

RWANDA 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year. Government actions against Jehovah's Witnesses remained a problem, as did government practices discouraging religious groups from dissenting from national policies and programs. Some religious leaders characterized a new law governing religious groups as diminishing the separation between church and state.

There were reports of societal discrimination based on religious affiliation, belief, or practice, but prominent societal leaders took positive steps to promote religious freedom.

Embassy representatives regularly engaged with government officials and religious leaders on issues related to religious freedom and tolerance, particularly with respect to reasonable accommodation of religious practices as they relate to the country's laws and social norms. Embassy officials also conducted interfaith outreach with religious groups.

Section I. Religious Demography

The population is approximately 10.5 million, based on preliminary results of the August census. According to the 2002 census, Roman Catholics constitute 57 percent of the population, Protestant denominations 26 percent, Seventh-day Adventists 11 percent, and Muslims 5 percent. There are growing numbers of Jehovah's Witnesses, evangelical Protestants, and smaller Christian religious groups, each of which the government estimates constitute less than 1 percent of the population. Other groups constituting less than 1 percent of the population include practitioners of indigenous and traditional religions, Bahais, and a very small Jewish community consisting entirely of foreigners.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies protect religious freedom. The constitution protects the rights of individuals to choose or change their religion and

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prohibits discrimination based on religion, which under the penal code signed into law in May is punishable by five to seven years in prison and fines of 100,000 to one million Rwandan francs (\$160 to \$1,590). Government policy allows individuals to express religious (but not ethnic) identity through headdress in official photos for passports, driver's licenses, or other official documents.

Government officials presiding over wedding ceremonies generally require couples to take an oath while touching the national flag, a government policy but not a legal requirement.

The new penal code establishes fines of 20,000 to one million Rwandan francs (\$30 to \$1,590) and imprisonment from eight days to five years for anyone who hinders free practice of religion, publicly humiliates rites, symbols, or objects of religion, or insults, threatens, or physically assaults a religious leader.

Under the new law governing religious groups, all groups "whose members share the same beliefs, cult, and practice" must register with the Rwanda Governance Board (RGB) to acquire legal status. The law covers religious groups, but not nongovernmental organizations associated with religious groups. The law imposes, and government policy exacerbates, burdensome registration requirements, as well as time-consuming requirements for annual financial and activity reports and action plans.

Unregistered religious groups may congregate after informing local authorities and may be granted a temporary registration certificate while the legal application process is ongoing. Unregistered religious groups may not proselytize, are subject to different visa requirements, and receive a significant degree of government scrutiny until they register as religious-based organizations under the new law.

The new penal code regulates public meetings and establishes fines of 100,000 to five million Rwandan francs (\$160 to \$7,935) and imprisonment of eight days to three years for unauthorized public meetings, including assemblies for religious reasons. Competent authorities are required to respond within 15 days to requests by religious-based organizations to hold special congregations in public.

For night meetings, including religious meetings, local authorities often require advance notification, particularly for ceremonies involving amplified music and boisterous celebrations.

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Every foreign missionary must have a temporary resident permit and a foreign identity card. Specific requirements to obtain the permit, valid for two years and renewable, include a signed curriculum vitae, an original police clearance from the country of residence, an authorization letter from the parent organization, and a fee of 100,000 Rwandan francs (\$160).

All students in public primary school and the first three years of secondary education must take a religion class that covers various religions. The law includes neither opt-out provisions nor penalties for not taking part in the class. The law allows parents to enroll their children in private religious schools.

The constitution prohibits the formation of political organizations based on religion or other identifying factors that could give rise to discrimination. The new religious-based organizations law prohibits religious groups from engaging in activities to achieve political power, defined as supporting political organizations or candidates for public office.

The government observes the following religious holidays as national holidays: Good Friday, Easter, Assumption, Eid al-Fitr, and Christmas.

Government Practices

There were reports of abuses of religious freedom, including reports of detention, and the government imposed restrictions that affected members of minority religious groups, particularly Jehovah's Witnesses.

Local officials occasionally retaliated against Jehovah's Witnesses who refused to sing the national anthem in school or to participate in community night patrols and government-sponsored "solidarity" civil and military training. In separate incidents in February, March, April, June, and October, local authorities in Kirehe, Rulindo, Ngoma, Huye, and Nyagatare Districts detained a total of ten Jehovah's Witnesses for refusing on religious grounds to participate in community night patrols requiring carrying batons. Police held the detainees for periods ranging from two to seven days before releasing them without charge.

