. I feel sorry for the diplomats in these Embassies of Rwanda. They are told what to say. There are lines they can't cross—and you can see him. He doesn't really have even that information. They don't even feed him the information to support to them. He doesn't know anything

about these cases. He is an American. He has been in America. He has never lived in Rwanda. He doesn't understand what is going on.

But to the passion he talked about, he thinks the country is moving in a good direction. And I am sure he is going to find out more after this hearing and probably we are going to talk about it. So that is the truth.

And to the other question of the State Department, they have not done that so far. They have never—

Mr. SMITH. They have not.

Mr. HIGIRO. They have never reached me. They have never reached me, but I have shared this with the Belgian Government and I think they know. Because of course when you are asking asylum we need to give such evidence as to support our criteria to be recognized.

And still on that point, I would request to clarify that even where we are we are not safe, and the governments like you asked, the department responsible. They think it is a joke or not very serious, but it is very serious. The widow and children to the late Colonel Patrick Karegeya who was strangled in South Africa, are here in U.S., but they have been denied asylum up to now because of this conspiracy. I am not accusing them but there is a problem. They are like prisoners. They don't move out of view. It is the current situation.

You can take it from them and find out what is the problem? What kind of criteria does this family that their own father and husband was strangled in South Africa does not fulfill for them to get asylum in this democratic country? It is a big issue. The conventions, the Geneva Convention are clear, but something is wrong somewhere. Even us in Belgium, in Europe, in Africa, the refugees from Rwanda, let us talk about the kidnapping of Lieutenant Mutabazi to Rwanda. It was against the law, but the Ugandan Government has never said anything about that. The UNHCR has never said anything about that, but it was wrong.

The wife and the children to this lieutenant are somewhere in a camp in Uganda. The children are not going to school. She was supposed to be taken somewhere. She is still there. So are we doing enough? Are the strong countries doing enough on what we are talking about? Absolutely not.

We are here. I put my life on the line to come here and say, look here, the crime is this, and I do this in many different capacities and I talk to different Rwandans—Hutus, Tutsis—I do it every day, every day, every day. I talk to whoever I meet. I have talked to different diplomats. But nothing is being done. Thank you.

Ms. BASS. Sure. Yes, thank you. Thank you, Mr. Chair. I guess I want to ask that, the two of you, and feel free to chime in, Ms. Margon. What is Kagame's motivation? I mean I am assuming that you are saying he is going to run again for a third term. What is his motivation? If he is so strong why does he need to do this?

Mr. HIGIRO. Thank you. The third term thing is complicated now. I think he might have talked about it. What even Mr. Shalita believes is that the Rwandans love Kagame. Kagame is going to have a youth gathering in Dallas, Texas, on Saturday. Do you know the number? Seven hundred young boys and girls. Do you know where

they are coming from? Rwanda, the diaspora here, Canada, Europe. Do you know who funds them to go there? The government. The money you give him.

Ms. BASS. The money we give him.

Mr. HIGIRO. Yes.

Ms. BASS. You are saying he is flying Rwandans in from all of those countries?

Mr. HIGIRO. Flying Rwandans, yes.

Ms. BASS. They don't live in Texas?

Mr. HIGIRO. Not everybody is in Texas. And they have to feed, they have to sleep. I mean it is not my—

Ms. BASS. Well, he is having a rally of Rwandans in Texas and he is flying them from all over the world to be there?

Mr. HIGIRO. Yes.

Ms. BASS. So what you are saying is that he does not have the support at home? I mean why does he need to assassinate people all over the world?

Mr. HIGIRO. What should I say? I mean we fought a very complicated war from 1990 to 1994. The Rwandans have experienced, mention any single crime which has not been committed in Rwanda. What does the President want that I don't want for Rwandans?

Ms. BASS. You want to respond to that? Why does he need to do that?

Mr. HIMBARA. There are several reasons why. First, remember that already the U.S. had to apply for immunity for President Kagame. He made history here from a lawsuit. That is one. That is from the widows of the Presidents that were shot down. This government applied for immunity for him. The Congo Mapping Report, the U.N. mapping report concluded that there is enough material there to indict Kagame for genocide.

Ms. BASS. So he is doing this so that he doesn't have witnesses around when he did?

Mr. HIMBARA. The moment he leaves power the immunity is gone. That is one reason.

Ms. BASS. Okay.

