



INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS

CHAUSÉE DE HAECHT 55, 1210, BRUXELLES-BRUSSELS, BELGIQUE-BELGIUM

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Open Letter to NGO Committee on the Status of Women, NY (NGO CSW/NY)

Contact: Jeanne Mirer, IADL Co-President, jmirer@workingpeopleslaw.com

Dear NGO CSW/NY,

We, the undersigned International Association of Democratic Lawyers (IADL) Co-Presidents, Representatives to the UN in New York and Vienna, and to UNICEF and UNESCO, are writing to express our opposition to NGO CSW/NY's participation at the Women Deliver 2023 Conference in Kigali, Rwanda.

IADL, an NGO in Consultative II Status with ECOSOC (since 1969) of jurists throughout the world, and represented at UNICEF and UNESCO, has actively participated in CSW over the last two decades. Representatives and volunteer law students have regularly attended official sessions and parallel side events, and IADL has co-sponsored a number of parallel side events.

- In 2023, at the NGO CSW67 Forum, IADL co-sponsored a side event with our national affiliate, the Asociación Americana de Juristas (American Association of Jurists) on Feminist Justice;

- In 2020, at CSW 64/Beijing+25, IADL co-sponsored two parallel events: (1) Reproductive Injustice: Confronting the Black Maternal Mortality Crisis and (2) Reproductive Rights, Legal Abortion and Comprehensive Sexuality Education in Latin America;

- In 2019, at CSW63, IADL was selected to make an intervention during the Interactive dialogue on “Women and girls of African descent;”

- In 2015, at CSW59, IADL held a parallel event on Combating Gender-Based Violence: Lessons from Haiti.



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Based on our staunch support of gender equality for all girls and women, we strongly oppose NGO CSW/NY's participation, including as co-sponsors for two side events, at Women Deliver 2023, held in Kigali, Rwanda. The issue is not with the subject matter, but with the venue. As you undoubtedly are aware, the human rights record of the Rwandan Government, headed by Paul Kagame, is abysmal. Our view is that for an UN-identified entity, such as NGO CSW/NY to visibly participate in and support such a Conference held in Kigali gives a strong appearance by NGO CSW/NY of uncritical support for the Kagame regime. Moreover, it sends the wrong message: it says that is o.k. for an UN-identified entity, like NGO CSW/NY, to "look the other way" in the face of human rights violations – and "selectively" choose to support an effort for gender equality, that does not include those women and girls who are, or perceived to be, in opposition to the current Rwandan government.

Criticisms of the President Kagame's regime for violation of international law and human rights instruments which Rwanda has signed are abundant. A few recent examples:

- In late June 2023, the Court of Appeals in the United Kingdom held that Rwanda was not a "safe third country" and sending asylum seekers to Rwanda would be a breach of Article 3 of the European Convention on Human Rights. Article 3, Prohibition of Torture states: No one shall be subjected to torture or to inhuman or degrading treatment or punishment. As reported in *The Guardian*, 29 June 2023, this decision was made "even though assurances provided by the Rwandan government were provided in good faith."

- The US State Department, 2022 Country Reports on Human Rights Practices: Rwanda states in its Executive Summary:

Significant human rights issues included credible reports of: unlawful or arbitrary killings; torture or cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary detention; political prisoners or detainees; transnational repression against individuals located outside the country, including killings, kidnappings, and violence; arbitrary or unlawful interference with privacy; serious restrictions on free expression and media, including threats of violence against journalists, unjustified arrests or prosecutions of journalists, and censorship; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of as-



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sociation, including overly restrictive laws on the organization, funding, or operation of non-governmental and civil society organizations; serious and unreasonable restrictions on political participation; and serious government restrictions on or harassment of domestic and international human rights organizations.

The government took some steps to prosecute or punish officials reported to have committed human rights abuses and acts of corruption, including within the security services, but impunity involving civilian officials and some members of the state security forces was a problem.

- The 2022 Country Report (above) notes that some individuals who had disagreed with the government continue to be detained and imprisoned and the Rwandan government has failed to complete investigations of the disappearances of political opponents. These include, for example, Boniface Twagirimana, the vice-president of the opposition political party, United Democratic Forces of Rwanda (FDU-Inkingi), led by Victoire Ingabire Umuhiza. He disappeared in prison in 2019, a few weeks after Ingabire was released from incarceration in Rwanda in 2018.