In January, a public school headmaster in Rulindo District expelled four Jehovah's Witnesses for refusing to sing the national anthem. The students enrolled in different schools, but filed a criminal discrimination lawsuit against their former headmaster. The students were awaiting a court date at year's end. In July, a public secondary school in Gakenke District expelled a Jehovah's Witness for

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refusing, based on religious beliefs, to become a member of a student group with political connections.

Some pastors of different denominations privately continued to report that government agents attended religious services to monitor their sermons and expressed fear of potential consequences for contradicting government policies.

In August, the Ruhango District court sentenced 15 members of the unregistered, banned Abagorozi religious group to one year in prison and 50,000 Rwandan francs (\$80) in fines for obstructing government programs and violating children's rights. The Abagorozi church forbids its members and their children from participating in education, health insurance, medical treatment, national identification cards, voting, monthly community work (Umuganda), and other required social policies and programs.

In September, the RGB dismissed the executive committee of the Pentecostal Church of Rwanda (ADEPR) and its legal representative under the new religious groups law after the church failed to resolve a years-long internal dispute. Leaders of several religious groups expressed concern about implementation of the new law and a perceived diminishing separation of church and state. From November 26 to December 2, the RGB required all 296 ADEPR pastors to attend a government-sponsored, organization-specific civic education retreat that included national history lessons, reconciliation sessions, and other topics.

In November, the RGB hosted an inter-faith regional conference of more than 100 religious leaders from Kenya, Uganda, Tanzania, Rwanda, Burundi, and the Democratic Republic of Congo (DRC) to encourage religious groups to promote sustainable peace in the Great Lakes region. Responses to the conference were sharply divided; some religious leaders praised it as a worthwhile initiative, and others criticized it as a political move to compel religious support for Rwanda's foreign policy objectives in the neighboring DRC.

Of the 21 Jehovah's Witnesses who filed lawsuits in 2011 against the six government agencies from which they were fired for refusing to touch the national flag while taking the public servant's oath, two plaintiffs withdrew and six had their cases dismissed at the trial and appellate levels. The plaintiffs claimed violations of their religious beliefs and illegal dismissal. The 13 remaining plaintiffs were still awaiting court dates at year's end. None of those fired regained their positions.

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The government's policy that couples take an oath while touching the national flag made it difficult for Jehovah's Witnesses to marry legally, since few officials were willing to perform the ceremony without the flag requirement and Jehovah's Witnesses objected to the practice on religious grounds. For some Jehovah's Witnesses, placing their hands on a Bible on top of the flag was an acceptable alternative.

Because of a moratorium on registration of religious groups during parliamentary deliberations on the new law, between 2008 and February 2012 some religious groups operated as nongovernmental organizations or as provisional local churches without full legal protection. At year's end, the government had not granted official legal status to any new religious groups under the 2012 religious groups law.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal discrimination based on religious affiliation, belief, or practice, and prominent societal leaders took positive steps to promote religious freedom.

In March and September the Catholic-affiliated Kabgayi Institute of Nursing and Midwifery gave failing marks to eight Seventh-day Adventist students for missing exams scheduled on their Sabbath. The students pled their case before the school without resolution and subsequently transferred to a different institution. The Seventh-day Adventists continued to build their own schools at all levels across the country to avoid continued problems.

Numerous associations and interfaith groups, such as the Ecumenical Council of Churches and the Protestant Council of Rwanda, contributed to greater understanding and tolerance among various religious groups. The Interfaith Commission for Rwanda supported programs aimed at reconciling genocide survivors, released genocide prisoners, and genocide detainees' families.

Section IV. U.S. Government Policy

Embassy representatives regularly engaged with government officials and religious leaders regarding religious freedom and tolerance. Embassy officials raised the issue of reasonable accommodation of religious practices with appropriate government ministries and local government officials. Embassy officials also met with leaders of religious communities on a wide variety of subjects, following up

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specifically on problems as needed. Embassy representatives raised concerns with the RGB following its dismissal of the ADEPR executive committee and following complaints about the inter-faith regional conference on the Great Lakes. Embassy officials also spoke with the Ministry of Internal Security and the Rwanda National Police about the need to continue educating local officials on the right of Jehovah's Witnesses to abstain from participating in community night patrols. The embassy sponsored several interfaith iftars and conducted public outreach on religious issues with various religious groups, addressing religious tolerance and diversity as well as the role of religion in the United States.