Mr. HIMBARA. There are so many people that he has offended, so that is one. Number two, this so-called development that people are talking about, do you know the biggest companies that actually control that run the economy? It is the Rwandan Patriotic Front companies. The holding company is called Crystal Ventures Limited. It controls just about everything.

So President Kagame, he wears three hats. President of Rwanda, chairman of the party, but also the leading businessman. So the Rwandan version of capitalism is crony capitalism. He loses that office, who knows where that business empire will be?

Ms. BASS. Okay. So Mr. Shalita, everything that you have said is, is that I guess is that there is no proof of anything. Everything is just allegations?

Mr. SHALITA. What we have heard here today, and having been an investigator for 28 years investigating the best lawyers in this country, I hear nothing but allegations. If there are facts why not share them with you?

Ms. BASS. Well, I think that Mr.—

Mr. SHALITA. I resent the fact that my fellow witnesses here, they think they are entitled, well, they are entitled to their opinion but they are not entitled to their own facts. Let me say something, Mr. Chairman. The allegations—

Mr. SMITH. Again, we have a man who has recorded the request that he assassinate two individuals that the Toronto newspaper and the BBC found credible. To my chagrin, and I am sure that of the ranking member, our own State Department has not even listened to those tapes. I mean that is evidence. That is evidence. Of course there is a due process stream that needs to be followed, but when you get multiple allegations with streams of evidence, it begs the question why are we looking the other way and acting as if none of it is credible.

Mr. SHALITA. With all due respect, Mr. Chairman, what the newspaper in Canada says is not evidence. It is not a legal institution.

Ms. BASS. Well, no, let me just ask you. Let me just ask you this. And I will get to you. But let me just ask you this. As an investigator, if there are tapes would you then want to have a tape of the voice of the person who the allegation is made about? Because there is enough science to prove whether or not it is the same person. It doesn't seem to be that deep.

Mr. SHALITA. I have not listened to the tape. I have read the transcript in its entirety.

Ms. BASS. I know. I am just saying as an investigator wouldn't that conclude?

Mr. SHALITA. I would want the real voice of Colonel Dan Munyuza to compare with—

Ms. BASS. Right. That is what I am saying.

Mr. SHALITA [continuing]. What is alleged this gentleman has.

Ms. BASS. Right. So if that was done, wouldn't we be able to know?

Mr. SHALITA. If it was done, yes. I would absolutely agree with you.

Ms. BASS. Okay. I mean it is just hard to believe that there is just allegations and nothing has ever been proven.

Mr. SHALITA. Well, for instance, Mr. Higirow has made an allegations that Rwandans are being flown to Texas. I live in Austin, Texas. I want to go on the record and challenge him. Tell me where there is Rwandans.

Ms. BASS. Okay. Well, actually I would like to just ask Ms. Margon—for my part if you don't mind, Mr. Chair, I will conclude my questions by just asking you to respond to both sides of what I asked.

Ms. MARGON. Sure. I also wanted to respond to your point about what Rwandans want in the next election. Human Rights Watch hasn't done an investigation into what happened in South Africa, and as I understand it the South Africans have undertaken an investigation themselves. The outcome remains unknown to date, so we do still have that. I think what we are looking at as an organization whose currency is their independent research is that we have repeatedly documented a climate of fear and incredibly violent tactics that have been used against dissenters in Rwanda. It is a

government that is maintaining its power through a strategy and approach of that type.

We have seen it with disappearances that we documented from March until November 2014, which we put out in a report on which the State Department also commented on. That is not a new thing. It is still happening to some degree although it seems to be at a lesser one. But repeatedly the decimation of independent voices is not simply because there wasn't money for it or because people felt they could do better things like go into business. It was because they were afraid for their lives and they have fled the country, many still living in fear, outside borders.

And so while we haven't done research on this specific issue, I did want to put it within the broader context of what we are looking at, which is a government that is maintaining a very tight, and in some cases very aggressive and violent, grip on power. In terms of your questions about what Rwandans want, I think it is hard to tell. Nobody knows what Rwandans want because they are afraid to speak out. If you look at the past elections of the President, it is, I think it was 76 percent for the last Parliamentary elections in 2013. And then in 2010 it was about 93 percent in favor of Kagame. Who knows how many of those people actually wanted the President and his party to win? Most people I would say based on our research are too afraid to do anything else.

