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Open letter
APPEAL TO DUTCH PARLIAMENT TO END THE HANDING OVER OF POLITICAL REFUGEES
TO THE RWANDAN BRUTAL REGIME.

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We, the undersigned members of Rwandan political and civil society organisations in exile acknowledge with profound gratitude that the Dutch Government welcomed Rwandan refugees and asylum seekers. However, we are shocked and scandalised that a government with a good reputation of promoting human rights and rule of law would deliver Rwandan political refugees to “*a state that has proved to be a killing machine*’ (Oomen, 2005: 907).¹ As Prof Reyntjens, one of the leading experts on the Great Lakes points out, the complacent attitude of the “international community has incrementally, step by step, contributed to a situation that may well be irreversible and that contains seeds for massive new violence in the medium or long run”². Sadly, it is quite clear that the Dutch government is not only showing a complacent attitude but is fully involved in abetting and aiding Rwanda in what Freedom House calls transnational repression and Human Rights Watch consider repression across borders. In so doing the Dutch government “is taking an enormous risk and assuming a grave responsibility for assisting in creating the very conditions that led to war and genocide in Rwanda”.

In November 2016, the Dutch government handed over to the Rwandan government, two people Mugimba and Iyamuremye suspected of having committing genocide. They were held in jail, first in The Netherlands since 2012, then in Rwanda since November 2016, until March 2021 they were not tried yet. In Jean Baptiste Mugimba case, it became clear last year that witnesses had lied. During one of the hearings, a witness from the prosecution who was expected to testify against him, did the opposite, clearing him of all blame.³ In spring 2021 it became known that the judges asked for a reopening of his trial in May 2021, because they wanted to hear more witnesses. Highly unusual as the prosecutor and the defence lawyers had all held their final speech.

Another alleged suspect, Mr Venant Rutunga was deported on July 26, 2021. We have just learnt that another refugee Jean Baptiste Nyabusore is awaiting delivery to the Rwandan repressive regime.

While we do not contest the arrest and trial of all those who are suspected to have been involved in acts of genocide, however it is an open secret that the current regime cynically accuses its critics or influential people who do not openly support the government of committing genocide, harbouring genocide ideology, denying genocide, minimising genocide, revisionism etc. Even tutsi survivors of genocide who criticise the government e.g Aimable Karasira, Ms Idamange are accused of denying and minimising genocide. In this regard we recommend that the

¹ **Andy Storey** *Structural Violence and the Struggle for State Power in Rwanda: Why ‘Conflict Resolution’ and Other External Interventions Have Made Things Worse Paper for presentation at the PSAI Annual Conference, 8-10 October 2010, Dublin Institute of Technology*

² Prof. F. Reyntjens *African Affairs*, Vol. 103, No. 411, April 2004, pp. 208-9

³ <https://www.radiyoyacuvoa.com/a/4764022.html>

<https://www.topafricanews.com/2019/01/31/umutangabuhamyia-wubushinjacyaha-yashinjuye-mugimba/>



suspect be tried by independent courts in the countries of asylum especially because it is well known that Rwanda practices torture on detainees to obtain confessions or to punish those who resist conversion to RPF political cult.

It is widely documented, even by key allies, that the Rwandan regime is one of the most repressive regimes in Africa. In its human rights country report 2017 the US government accuses Rwanda of: “arbitrary or unlawful killings; torture (violation of international law); harassment, arrest, and abuse of political opponents, human rights advocates, and individuals perceived to pose a threat to government control and social order; security forces’ disregard for the rule of law; and restrictions on civil liberties; restrictions on the registration and operation of opposition parties, hence denying citizens the ability to change their government through free and fair elections”⁴. The situation of civil and political rights has deteriorated since then coming down from 24% in 2017 to 21% in 2020 according to Freedom House.

