



Plenary sitting

B8-1066/2016

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))

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Zorrinho
on behalf of the S&D Group

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

The European Parliament,

- having regard to its previous resolutions and namely the resolution on the case of Victoire Ingabire of 22 May 2013
- having regard to the visit of the Committee on Women's Rights and Gender Equality of the European Parliament to Rwanda, 19-23 September 2016
- having regard to the outcome of the 2015 Universal Periodic Review of Rwanda and to the 2016 concluding observation of the UN Human Rights Committee after its review of Rwanda's compliance with the International Covenant on Civil and Political Rights
- having regard to the Cotonou Partnership Agreement between the ACP and the EU,
- having regard to the International Covenant on Civil and Political Rights of 1966 which was ratified by Rwanda in 1975,
- having regard to the African Charter on Human and Peoples' Rights (ACHPR);
- having regard to the African Charter on Democracy, Elections and Governance;
- having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
- having regard to Rule 135 of its Rules of Procedure,
 - A. whereas on the 30 th October 2012 Victoire Ingabire, President of the Unified Democratic Forces (UDF), was sentenced to 8 years of prison for conspiracy to harm the authorities using terrorism, and of minimising the 1994 genocide, on the basis of her presumed relations with the Democratic Forces for the Liberation of Rwanda (FDLR), a Hutu rebel group; whereas the revised jail sentence of 15 years is a very harsh punishment for someone who chose to criticise the political status quo and offer a broader view of a national tragedy
 - B. whereas her trial, was considered by many observers to be politically motivated; whereas the Rwandan national law and judiciary contravenes international conventions to which Rwanda is a party
 - C. whereas after 16 years in exile in the Netherlands, Victoire Ingabire, returned to Rwanda to run in the presidential elections in August 2010 but was ultimately barred from running and arrested in October 2010

- D. Whereas the Rwandan government withdrew its declaration allowing individuals to file complaints directly with the African Court on Human and Peoples' Rights on February 29, 2016, only days before judges were to hear a case brought against the Rwandan government by Victoire Ingabire;
- E. whereas the FDU-Inkingi released an alarming call for justice as they announced that the conditions of detention of Victoire Ingabire, had deteriorated and her health suffers;
- F. whereas the recent delegation from the European Parliament, FEMM Committee (19-23 September) was denied access to jailed opposition leader Victoire Ingabire ; whereas the aim of the visit was women's role in society and their empowerment while the mission noted that important challenges remain in this regard such as in particular the access to education in rural areas, more equal property rights, better access to non-farm employment;
- G. whereas on 13th September Victoire Ingabire was nominated by the European Parliament for a Sakharov Prize
- H. whereas the treasurer of Ingabire's party, the United Democratic Forces FDU-Inkingi, was arrested and charged with inciting public insurrection. Léonille Gasengayire, was arrested again on August 23
- I. Whereas John Ndararasa, a journalist working at Sana radio, has gone missing on August 7, and his whereabouts are since unknown;
- J. Whereas human rights organisations have expressed concerns about the fairness of several trials, including those of three former military officials, Tom Byabagamba, Frank Rusagara and François Kabayiza, who have been sentenced to respectively 21, 20 and 5 years in prison, because of critical comments; the trial of singer Kizito Mihigo and co-accused; and that of former presidential bodyguard Joel Mutabazi and co-accused.
- K. Whereas Epimack Kwokwo, a Congolese national and former executive secretary of the regional human rights group Human Rights League in the Great Lakes Region (LDGL), was ordered in May by the immigration services to leave the country, in a context of ever weakening independent civil society in Rwanda
- L. Whereas the BBC Kinyarwanda service remains suspended since 2014, and the Rwandan media is characterized by self-censorship, intimidation of journalists and limited critical coverage or debate;
- M. whereas a Rwandan opposition activist Illuminée Iragena has been reported missing for six months and is feared to have been forcibly disappeared; whereas people close to the activist, , have not seen her since March 26, 2016, and fear she may have died in detention.
- N. whereas journalists, human rights defenders and members of the opposition faced a repressive environment.