You are looking at an environment that may not on election day, let us say, be free and fair as we start to think about the 2017 elections. But it is an overarching context which we have seen in other countries on the continent, including as we will see this weekend in Ethiopia, an overarching election environment which is not at all conducive to a legitimately free and fair election. It is important to think about that when you think about what the people of Rwanda are doing and saying.

Ms. BASS. I am sorry. Just, I mean a little comparison though. The Ethiopian diaspora is very active and there is also a lot in Ethiopia that I think is very well known. So I think with Rwanda, unless I am just not aware of it, there just doesn't seem to be that level of activity. I don't know if whether it is social media or not. Maybe the Rwandan diaspora is active in other countries. I don't—yes.

Mr. HIMBARA. Let me tell you why it is very difficult to be active while we are in communities. It is very difficult for us to be active.

Ms. BASS. In Rwanda.

Mr. HIMBARA. Even here. So now I am going to say something that I held back because I will cry, but also because it will put my brother into danger.

Mr. SMITH. Maybe you shouldn't.

Ms. BASS. You made your point. Your point is clear.

Mr. HIMBARA. But I think I need to put it out here on the record anyway.

Ms. BASS. I would prefer you not. Let me just move on.

Mr. Shalita, then I will come back to you.

Mr. SHALITA. Is the Rwandan diaspora very active? Very active. For the record, for the last 3 years every September more than 5,000 Rwandans meet on Rwanda Day. Is that active or what?

Ms. BASS. Where?

Mr. SHALITA. The last year was in Atlanta. The year before that was in Chicago. The year before was in Boston. This addresses the fact that we are very active. I have been very active on Rwandan issues probably before Mr. Higiuro was born. Look at my blog.

Ms. BASS. I will.

Mr. SHALITA. Look at the social media—

Ms. BASS. All right.

Mr. SHALITA [continuing]. Of Rwandans exchanging their views on the country. And they are all not supportive of President Kagame. And most of these come from Rwanda, for the record.

Ms. BASS. Okay. Let me go back and allow you to finish and then I am done.

Ms. MARGON. The only point I was going to make is that I think Ethiopia is a much larger country with a larger diaspora—which happens to be centered in Washington—which may be part of the reason you hear from them more regularly. But also I do think when you look from our objective perspective, you do see similar issues of development success being put forward. And our attempt or our effort is not to undermine the successes that are real and important to the actual people who are receiving them, but to look at the other side of the coin and figure out how better to integrate the two for the long term gain of the country overall.

Ms. BASS. Okay.

Mr. HIGIRO. So can I say something? Compliment something?

Ms. BASS. Yes, go ahead.

Mr. HIGIRO. Just like I said before, Mr. Shalita whatever he sees, we see. Let me give you an example of what he is talking about. A few months in Belgium, Brussels, they had a conference of about 40 Presidents and Heads of State. President Obama inclusive. The only President that had demonstrations is Paul Kagame. There are two sides. One side singing and praising him, another side against him. And you ask yourself, what kind of specialty, why is Rwanda unique? Why is it that amongst 40 heads of state one single President is having this? Think about it. What is wrong? Why does the Rwandans have to put a lot of effort in receiving Kagame wherever he goes? What is the problem?

There is something called Rwanda Day. If you don't go there it is a problem. Then you never back home. That is one. Two, in Belgium now, I am going to give a specific example. If you are Rwandan and you probably have obtained the nationality, Belgian nationality, if you want to go to Rwanda you need an invitation. Just think about that. Do you know why? It is because they want to control, people in the diaspora, and connect them to where they are going. Why? Because they think people like us are sending messages to Rwanda. So they want to know who is from Belgium, where did he land? Which house is he staying in? As simple as that. I mean what are we talking about?

Look at the region. This starts from Congo. What happened in Congo? How many times did we go to Congo? And Mr. Shalita should understand that I have the credibility to talk about this. I have served that state for a long time, since I was little. I grew up in that system. I know each and everything. I was in the Congo, for the record, once, twice. When we took over Congo in 1997 and fell to Kabila, the old Kabila, we were called back swiftly, and they

relaunched again for a coup d'état which didn't materialize. We ended up in Angola. We fought wars you can't even imagine. We fought our ally Uganda in Kisangani. You know that? What does the guy want from Congo, we have got Uganda.

President Museveni has made peace with President Kagame because he was disturbing him. He was actually funding their opposition. President Kagame has publicly stated that he is going to hit President Kikwete of Tanzania when time comes. It is public information. So what are we talking about? It is all out there. It is not a secret. Thank you.

