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**COMITE DIRECTEUR – STEERING COMMITTEE**

*“Pour un Etat de Droit, la Democratie et l’Egalité de chances” ; “For the rule of law, democracy and equal opportunity”*

## Press Release

### THE HEARING OF THE APPEAL OF “Mrs. VICTOIRE INGABIRE UMUHOZA AGAINST THE RWANDAN GOVERNMENT” BEFORE THE AFRICAN COURT OF HUMAN AND PEOPLES 'RIGHTS, DUE ON 22/03/2017

The Unified Democratic Forces (FDU-INKINGI), a political party opposed to the Rwandan Patriotic Front (RPF) regime in Rwanda, inform the public that the hearing of the appeal case before the African Court on Human and Peoples' Rights (ACHPR) of their president, Victoire Ingabire Umuhuza versus the Rwandan government, will take place on 22/03/2017 at 9 am in Arusha, Tanzania.

FDU-Inkingi hopes that the postponement of the hearing from March 16, 2017 to March 22, 2017 will not be used as a pretext by Rwandan government not to be represented at the African court on Human and Peoples' Rights.

FDU-Inkingi Party would like to recall that its President, Mrs Victoire Ingabire Umuhuza, arrived in Rwanda on January 16, 2010 from the Netherlands, where she lived in exile, to register her party and to stand in the 2010 presidential elections. She was imprisoned following a speech she made at the Genocide Memorial in Gisozi. In her speech, she dared, for the first time, demand justice for all. Indeed, while she called for those who committed genocide against the Tutsi to be brought to book, she also demanded that the Tutsi who committed crimes against humanity and war crimes against the Hutu to be brought to justice as international and national laws stipulate. For FDU-Inkingi and Victoire INGABIRE, lasting peace and genuine national reconciliation are only possible if the law does not discriminate for or against anyone.

As we know now, Mrs. Victoire INGABIRE was condemned long before her trial. The message to this effect was passed on in a statement made by President KAGAME to a journalist of a Ugandan newspaper “The Monitor” on the 23<sup>rd</sup> of May 2010 in these terms: “This woman will certainly be where she belongs (i.e. prison); now the outsiders who want so badly INGABIRE to be an opposition leader here or later be our President, well, they may wait for a while”. Mrs. Louise MUSHIKI WABO Minister of Foreign Affairs and Mr. Martin NGOGA, Prosecutor General of Rwanda echoed the same message.

The message of President Kagame was acted on shortly afterwards. Mrs. Victoire INGABIRE, was arrested, detained, tried and sentenced on 30/10/2012 to 8 years’ imprisonment by the High Court of Justice. When she appealed against her sentence, the sentence was increased to 15 years’ on 13/12/2013 by the highest Court of Appeal, the Supreme Court of Rwanda.

The reasons for her conviction were denounced by human rights organizations and the European Parliament:

- [AMNESTY INTERNATIONAL](#) noted: « *The case of opposition party leader Victoire INGABIRE is the culmination of a flawed trial that included politically motivated charges* », while [HUMAN RIGHTS WATCH](#) « *characterized the trial as unfair because the charges were political, the evidence was unreliable, INGABIRE was denied the presumption of innocence, and the judiciary was biased* »

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Join us on **Facebook**: <http://www.facebook.com/pages/Victoire-Ingabire-Umuhoza-for-President/109504816547> - Watch us on **YouTube**: <http://www.youtube.com/user/FDUInkingi123> - Follow us on **Twitter**: <http://twitter.com/VictoireUmuhoza>

- In its resolution [2016/2910\(RSP\) dated 06/10/2010](#), the EU parliament condemned “the politically motivated trials, the prosecution of political opponents and the prejudging of the outcome of the trial”. It underlined the fact that “charges brought against the accused were based on vague and imprecise laws”.

Having exhausted all domestic remedies, Victoire INGABIRE finally appealed to the African Court on Human and Peoples' Rights on 03/10/2014, based on Article 34 (6) of its Protocol. The public hearing was scheduled for 04/03/2016;

Against all odds on 29/02/2016, the Rwandan government through the Minister of Justice Mr Johnson Busingye made a statement which it sent to the African Commission on Human and Peoples' rights, with a copy to the African Court on Human and Peoples' Rights declaring that it no longer accepted provisions of the protocol establishing the African Court. It pointed out that it wished to review Article 34 (6) of the Protocol establishing the Court. In this vein, it requested the Court to suspend all the cases involving Rwanda before it, including Victoire INGABIRE case.

Taking note of this statement, the Court informed the parties that the public hearing would be held as scheduled on Friday 04/03/2016 at 9:00 am. Rwanda refused to allow Mrs. Victoire INGABIRE to go to Arusha, depriving her of the right to appear before her judges. The hearing went ahead on 04/03/2016. Defence lawyers were heard by the Court in the absence of the Rwandan State.

The Court, at its 41st ordinary session on 03/06/2016, issued its decision AFCHPR / Reg / APPL. 003/2014/036, in Case No. 003/2014 INGABIRE Victory against the Rwandan State, by the following ruling: "The Special Declaration of withdrawal made by Rwanda to consider Article 34 (6) is subject to notification of 12 months to become effective; It will not affect the trial in the INGABIRE Case or those of the other cases pending before the Court ".

Disappointed by this decision of the Court, the Rwandan government changed its strategy. It declined its intention to withdraw from the Court but succeeded in getting a Rwandan judge Mrs. Marie-Thérèse MUKAMULISA, former supreme court judge who was part of the panel of judges that sentenced Mrs Ingabire, elected as member of the African court. The election was done at the African Union Head of State Summit meeting that was hosted by the Rwandan government in Kigali – Rwanda in July 2016. Thus, the Rwandan government hopes, as a member of the African Court of Peoples' and Human Rights, to be judge and jury in the cases before the court against the regime, including the case of Victoire Ingabire Umuhoza.

Done in London March 12, 2017

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