Ingabire had returned to Rwanda from the Netherlands to run for President against Paul Kagame in 2010. She was not allowed to run or to register her political party; she was accused of “genocide ideology” and “terrorist acts.” She was arrested, convicted, and sentenced to eight years in prison in October 2012. She was pardoned by Kagame and released in 2018. During her incarceration, in October 2016, the European Parliament passed a resolution condemning Rwanda’s violation of Ingabire’s civil and political rights, and those of other imprisoned or disappeared opponents of the government, and also supporting the right of journalists to criticize the government without fear of State actions against them. In 2017, the African Court of Human and Peoples’ Rights, 24 November 2017, held that Rwanda had violated Article 9(2) of the African Charter on Peoples’ Rights and Article 19 of the International Covenant on Civil and Political Rights on freedom of expression and opinion.

- Paul Rusesabagina, of “Hotel Rwanda” fame, was kidnapped and transferred from Dubai to Kigali in a private jet that was arranged by the Government of Rwanda, as admitted by the Minister of Justice, and without his knowledge and consent (A/HRC/WGAD/2021/81, 18 March



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2022, para. 81). He was arrested and convicted in Kigali on terrorism-related charges in September 2021, and sentenced to twenty-five years imprisonment. Rusesabagina was released in March 2023, after his sentence was commuted, due to international pressure.

The Human Rights Council’s UN Working Group on Arbitrary Detention (UNWGAD) adopted Opinion No. 81/2021 concerning Paul Rusesabagina (Rwanda)) on 19 November 2021, which found that Rwanda’s treatment of Paul Rusesabagina violated his human rights. The Opinion states: The deprivation of liberty of Paul Rusesabagina, being in contravention of articles 5, 6, 8, 9 and 11 of the Universal Declaration of Human Rights and articles 2, 7, 9, 10, 14, 16, 19 and 21 of the International Covenant on Civil and Political Rights, is arbitrary and falls within categories I, II, III and V (para. 125).

- *The Economist* Intelligence Unit (EIU) Democracy Index 2022 categorized the government as authoritarian, based on factors including civil liberties, political participation and others.

We note that the above examples are only a few and refer to high-profile cases. There are countless “ordinary” Rwandans who are being illegally held in prisons or have been disappeared.

As the 1993 Vienna Declaration and Program of Action, Article 1 states: The World Conference on Human Rights reaffirmed the “solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law.” Article 5 states that “All human rights are universal, indivisible and interdependent and interrelated.”

This means that gender equality cannot be parsed out and fully realized within a political context where human rights are routinely violated. A country which violates human rights in any sphere cannot provide an environment in which the full equality of all women and girls, regardless of their political views, can safely develop and flourish.



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Rwanda, no matter how many conferences it hosts on human rights or equality, or the percentage of women in government positions, cannot truly be on the side of gender equality unless it ends the repression of the opposition to the current government, at home and abroad and is in compliance with international law and the broad spectrum of norms guaranteeing human rights.

IADL understands that NGO CSW/NY's public role in support of the Women Deliver 2023 Conference in Kigali is a *fait accompli*. We have no information about whether the concerns we raise here were discussed internally in the planning of NGO CSW/NY's participation. However, we want our opposition to be noted, not only in the record of the proceedings, but also to be part of the discussion in post-Conference evaluations made by NGO CSW/NY after the July 2023 Conference.

Kindly acknowledge receipt of this letter.

Very truly yours,

Jeanne Mirer, IADL Co-President

Edre Olalia, IADL Co-President

Evelyn Duermayer, IADL Permanent Representative in Vienna

Lennox S. Hinds, IADL Permanent Representative in New York

Tibor Bajnovič, IADL Alternate Representative in Vienna

Claire Gilchrist, IADL Alternate Representative in New York and Representative to UNICEF

François Kaldor, IADL Representative to UNESCO

Beth S. Lyons, IADL Alternate Representative in New York

Şerife Ceren Uysal, IADL Alternate Representative in Vienna