Mr. SMITH. We are going to have to conclude the hearing, but I just want to make a couple of final points. We will follow up on requesting that Kagame allow an investigative unit maybe under U.N. auspices or AU auspices that would go wherever the evidence takes them, and to interview without fear of retaliation those men and women that have been intimidated.

I think, Ms. Margon, you make a very good point about the climate of fear, the use of violence. I remember Greg Simpkins and I on one trip to Darfur, before we got there we went to Ethiopia. We met with President Meles. It was soon after several people were gunned down in post-election violence in an election that was anything but free and fair. And we met with President Meles who was absolutely dismissive of the violence. Matter of fact, when we left I actually, and Greg and I worked very hard on this, wrote a bill called the Ethiopia Freedom, Democracy, and Human Rights Advancement Act with benchmarks. And when the House flipped to Democratic control, my ranking member and good friend and now sadly deceased, Donald Payne, took it up and it became his bill. It was Payne-Smith. First it was Smith-Payne.

And the idea was that we have got to be serious about human rights. And I can think of no more important issue than protecting people from violence, beatings. I have heard of almost like a Dr. Jekyll-Mr. Hyde type of, the face that Kagame gives to the Western world and to Westerners versus what he does to his own people. And that is really very, very disconcerting especially since there is a seemingly a pattern of extrajudicial killings.

So we need to get to the bottom of this. This subcommittee is committed to it. Again I think at great risk to yourselves you have come forward. Mr. Higiuro, I just can't say how deeply I respect, and as well as you, both of you for coming forward. I am sure the other human rights groups would love to operate freely and in an unfettered fashion. You are not. You are trying and we all appreciate that. But there are risks to the people who bear witness to the truth, so thank you again for that work you are doing, Ms. Margon. We are going to follow up on this. I hope to hear back from the State Department on what they are doing.

Again, Ambassador Jackson made some very good comments about their concerns, but we got no sense as to what the return mail showed when we raised these issues. How do we do it? He said one was done on the fringes of another of the African meetings. Here that doesn't cut it. This should be our Ambassador, this should be our top people and our mission in, as well as the Assistant Secretary and right up to the Secretary level, even President

Obama, raising these issues face to face with details about individuals; otherwise human rights get short shrift.

I have been in this Congress 35 years and I get so angry, and that is the only word to describe it, whether it be China or Rwanda or as it was even under the Bush administration in Ethiopia, when Meles was able to claim a robust commitment to peacekeeping but that doesn't provide a whitewash for serious human rights abuse. We welcome that that they are deploying peacekeepers, but it is not a whitewash and can never be so construed. So yes?

Mr. SHALITA. One final point, Mr. Chairman, and thank you for your leadership. I think this committee will be interested in finding out why Mr. Higiro was dishonorably discharged. Once you find that out, then, Mr. Chairman, ask yourself this question. Somebody who is dishonorably discharged, would this be the same individual given a task to go and commit an assassination?

Mr. SMITH. I want to just say very clearly that that needs to be taken with a grain of salt big-time. When you are the focus of a government retaliation or a death threat, I mean whistleblowers don't fare well anywhere whether it be the United Nations where many have been summarily dismissed.

And I have held hearings and done work along those lines to protect those who speak out against corruption at the United Nations, or within our own U.S. Government. I mean we are always passing new laws, enhanced protection for whistleblowers because they get the back of the hand anywhere in the world including in the U.N. or the United States, and I would respectfully submit in Rwanda as well.

Again we have credible newspapers. The BBC is a credible news media organization that have looked into this and can now with articles and recordings, they get retaliated against too. So let us not forget that. That Dr. Jekyll and Mr. Hyde, if there are death squads being deployed to kill the diaspora and the political opponents or as you said, Mr. Himbara, then phase two, even others, we need to get to the bottom of it. And we owe it to the Rwandans who deserve not a country where there is a climate of fear but where there is a robust democracy where human rights and economic prosperity go hand in hand. So thank you for your testimonies. The hearing is adjourned.

[Whereupon, at 4:33 p.m., the subcommittee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE RECORD

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations
Christopher H. Smith (R-NJ), Chairman

May 20, 2015

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations in Room 2200 of the Rayburn House Office Building (and available live on the Committee website at <http://www.ForeignAffairs.house.gov>):

DATE: Wednesday, May 20, 2015

TIME: 2:00 p.m.