- O. whereas according to human rights civil society organizations the authorities detain people unlawfully in unofficial detention centers, including in military custody; some were held incommunicado and ill-treated.
- P. whereas tight restrictions on freedom of speech and political space remain in place, contrasting with progress on economic development;
- Q. whereas amendments to the constitution allowing President Paul Kagame to stand for a third term in 2017 were approved by Parliament, then by the Rwandan public in a referendum in December 2016 which demonstrates another example of an African leader changing the democratic rules in order to extend their time in power
- R. Whereas there are concerns about the lack of a full explanation of the 2015 constitutional amendments, the lack of sufficient time and space for debate about those amendments and the absence of a process allowing for independent monitoring of the December referendum;
- S. whereas the consolidation of democracy – including ensuring the independence of the judiciary and the participation of opposition parties – is crucial, particularly in view of the 2017 the presidential election
- T. whereas Rwanda announced that will implement up to 50 of 83 recommendations from the UN Human Rights Council; among the recommendations rejected include becoming a signatory of the Rome Statute that established the International Criminal Court.
- U. whereas Rwanda took several political and legislative measures in order to promote and ensure women’s rights and gender equality, and is today one of the countries with the highest number of female parliamentarians and high number of female decision-makers, while those achievements of political representation have still not really translated into significant impacts on women lives;
- V. Whereas Rwanda is a key player in the Great Lakes region and can play a crucial role in the stabilisation process, including through the fight against illegal trade on minerals and other natural resources; whereas the 2015 report of the UN Group of experts on DRC recommends that the Government of Rwanda investigate and prosecute those involved in the illegal trade in tin, tantalum and tungsten, as well as the laundering of minerals from the Democratic Republic of the Congo in Rwanda
- W. whereas the Rwandan genocide and civil war of 1994 continue to have a negative impact on the stability of the region; whereas many women and girls were victims of rapes, sexual exploitation, sexual slavery and mutilations with an estimated 100.000 to 250.000 women raped during the three months of genocide, leading to unwanted pregnancies, sexually transmitted infections and stigmatisation, which impact women and children’s life long after the end of the genocide; whereas thousands of the genocide survivors still face difficulties to live a normal life, among them the victims of sexual violence, the orphans and the widows;

1. Reiterates its concerns expressed in its 2013 resolution on Rwanda, including its strong condemnation of politically motivated trials and prosecution of political opponents and its calls on the Rwandan judicial authorities to “effectively investigate allegations of torture and other abuses of human rights, and to bring to justice those committing such offences, as impunity cannot be tolerated” and its condemnation of “intimidation, arrests, detentions, and prosecutions of opposition parties leaders, members, activists, as well as journalists and other perceived critics of Rwandan government solely for expressing their views”.
2. Expresses its deep concern about the ongoing restrictions to freedom of expression, association and peaceful assembly in Rwanda, and the arrests, harassment and intimidation of opposition members, journalists and independent civil society activists.
3. Regrets the fact that Members of the European Parliament FEMM committee were denied access to visit the jailed opposition leader Victoire Ingabire during their official visit to the country; finds this regrettable for a country that has such as good record on women's participation in public life
4. Expresses its concern about the fairness of the trials of real or suspected government opponents or critics, including those of Victoire Ingabire, Frank Rusagara, Joel Mutabazi, Kizito Mihigo and their respective co-accused; urges the Rwandan authorities to ensure that appeal proceedings are organized swiftly and fairly, in accordance with international fair trial standards.
5. Urges the Rwandan authorities to increase efforts to investigate the cases of Illuminée Iragena, John Ndabarasa and other individuals who are feared to have been forcibly disappeared, to reveal their whereabouts and release or try them, if they are in detention.
6. Reminds the Rwandan government that sufficient political space and a climate of free expression are preconditions for the organization of free and fair elections and essential to sustain Rwanda’s development.
7. Calls on the Rwandan authorities to create a conducive environment for the 2017 elections, including by allowing opposition parties to register and function unhindered and in full security and liberty, allow journalists to engage in critical reporting and allow national and international actors to monitor the electoral and pre-electoral period without restrictions.
8. Expresses its concern about restrictions on independent civil society organisations, including the cumbersome registration process, government interference in the internal affairs of Rwandan non-governmental organizations and the intimidation and expulsion of human rights activists.
9. Calls on the Rwandan authorities to urgently proceed with the review of its declaration allowing individuals and NGOs to file complaints at the African Court on Human and Peoples’ Rights and restore and reintroduce it.

10. Calls on the Rwandan authorities to pay more attention to the conditions of women farmers, in particular to guarantee their access to Government programs to improve their skills, to ensure better awareness of their rights and better protection women's property rights
11. Expresses its support for long-term EU electoral observation mission for the 2017 presidential elections, with a focus on political space and fundamental freedoms.
12. Encourages the EEAS and member states to intensify the article 8 political dialogue with the Rwandan government, to sustain regular and frequent dialogue on issues of mutual concern, especially in the lead-up to 2017 elections, and to issue public statements when concerns arise over the issues described above.
13. Asks the European Commission to critically review EU support to Rwandan government institutions to ensure that this support fully promotes human rights and has no negative effects on freedom of expression and association, political pluralism and independent civil society.
14. Calls on the Rwandan authorities to increase efforts in the fight against illegal trade of minerals and implement the UN group of experts' recommendations;
15. 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 UN Security Council, the UN Secretary General, the institutions of the African Union, the East African Community, the ACP-EU Joint Parliamentary Assembly, the governments and parliaments of the Member States, the defenders of Victoire Ingabire and the President of Rwanda.