

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Rwanda: Prisoner of conscience released after decade in detention**

Charles Ntakirutinka, a former Rwandan government minister and prisoner of conscience, was released today after serving a 10 year sentence following an unfair trial.

“Charles Ntakirutinka spent 10 years of his life in prison because he formed a political party,” said Erwin van der Borgh, Amnesty International’s Africa Director.

“Ten years after Charles Ntakirutinka was jailed, political opponents and journalists still spend years in prison for speaking out,” said Erwin van der Borgh. “The Rwandan government should put promises to respect freedom of expression and association into practice”.

Charles Ntakirutinka was arrested in April 2002, as part of a crackdown before the 2003 presidential elections, the first elections after the 1994 genocide. After serving as a minister in the post-genocide government, Charles Ntakirutinka launched a new political party, the Democratic Party for Renewal (PDR-Ubuyanja) in 2001 with former President Pasteur Bizimungu.

After an unfair trial in 2004, Charles Ntakirutinka was convicted of “inciting civil disobedience” and “association with criminal elements”. The prosecution claimed he had organized clandestine meetings, along with his party colleagues, to disturb public order, provoke civil conflict and target certain government authorities for assassination.

The trial fell short of international fair trial standards. It lasted just 12 days, despite the gravity of the charges and the number of co-accused. The defendants were only allowed to present a limited number of witnesses. The trial was further marred by lack of corroborating evidence against the defendants.

Prosecution witnesses provided contradictory testimony. Some of their statements appeared to have been made under duress or torture. One prosecution witness told the court that he had lied to the police and prosecution out of fear. The judges refused to ask sufficient questions to prosecution witnesses, as requested by the defence.

Charles Ntakirutinka’s defence lawyer was detained for 24 hours for “contempt of court” after pointing out that his client had not been allowed to address an issue that had been raised by a co-accused. The court ruled that once an issue had been discussed it could not be revisited.

### **Background**

The Rwandan authorities make public commitments to respect freedom of expression and association, but continue to prosecute political opponents and journalists for criticizing the government. Repression increases in the run-up to elections. The clampdown before the 2010 elections was reminiscent of restrictions imposed before the 2003 elections. Opposition candidates and supporters faced intimidation during and after the electoral campaign.

The months leading up to the August 2010 presidential elections, which President Kagame won with 93 per cent of the vote, were marked by a crackdown on freedom of expression and association.

New opposition parties were prevented from contesting the elections. The United Democratic Forces (FDU-Inkingi) and the Democratic Green Party were unable to obtain security clearance to organize meetings needed for their registration. The only new party to secure registration, the Ideal Social Party (PS-Imberakuri), was infiltrated by dissident members and decided not to stand.

Bernard Ntaganda, president of PS-Imberakuri, was sentenced to four years imprisonment in February 2011. He was found guilty of “divisionism” for holding public speeches criticizing government policies ahead of the 2010 elections, breaching state security and attempting to plan an “unauthorized demonstration”. His prosecution for threatening state security and divisionism was solely based on speeches criticizing government policies. His case is currently on appeal.

The trial of Victoire Ingabire, leader of the United Democratic Forces (FDU-Inkingi), is on-going. She is charged with terrorism, creating an armed group, “genocide ideology”, “sectarianism”, and willingly disseminating rumours aimed at inciting the public against the existing leadership. The “genocide ideology” charges were based, in part, on her public call for the prosecution of war crimes committed by the Rwandan Patriotic Front (RPF).

In the 2004 trial, Pasteur Bizimungu was sentenced to fifteen years for inciting civil disobedience, associating with criminal elements and embezzlement of state funds. Pasteur Bizimungu requested pardon from President Kagame and was released on 6 April 2007.

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