SUBJECT: Developments in Rwanda

WITNESSES:

Panel I

The Honorable Robert P. Jackson
Principal Deputy Assistant Secretary
Bureau of African Affairs
U.S. Department of State

Mr. Steven Feldstein
Deputy Assistant Secretary of State
Bureau of Democracy, Human Rights, and Labor
U.S. Department of State

Panel II

Mr. David Himbara
Coordinator for the USA and Canada
Democracy in Rwanda Now
(Former Aide to the President of Rwanda)

Major Robert Higirow, RDF, Retired
Coordinator for Belgium
Democracy in Rwanda Now

Mr. Willis Shalita
Photojournalist and Blogger

Ms. Sarah Margon
Washington Director
Human Rights Watch

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5121 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON Africa, Global Health, Global Human Rights, and International Organizations HEARING

Day Wednesday Date May 20, 2015 Room 2200 Rayburn HOB

Starting Time 2:10 p.m. Ending Time 4:33 p.m.

Recesses 0 (to) (to) (to) (to) (to) (to)

Presiding Member(s)

Rep. Chris Smith

Check all of the following that apply:

Open Session
Executive (closed) Session
Televised

Electronically Recorded (taped)
Stenographic Record

TITLE OF HEARING:

Developments in Rwanda

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Karen Bass

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not members of full committee.)

HEARING WITNESSES: Same as meeting notice attached? Yes No
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

- Questions for the record, Rep. Smith for Mr. Jackson
- Questions for the record, Rep. Smith for Mr. Feldstein
- Questions for the record, Rep. Smith for Mr. Higirot
- Questions for the record, Rep. Meadows for Mr. Jackson
- Questions for the record, Rep. Meadows for Mr. Feldstein
- Questions for the record, Rep. Meadows for Mr. Higirot

TIME SCHEDULED TO RECONVENE _____

or
TIME ADJOURNED 4:33 p.m.

Gregory B. Simpkins
Subcommittee Staff Director

**Questions for the Record Submitted by
Representative Chris Smith
Principal Deputy Assistant Secretary Robert P. Jackson
House Committee on Foreign Affairs
Subcommittee on Africa, Global Health, Global Human Rights, and International
Organizations
May 20, 2015**

Question:

According to the 2013 State Department human rights report, political opponents have been targeted and opposition political parties have been prevented from organizing or operating freely. To what extent is the Administration concerned about the legitimacy of the next national elections in Rwanda?

Answer:

A credible and transparent electoral process with broad participation will be essential to mitigating political tensions, discouraging violence before and after the election, and keeping Rwanda on the track toward consolidating a peaceful and democratic future. In the lead-up to Rwanda's next presidential elections in 2017, we will continue to urge the Rwandan government to ensure that all political parties, civil society organizations, and observers are permitted to operate freely, and enjoy full access to the electoral process.

Question:

The Administration has praised the end of the operations of the Rwandan-supported militia M23. Since there are an estimated two dozen militias operating in eastern Democratic Republic of the Congo, is there certainty that Rwanda is not involved with any other militias in DRC?

Answer:

Rwanda ceased its support to the M23 following a military defeat by the Democratic Republic of Congo (DRC) and UN forces in 2013. Since its defeat, we have seen no credible evidence that Rwanda has resumed support for the M23, which no longer exists as an armed group, or any other militias in the DRC.



**Questions for the Record Submitted by
Representative Chris Smith
Deputy Assistant Secretary Steven Feldstein
House Committee on Foreign Affairs
Subcommittee on Africa, Global Health, Global Human Rights, and International
Organizations
May 20, 2015**

Question:

According to 2013's State Department human rights report, local human rights organizations are seriously hampered by pressure and intimidation by the Rwandan government. How does this limitation impact the State Department human rights report? Do you think we are missing serious problems because of the lack of local reporting?

Answer:

The State Department collects information for the annual Rwanda human rights report from a variety of sources, including domestic and international human rights organizations, domestic and international media, and United Nations experts such as the special rapporteur on freedom of association and assembly and the Group of Experts for the Democratic Republic of the Congo (which also reports on Rwanda).

