



Inkingi Forces Démocratiques Unifiées United Democratic Forces

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Kigali - Rwanda

"Pour un Etat de Droit, la Democratie et l'Egalité de chances"; "For the rule of law, democracy and equal opportunity"

RWANDA:

INGABIRE TRIAL: HARASSMENT OF DEFENSE COUNSEL , ONE LAWYER DENIED COURTROOM ACCESS.

Kigali 07 September 2011

The trial of the opposition leader Madame Victoire Ingabire, FDU-INKINGI Chair, resumed today after a one day pause to allow the High Court to hire a better English translator. Upon arrival, Ingabire's defense counsels Barrister Iain Edwards and Batonnier Gatera Gashabana were intimidated, thoroughly searched, their briefcases violated and their mineral water bottles confiscated. They were treated like suspects while the prosecutor's team made a triumphal entry untouched. After the lunch break, Mr. Gatera Gashabana was denied Courtroom access and stayed outside for about 30 minutes on allegations that he resisted orders from state police staff while his colleague was searched and allowed in. Security personnel and the Prosecutor's team look very anxious and nervous. This is a very clear indication to the defense that the government of Paul Kagame won't hesitate on any means to intimidate anybody defending his jailed key political opponent.

During the morning debates the defense counsel protested against this harassment and the discrimination they were subjected to when their briefcases and clothes were searched while prosecutors were just watching. Prosecutor Bonaventure Ruberwa argued in front of the judges that it was "good manners" to search thoroughly the defense members because they are defending criminals while members of the prosecutor's team defend the interests of the State and the public against those criminals. The High Court rejected the defense objection on security grounds provided their papers were not taken by any third party. The defense team has filed an appeal.

Ingabire has been in handcuffs in the Courtroom sometime as well. The silence of judges suggests another violation of the presumption of innocence principle and a serious question of neutrality and fairness. The Rwandan law does not restrain her to any kind of humiliating dress code in the Courtroom but the government has denied her the right to put on her own clothes. Her hair has been forcedly and regularly shaved since her arrest in October 2010. The pretext that it's systematically done to all prisoners because of hygienic aspects does not remove the cruelty of this act to shave a female suspect. Why should Paul Kagame detain his key political opponent in so poor hygienic conditions then pretend to be a visionary?

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The bumpy trial start, the prosecutor's hiccups and attempts to adjourn the trial sine die, the intimidation of Ingabire defense counsel remind the arrest of the US Professor Peter Erlinder, the first lawyer of Madame Victoire Ingabire, who was arrested in Rwanda in May 2010 and charged with genocide ideology, genocide denial and revisionism. This intimidation is a very bad signal that has totally vacated all the chances for a fair trial. The defense counsel is holding a closed door meeting with the Rwandan Bar association to discuss alternatives to this growing intimidation and violations to the lawyers immunity in a Courthouse. The possibility of the arrest of one or all Ingabire's lawyers is not totally ruled out. The chances for a re-edition of a Peter Erlinder's case in this trial are getting higher and worrying.

About 150 people waited outside the courtroom while the inside was mostly occupied by plain clothes intelligence and state security personnel and armed policemen in uniforms. The technical audio problems prevented the crowd outside the courtroom to follow the debates.

The whole day, the prosecutor spoke on the indictments and is expected to close his presentation tomorrow. Thereafter Madame Victoire Ingabire will be given a chance to make her first statement.

The hearings will resume tomorrow at 08:00.

FDU-Inkingi
Boniface Twagirimana
Interim Vice President.