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*Plenary sitting*

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**B8-1064/2016**

4.10.2016

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Rwanda, the case of Victoire Ingabire  
(2016/2910(RSP))

**Charles Tannock, Mark Demesmaeker, Tomasz Piotr Poręba, Ryszard Antoni Legutko, Ryszard Czarnecki, Karol Karski, Anna Elżbieta Fotyga, Arne Gericke, Notis Marias, Angel Dzhambazki, Ruža Tomašić, Monica Macovei, Branislav Škripek**  
on behalf of the ECR Group

**European Parliament resolution on Rwanda, the case of Victoire Ingabire  
(2016/2910(RSP))**

*The European Parliament,*

- having regard to its resolution of 23 May 2013 on Rwanda: case of Victoire Ingabire,
  - having regard to the International Covenant on Civil and Political Rights,
  - having regard to the African Charter on Human and Peoples Rights,
  - having regard to the African Charter on Democracy, Elections and Governance,
  - having regard to the instruments of the United Nations and the African Commission on Human and People’s Rights, in particular the Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa,
  - having regard to the UN Convention against Torture and other Cruel, Inhuman or degrading Treatment or Punishment,
  - having regard to the Cotonou Agreement,
  - having regard to Rule 135 of its Rules of Procedure,
- A. whereas Victoire Ingabire in 2010, after 16 years in exile in the Netherlands, President of the Unified Democratic Forces (UDF), a coalition of Rwandan opposition parties, returned to Rwanda to run in the presidential election and was barred from standing in this election against the de facto leader of Rwanda since 1994, Paul Kagame; after the elections was arrested on 14 October 2010;
- B. whereas Victoire Ingabire is detained in the 1930 Kigali prison since she was sentenced to eight years by the first instance Rwandan High Court on 30 October 2012; whereas in December 2013 the Rwandan Supreme Court upheld the conviction on charge of “genocide denial” and “conspiracy against the country through terrorism and war” and increased her jail term to fifteen years;
- C. whereas these trials are considered by many observers to be politically motivated, to lack impartiality and to illustrate the Rwandan Government’s lack of tolerance of political pluralism, especially towards the opposition leader who is a Hutu and who merely requested the people of Rwanda not to forget that not only ‘Tutsi’ lost their lives in 1994 but ‘Hutu’ also;
- D. whereas Kizito Mihigo, a Rwandan gospel singer, a Tutsi orphaned during the genocide in 1994, involved in composing and the most famous performer of the national anthem of Rwanda was arrested in April 2014 after he uploaded on Youtube a song in which he called for recognition also of Hutu victims and was subsequently sentenced to 10 years of

imprisonment after being convicted of conspiracy against the government of President Paul Kagame.

- E. whereas last year, Victoire Ingabire appealed to the African Court of Human and Peoples' Rights accusing the Rwandan government of violating her rights; whereas, before the case could be dealt with substantively early March 2016, Rwanda withdrew itself from the African court claiming Rwanda's courts are capable of dealing with all local cases;
  - F. whereas Victoire Ingabire's conditions of detention have worsened since her appeal to the African Court and the release of her book "Between the four walls of 1930: Notes from Victoire Ingabire Umuhoza 2010-2013";
  - G. whereas FDU-Inkingi member Leonie Gasengayire was arrested and detained for three days when she visited Victoire Ingabire in prison on 26 March 2016; whereas she was rearrested on August 23 and charged with inciting insurrection or trouble among the population and, if found guilty by the court, could be sentenced to up to fifteen years in prison;
  - H. whereas, Illuminée Iragena, another FDU-Inkingi member who regularly visited Victoire Ingabire in prison, disappeared on 26 March 2016 and family members asked the police to investigate, but did not receive an official response;
  - I. whereas on 18 September 2016, Théophile Ntirutwa, the current Kigali representative of the FDU-Inkingi, was arrested, allegedly by military personnel, detained in a location he did not recognize, beaten, and questioned about his membership of the FDU-Inkingi, and was released two days later;
  - J. whereas a delegation of the European Parliament was denied access to jailed opposition leader Victoire Ingabire;
  - K. whereas tight restrictions on freedom of speech and political space remain in place in Rwanda and independent civil society and independent media remain very weak; whereas the Rwandan Government has suspended the BBC's Kinyarwanda broadcasts inside Rwanda indefinitely;
  - L. whereas the Rwandan authorities detained people unlawfully in unofficial detention centres, including in military custody, and some were held incommunicado and ill-treated;
  - M. whereas amendments to the constitution allowing President Kagame to stand for a third term in 2017 were approved by Parliament, then in a referendum; whereas in the period before the 2010 presidential elections a worrying pattern of abuses against opposition parties, journalists, activists, and other critics was reported;
1. Expresses its deep concern at the worsening conditions of detention for Victoire Ingabire, whose trial did not meet international fair trial standards, and demands her unconditional release;
  2. Demands release also of Kizito Mihigo, who inspired by Christian values, in his last song called for recognition of all the victims of the 1994 massacre;

3. Is concerned about the fate of Illuminée Iragena and urges the Rwandan authorities to provide information on her whereabouts;
4. Calls on the Rwandan Government to show its willingness to investigate alleged abuses against opposition activists and journalists and to conform the military detention centres with Rwanda's laws and international standards;
5. Reiterates that a functioning opposition, a vibrant civil society and independent media are essential to maintain the gains achieved in economic and social development in the post-genocide era;
6. Urges the Rwandan authorities not to repress those who seek recognition of all victims of the 1994 civil war, but rather embrace calls for creation of a Committee of Truth, Justice and Reconciliation to help Rwandans toward true reconciliation.
7. Urges the Rwandan authorities to ensure peaceful, credible and transparent elections in 2017;
8. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the institutions of the African Union, the East African Community, the ACP-EU Joint Parliamentary Assembly, the governments and parliaments of the Member States and the President of Rwanda..