Human rights NGOs have expressed fear of the government and reported that State Security Forces monitor their activities. While some domestic human rights groups characterize the Rwandan government as cooperative and responsive to their privately expressed views, other groups indicate concerns that the Rwandan government is intolerant of criticism, suspicious of local and international human rights observers, and causes them to self-censor reports. Some Rwandan-based human rights NGOs avoid monitoring or reporting on the activities of the police, military, and other security services due to concerns of possible reprisal. The United States regularly raises concerns with the Rwandan government about restrictions on freedom of association and freedom of expression that prevent some civil society organizations, including human rights groups, from operating independently.

Question:

How might the United States be helpful to the Government of Rwanda in eliminating the conditions under which political opponents, human rights activists and others in civil society do not enjoy full access to their freedoms under the Rwandan constitution and international law?

Answer:

The United States continues to urge the Government of Rwanda in both private meetings and public fora to create an environment that permits political opponents, media, human rights activists and others in civil society to fully access the freedoms guaranteed to them under the

Rwandan constitution and international law. We will deliver an intervention and submit advanced questions to the Rwandan delegation during the UN Human Rights Council's Universal Periodic Review for Rwanda in November 2015. The U.S. Ambassador to Rwanda regularly engages with the Government of Rwanda on the need to encourage a vibrant civil society to improve respect for human rights, freedom of association, and press freedom in Rwanda. The U.S. Special Envoy for the Great Lakes, U.S. Ambassador to the United Nations, and other senior U.S. government officials regularly discuss political pluralism, civil society freedoms, and regional issues with the Rwandan government. We continue to engage with international and domestic civil society organizations to strengthen their capacity, professionalism, and governance structures. Ultimately, President Kagame and the Government of Rwanda have to make a choice about what type of society they intend to build – whether they will lead a country built on respect for the rule of law, political pluralism, and the protection of fundamental rights, or whether they will continue to deny the full expression of civil and political rights that all Rwandan citizens are entitled to.



**Questions for the Record Submitted by
Representative Chris Smith
Major Robert Higiro
House Committee on Foreign Affairs
Subcommittee on Africa, Global Health, Global Human Rights, and International
Organizations
May 20, 2015**

Question:

You provided a list of people you say the Government of Rwanda has had murdered. What evidence could you provide to skeptics that these killings are part of a plot by the Rwandan government and not just a series of unrelated murders?

Answer:

I wouldn't give more than I explained during the hearing because I made it clear that these tapes provided is evidence of assassinations programed to eliminate the opposition figures wherever they are USA inclusive. I should mention here that I have actually given more tapes to the Department of State additional to what was used by the Canadian newspaper Global and Mail. For more evidence and witnesses we need a commission to be established to investigate these assassinations, as you know a lot of resources are involved for one to conduct such investigations. So we definitely hope that the U.S. Congress will press the government together with the United Nations to avail and establish this commission and get to the bottom of President Paul Kagame's crimes of killing anyone who is not on his side. But I can assure you that 98% of deaths of high profile figures are perpetrated by the current Rwandan regime. I expect more dissidents to be targeted around the world.

Question:

How do you and other critics of the Rwandan Government prevent yourselves from meeting the same fate as the people you say have been assassinated? What is life like for you under such constant pressure?

Answer:

Unfortunately there is no special way in place for our safety. We only rely on host governments only that countries differ when it comes to being safe, for example it is very difficult to survive on the African continent because of poor security institutions and corruption (more importantly these institutions are easily bribed compared to Europe and North America). I am currently in the USA because my security was unattainable in Brussels because of the nature of Belgium and the number of Rwandans living in this country. So we are living in great fear and waiting for our day to come and this is the reason to why I have decided to speak out so that you can help us save more dissidents facing this situation around the world. Rwandans have high hope in your Congress and government especially after the hearing; trust me on this. We really appreciate the U.S. Congress' intervention and are looking forward for it is the beginning of unity for Rwandans.



Questions for the Record
Submitted by Representative Mark Meadows
Principal Deputy Assistant Secretary Robert P. Jackson
House Committee on Foreign Affairs
Subcommittee on Africa, Global Health, Global Human Rights, and International
Organizations
May 20, 2015

Question:

Rwanda has been a leader in achieving donor-assisted development outcomes. In 2013, Rwanda announced lofty goals to decrease dependence on foreign aid and become a middle income country by 2020. Rwanda has received over \$1 billion in aid from the U.S. in the past decade. For a country of only 12.1 million, this is a significant amount. How has the allocation USAID funding adapted to Rwanda's changing economy and economic goals? How can the United States help Rwanda to reduce its dependence on foreign aid?

