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## **Rwanda: Opposition leader must receive fair trial**

Amnesty International urges the Rwandan Government to ensure that opposition leader Victoire Ingabire, receives a swift, fair trial on charges including genocide ideology and collaboration with a "terrorist" group, and is not punished for the legitimate exercise of freedom of expression.

Victoire Ingabire, President of the United Democratic Forces (FDU-Inkingi), who plans to stand in presidential elections in August 2010 was arrested on 21 April 2010 after being summoned to the Criminal Investigations Department (CID) in Kigali, Rwanda's capital, the previous day. This was her sixth summons by the police this year.

"We have documented a number of incidents of intimidation and harassment of opposition groups in Rwanda in recent months," said Erwin van der Borcht, Africa programme director at Amnesty International.

"Now with the arrest of a potential presidential candidate a few months ahead of the election, we call on the government to demonstrate that this is not another such case".

Ingabire, was charged with "genocide ideology" and "minimising the genocide", "divisionism" and "collaboration with a "terrorist" group", the Democratic Forces for the Liberation of Rwanda (FDLR). She appeared before Gasabo Intermediary Court (TGI) on 21 April and pleaded not guilty on all counts.

On 22 April, the court ruled that Ingabire could be released on condition that she not travel outside the capital Kigali while proceedings against her continue.

The Rwandan authorities had already prevented Ingabire from travelling to Europe in March 2010 due to ongoing police investigations.

The "genocide ideology" and "divisionism" charges relate to speeches Ingabire made on her arrival back in Rwanda in January 2010 and in Europe where she spent 16 years in exile in the Netherlands and formed FDU-Inkingi. FDU-Inkingi is still seeking registration in Rwanda.

Government officials have over recent months claimed that comments made by Ingabire at the Gisozi Genocide Memorial on 16 January 2010 amount to "genocide denial" and "divisionism" or promoting ethnic division. In her speech, she called for the prosecution of war crimes and crimes against humanity committed against Hutu by the Rwandan Patriotic Front (RPF), as well as commemoration of Hutu victims killed during the war.

"The onus will be on the prosecution to prove that there is credible, solid evidence to justify the charges against Ingabire, said Erwin van der Borcht. "The prosecutor will have to demonstrate that what she said actually constitutes advocacy of hatred and that they are not punishing her for political dissent."

A Rwandan law promulgated in October 2008 criminalises "genocide ideology" in vague and ambiguous terms which unduly stifle freedom of expression. The Rwandan Government appear to have recognised that aspects of the genocide ideology law may be problematic and, according to Rwanda News Agency, the Cabinet is currently reviewing this law.

Ingabire is also charged with collaboration with a "terrorist" group, the FDLR.

The FDLR, an armed group operating in eastern Democratic Republic of Congo (DRC), is mainly composed of Rwandan Hutu. It contains remnants of the Interahamwe and former Rwandan soldiers responsible for the 1994 Rwandan genocide, as well as fighters not involved in the genocide, including many too young to have participated in the genocide.

Ingabire attended "Inter-Rwandan Dialogue" meetings with pro-FDLR participants while in exile in the Netherlands, but says these meetings included participants from various political and ethnic backgrounds, including representatives of the RPF, the ruling party in Rwanda.

In police interrogations over recent weeks, Ingabire has reportedly been accused of meeting with FDLR officials in DRC and intending to create her own militia group. She has consistently denied such allegations.

"The government must demonstrate that Ingabire herself committed recognizably criminal acts and that this is not a case of guilt by association" said Erwin van der Borgh.

Amnesty International urges the Rwandan Government to ensure that Ingabire is tried promptly and in accordance with international fair trial standards.

## **Background**

Amnesty International strongly condemned harassment and intimidation of opposition groups, including the Green Party and the Ideal Social Party, in February 2010.

A member of Ingabire's party, Joseph Ntawangundi, was severely beaten in a government building on 3 February 2010, as he accompanied Ingabire to collect documents needed for the party's registration.

Ntawangundi was arrested in February 2010 following revelations that he had been convicted of genocide in absentia by a community tribunal set-up to try cases from the 1994 genocide.

Ntawangundi initially claimed to have been outside Rwanda during the genocide working for an international trade union body, but the organisation confirmed this was untrue. Ntawangundi later confessed to participation in the genocide and in March 2010 was sentenced to 17 years in prison.

A November 2009 UN panel of experts report on DRC found that diaspora members of FDU-Inkingi had been in phone contact with FDLR military leaders, but did not specify the nature of this contact or suggest Ingabire had herself maintained such contact.

Recent months have seen a number of government measures against critics and opponents including restrictions on freedom of expression. On 23 April, Rwandan immigration rejected a work visa re-application by the Rwanda-based researcher for the international human rights group, Human Rights Watch.

On 13 April, the High Media Council (HMC) suspended two Kinyarwanda newspapers known for being critical of the government, Umuseso and Umuvugizi, until after the elections. The HMC alleged that Umuseso had insulted the President and caused trouble in the army that could lead to insubordination.

The 2003 presidential elections and the 2008 legislative elections in Rwanda were marred by intimidation and political opposition activities were severely restr

icted.