

## AMNESTY INTERNATIONAL PUBLIC STATEMENT

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# RWANDA: OPPOSITION POLITICIAN FOUND DEAD

Anselme Mutuyimana, assistant to Victoire Ingabire, president of the opposition United Democratic Forces (FDU-Inkingi) party, was found dead on the morning of 9 March 2019. Amnesty International calls on the Rwandan authorities to conduct a prompt, impartial, independent and thorough investigation.

While the release of Victoire Ingabire on 15 September 2018 was greeted with cautious optimism, events since then demonstrate the relentless dangers and challenges of involvement in opposition politics in Rwanda. Members of the FDU-Inkingi have faced arrest, detention, prosecution, killings and disappearances over many years, stoking fears that Anselme Mutuyimana was killed for politically motivated reasons.

In an official statement, FDU-Inkingi reported that his body was discovered by local residents on the edge of the Gishwati forest in north-western Rwanda, and that he had set off the previous day to visit family members in Rubavu. On 17 March, the Rwanda Investigation Bureau (RIB) told Amnesty International that the case was under investigation to establish the cause of death and that one suspect had been arrested so far. Anselme Mutuyimana's brother was reported by Reuters to have said that there were no visible wounds on his brother's body but that he had blood in his mouth. The FDU-Inkingi statement said that those who saw the body believed that he had died by strangulation.

Anselme Mutuyimana had been released from prison in August 2018, having been arrested in 2012 and accused of holding an illegal meeting in Rutsiro district. He was convicted alongside FDU-Inkingi Secretary General, Sylvain Sibomana, in January 2014 of inciting insurrection or trouble among the population and sentenced to six years in prison. Sylvain Sibomana remains in prison.

## ALLEGED ENFORCED DISAPPEARANCE OF FDU-INKINGI VICE-PRESIDENT

On 8 October 2018, the Rwanda Correctional Services (RCS) issued an alert that Boniface Twagirimana, vice-president of FDU-Inkingi, had escaped from Mpanga International Prison in Nyanza district the previous night, along with Aimable Murenzi, who was serving a life sentence for attempted murder. In a media interview, the RCS spokesperson said that the escape was discovered during a routine morning headcount and that investigations had been launched to find the two men.

Along with eight other members of the FDU-Inkingi, Boniface Twagirimana was accused of forming an irregular armed group. He was arrested in September 2017 and was being held in pre-trial detention at the time of his disappearance.

Boniface Twagirimana was moved to Mpanga from Mageragere prison on 3 October, five days before his alleged escape. Previously detained with his co-accused, only Boniface Twagirimana was transferred on this date. According to his wife, who was informed of the transfer and visited him at Mpanga on 5 October, he and Aimable Murenzi were held in a separate building to the other inmates at the maximum-security facility. She said that her husband had been warned by other prisoners that his cellmate was a dangerous man. She also said that, following Victoire Ingabire's release from prison a few weeks earlier, her husband had been hopeful about the prospects of his own release.

Boniface Twagirimana's wife wrote to RIB, RCS, the Ministry of Justice and the National Human Rights Commission expressing her doubts about his alleged escape and asking them to search for him. She was not contacted for questioning until more than two weeks after the alleged escape.

More than five months after he went missing, there is no news on Boniface Twagirimana's fate or whereabouts. RIB told Amnesty International on 17 March that they were still investigating his case and his whereabouts were yet to be established. The circumstances of his alleged escape give reason to believe that he may have been subjected to an enforced disappearance.

## RESTRICTIONS ON PARTY LEADER'S FREEDOM OF EXPRESSION

On 8 October, the same day that Boniface Twagirimana's disappearance was discovered, the FDU-Inkingi President Victoire Ingabire received a summons to appear at RIB headquarters at 8am the next morning. She was not, however,

questioned about her vice-president's whereabouts, but instead warned that her public statements may violate Rwanda's Penal Code.

In a statement issued on 9 October, RIB stated that Victoire Ingabire had responded "to a summons to discuss factually-incorrect statements recently made by her, or attributed to her, that may constitute violations of the Penal Code. Specifically at issue are characterisations of her conviction as "political", and references to others as "political prisoners". Ms Ingabire applied for and received a conditional commutation of the remainder of her sentence, but her conviction by the Supreme Court still stands." Under the terms of her release, Victoire Ingabire is required to report to the local prosecutor on a monthly basis and seek authorization if she wants to travel abroad.

In response to a request for clarity on the potential violations of the Penal Code referred to in their statement, RIB told Amnesty International that the violations in question were related to Article 194 of the Law N°68/2018 of 30/08/2018 determining offences and penalties in general (the 2018 Penal Code) that establishes the offence of 'spreading false information or harmful propaganda with intent to cause a hostile international opinion against Rwandan Government'. Amnesty International repeats its call for this provision to be removed from the Penal Code on the basis that it criminalizes the peaceful expression of opinions.

Amnesty International recalls that the African Court on Human and Peoples' Rights ruled in November 2017 that Victoire Ingabire's conviction on speech-related charges violated her freedom of expression. The Court noted that "by virtue of their nature and positions, government institutions and public officials cannot be immune from criticisms, however offensive they are; and a high degree of tolerance is expected when such criticisms are made against them by opposition political figures."

## **PREVIOUS DEATHS AND DISAPPEARANCES OF FDU-INKINGI MEMBERS**

In March 2016, Illuminée Iragena went missing on her way to work as a nurse at the King Faisal Hospital in Kigali. A member of FDU-Inkingi, she had been one of Victoire Ingabire's frequent visitors in prison. Sources close to the case believe that she was tortured and died in custody. Amnesty International did not receive a response to repeated requests to the government for information on Illuminée Iragena's fate and whereabouts, or the status of investigations.

In May 2017, Jean Damascene Habarugira, a local party representative from Ngoma district was killed. The FDU-Inkingi stated in a press release that his family were called to collect his body from Nyamata Hospital in Bugesera on 8 May, a few days after he went missing having responded to a call to meet a military reservist responsible for village security. At the time, the police spokesperson told the media that his body had been found and that investigations were underway. The FDU-Inkingi asserted that he had been murdered because of his opposition to the government's agricultural planning policy in Ngoma district.

## **RWANDAN AUTHORITIES MUST ENSURE JUSTICE AND END HARASSMENT OF OPPOSITION**

Amnesty International calls on the Rwandan authorities to conduct a prompt, impartial, independent and thorough investigation into the death of Anselme Mutuyimana and the alleged enforced disappearance of Boniface Twagirimana. They should also reveal the findings of any investigations into the disappearance of Illuminée Iragena and killing of Jean Damascene Habarugira. In all of the above cases, the Rwandan authorities must bring to justice in fair trials all those suspected to be responsible of these crimes, if there is sufficient and admissible evidence against them.

Amnesty International urges the Government of Rwanda to recognize the rights to freedom of expression and of association of its population, including opposition politicians such as Victoire Ingabire, and to end all acts of harassment and intimidation.