Answer:

Since the 1994 genocide in Rwanda, U.S. assistance through USAID has evolved to assist with Rwanda's dramatic recovery and adapt to Rwanda's changing economy and economic goals. During the early 2000s, USAID assistance focused on capacity building and laying the foundations for sustainable development. Specifically, the program focused on rebuilding the justice system, the health system, the agricultural research and extension system, and physical infrastructure. Since 2004, the focus of USAID assistance has been on supporting the objectives of the Government of Rwanda as outlined in its Economic Development and Poverty Reduction Strategy that outlines Rwanda's Vision 2020 development objectives for becoming a middle-income country by 2020.

Rwanda is reducing its dependence on donors, which accounted for approximately 80% of its budget in 2004. Now roughly 35% of the Rwandan government's (GOR) annual budget of approximately \$2.3 billion is financed by foreign assistance. Over time the GOR will have to continue to lessen its dependence on external financing in light of continued reductions in aid, including from the U.S. government (USG). For example, USG foreign assistance to Rwanda is projected to decrease from approximately \$203 million in FY 2014 to \$160 million in FY 2016. In order to achieve its stated goal of reducing dependence on external financing while maintaining investments intended to support its Vision 2020 development objectives, the GOR will need to raise more domestic revenue. The government is currently working with the IMF and other donors to improve its domestic tax revenue collection from 15.1% of its GDP in fiscal year 2013/2014 to 17.8% in fiscal year 2017/2018. USAID will continue over the upcoming 12-months, and beyond, to assist the GOR in addressing financing for development through the following three key approaches:

1) A key component of all USAID assistance is incorporating measures that promote project sustainability by ensuring the integration of activities into GOR policies and approaches.

2) USAID also strategically seeks to engage GOR leadership in discussions about financing approaches. For example, in health USAID is working to expand nascent private sector involvement in health service delivery, develop greater efficiency in the delivery of health services, and prioritize investments in the health sector

3) Finally, USAID is exploring opportunities to assist the Rwanda Revenue Authority to improve tax administration, while complementing ongoing support from the IMF and the U.S. Treasury Department.

Question:

President Paul Kagame has publicly announced that he does not plan to leave office when his term ends in 2017. Constitutionally, this would require $\frac{3}{4}$ majority of Parliament and a special referendum – both possible. Any credible opposition (most of whom are in exile) want to improve the democratic process in Rwanda. Kagame has been outspoken in opposition to political challengers, and public took responsibility for the death of an ex-ally involved in an opposition movement by saying “Whoever betrays this country will pay the price.” However remarks from the state controlled media and even he himself have suggested that he will extend his rule. Many in Rwanda fear the uncertainty of a new President. What are the risks and challenges if President Kagame does not leave office?

Answer:

As of the date of this hearing, President Kagame has not directly announced his intent to run again, but has stated that he is open to persuasion that the two-term limit should be changed if it is the will of the Rwandan people and Rwanda’s Parliament had not yet endorsed a constitutional amendment to remove term limits.

When incumbents change constitutions and eliminate term limits solely to benefit themselves, they weaken confidence in democratic institutions and undermine stability.



**Questions for the Record Submitted by
Representative Mark Meadows
Deputy Assistant Secretary Steven Feldstein
House Committee on Foreign Affairs
Subcommittee on Africa, Global Health, Global Human Rights, and International
Organizations
May 20, 2015**

Question:

Rwanda has been a leader in achieving donor-assisted development outcomes. In 2013, announced lofty goals to decrease dependence on foreign aid and become a middle income country by 2020. Rwanda has received over \$1 billion in aid from the U.S. in the past decade. For a country of only 12.1 million, this is a significant amount. How has the allocation USAID funding adapted to Rwanda's changing economy and economic goals? How can the United States help Rwanda to reduce its dependence on foreign aid?

Answer:

In FY 2015 the United States provided \$177.3 million in bilateral State/USAID foreign assistance to Rwanda including development assistance and global health, which is \$3.11 million less than FY2014. Approximately 71% of our assistance was for the President's Emergency Plan for AIDS Relief (PEPFAR), the President's Malaria Initiative, and other health areas.

While some of Rwanda's development indicators approach those of lower-middle income countries, Rwanda continues to be a developing country. Rwanda's per capita annual GDP remains below \$750, and more than 70% of the population relies on subsistence farming as a primary or essential source of income.

The United States continues to assist Rwanda in providing basic health services for the populace; expanding economic opportunities in rural areas, particularly through a strengthened agricultural production and food security program; supporting climate change adaptation; strengthening democracy engagement between civil society and government; and improving the foundational skills (literacy, numeracy, and workforce readiness) that prepare Rwandan youth for a modern service-based economy. U.S. assistance in Rwanda also supports regional economic integration to spur business development, entrepreneurship, domestic revenue collection, and increased employment opportunities. These activities are aimed at reducing Rwanda's dependence on foreign aid over time.

Question:

President Paul Kagame has publicly announced that he does not plan to leave office when his term ends in 2017. Constitutionally, this would require $\frac{3}{4}$ majority of Parliament and a special referendum – both possible. Any credible opposition (most of whom are in exile) want to improve the democratic process in Rwanda. Kagame has been outspoken in opposition to political challengers, and public took responsibility for the death of an ex-ally involved in an opposition movement by saying "Whoever betrays this country will pay the price." However

remarks from the state controlled media and even he himself have suggested that he will extend his rule. Many in Rwanda fear the uncertainty of a new President. What are the risks and challenges if President Kagame does not leave office?

Answer:

President Paul Kagame has repeatedly stated his commitment to respecting constitutional term limits and to mentoring a generation of leaders able to sustain Rwanda's remarkable economic growth and stability.

The United States continues to underscore the importance of these commitments, and we issued a statement noting our concern over the September decision by Rwanda's parliament and President Kagame to establish a Constitutional Reform Commission that has subsequently proposed removing executive term limits and permitting President Kagame to seek a third term in 2017. President Kagame has not yet commented publicly on whether he will seek re-election in 2017, if permitted by a revised constitution.

Our policy is clear: We do not support the changing of constitutions for the benefit of incumbents or their political parties. As President Obama has stated, "When a leader tries to change the rules in the middle of the game just to stay in office, it risks instability and strife – as we've seen in Burundi. And this is often just the first step down a perilous path." We continue to stress to the Rwandan government our firm support for the principle of strong institutions over strongmen, and the importance of a democratic transition of power through free, fair, and credible elections, held in accordance with constitutions, including provisions regarding term limits.



**Questions for the Record Submitted by
Representative Mark Meadows
Major Robert Higirow
House Committee on Foreign Affairs
Subcommittee on Africa, Global Health, Global Human Rights, and International
Organizations
May 20, 2015**

Question:

USAID's democracy & governance program in Rwanda is "active", but has it been successful? Economic freedoms are rising: Heritage Foundation has ranked it 65th out of 189 countries worldwide in its index of economic freedoms. What about individual and political freedoms? Have efforts to engage with civil society organizations in Rwanda been successful?

Answer:

In my opinion, it's difficult to refute Rwanda's economic freedoms ranking by Heritage Foundation without tangible data (statistics). As I have not had enough time to dig deep into the ranking criteria to ably rebut the report, I will only point out the following:

- 1) I find Heritage Foundation's economic freedoms ranking criteria irrelevant to the vast majority of ordinary Rwandans especially the impoverished rural dwellers who struggle to get a single meal a day. It is only a small percentage of Rwandans with the ability to do business, invest and/or bank that benefit from the Heritage Foundation's ranking criteria (e.g. Business Freedom & Investment Freedom).
- 2) Heritage Foundation clearly states "An increasingly authoritarian president has restricted judicial independence". This is more important to the oppressed Rwandans than economic freedoms. A Rwandan who has lost a relative or friend at the hands of President Kagame's murderous operatives with no chance of getting justice, would understandably find Heritage Foundation's economic freedoms ranking not only useless but mocking.

On individual political freedoms and civil society organisations in Rwanda, none of this is existent in Rwanda.

- 1) How can individual political freedoms be present in Rwanda (e.g. Rugambage, Victoire Ingabire, etc) when Rwandan dissidents living as far as South Africa, Europe and North America are constantly targeted by the government of Rwanda for assassination (e.g. Late Karegeya, UK Police warnings, etc.)?
- 2) How do you engage a terrorized civil society? The third term debate is a perfect example. Who came out to speak for the "kidnapped" Rwandans who were being forced to sign in support of Kagame's third term? Horrible examples like Gustave Makonene (<https://www.hrw.org/news/2014/07/20/quiet-murder-rwanda>).