“A former minister of justice, judges and former judges, former prosecutors, and lawyers all recounted cases of interference with the judicial system that they had experienced or knew of in some detail. A former official well-acquainted with such practices said that judges in important cases were rarely bought off but were subject to pressure from the executive as well as from powerful persons outside the government. He said that judges “would know what to do.” Or, if there was any doubt about the decision, they would receive a call to tell them “this is what is expected.”⁵

Mrs Victoire Ingabire Umuhiza was arrested in 2010 and in a political trial that ensued she was sentenced to fifteen years imprisonment. She went to African Court for Human and People’s rights (AfCHPR). In November 2017, the court found that Rwanda had indeed violated Victoire Ingabire Umuhiza’s right to freedom of opinion and expression, as well as her right to an adequate defence. The Rwandan government was ordered to pay reparations but up until today the Rwandan regime ignores this ruling⁶.

In 2019 the Rwandan government launched an operation called “cleaning the west”⁷ to target the Rwandan opposition in the West. According to the Freedom House report (2021): “The government usually targets individuals who challenge it through criticism or active resistance, or who question its version of Rwandan history. Authorities take an extremely broad view of what constitutes dissent and seek to exert control over the totality of the diaspora, including through its embassies and official diaspora organizations. Even communicating with fellow Rwandans who have run afoul of the government poses a risk”⁸.

Speaking about the opposition outside Rwanda to young genocide-survivors in November 2019, General James Kabarebe, the Rwandan former minister of Defense and President Kagame Senior advisor on security matters, said: “Do we allow them to reach a level where they become a threat, or should we keep them in a position where they are useless and don’t pose a threat to us?”⁹

⁴ <https://www.state.gov/documents/organization/252929.pdf>

⁵ <https://www.hrw.org/report/2008/07/25/law-and-reality/progress-judicial-reform-rwanda>

⁶ <https://www.victoire-ingabire.com/Eng/12th-april-2012-stop-intimidation-of-defense-witnesses-in-ingabires-trial/>

Application 003/2014 judgment 24 November 2017

<https://ijrcenter.org/2017/12/12/african-court-holds-rwanda-violated-victoire-ingabires-freedom-of-expression/>

<http://www.african-court.org/en/images/Cases/Judgment/003-2014->

[Ingabire%20Victoire%20Umuhiza%20V%20Rwanda%20-%20Judgement%2024%20November%202017.pdf](http://www.african-court.org/en/images/Cases/Judgment/003-2014-Ingabire%20Victoire%20Umuhiza%20V%20Rwanda%20-%20Judgement%2024%20November%202017.pdf)

https://www.europarl.europa.eu/doceo/document/B-8-2016-1065_EN.html

<https://www.amnesty.org/en/latest/news/2012/10/rwanda-ensure-appeal-after-unfair-ingabire-trial/>

⁷ <http://www.therwandan.com/operation-cleaning-the-west-kagame-new-operation-to-shut-down-the-opposition-based-in-the-west/>

⁸ <https://freedomhouse.org/report/transnational-repression/rwanda>

⁹ <https://www.youtube.com/watch?v=SEYYboG8iRw>



It is shocking and indeed scandalous that a democratic country reputed to champion human rights and member of the European Union readily delivers on a silver plate suspects to a government that has kidnapped a European citizen Paul Rusesabagina, a crime that has been condemned by the European Parliament.

We appeal to Dutch Parliament that represents the people to stop this scandalous behaviour of its government and restore the Dutch dignity as a civilised nation that respects human rights and international law that prohibits governments from sending someone to a country that is known to practice torture.

Signatorie:

1. Action citoyenne pour la Paix, **Suisse** ;
2. Association des rescapés du génocide des réfugiés rwandais au Congo (Ex-ZaïreRDC) ARGR-Intabaza, **Nederland** ;
3. Centre de Lutte contre l'Impunité et l'Injustice au Rwanda (CLIIR), **Belgique** ;
4. Comité pour l'Unité, la Paix et la Réconciliation au Rwanda (CUPR), **France** ;
5. Congrès rwandais du Canada (CRC), **Canada** ;
6. Convention Nationale Républicaine (CNR-Intwari), **Suisse** ;
7. Comité de Suivi de la Problématique des Réfugiés Rwandais (CSPR), **Suisse** ;
8. COVIGLA, Collectif des victimes des crimes de masse commis dans la région des grands lacs africains, **France** ;
9. Forces Démocratiques Unifiées-Inkingi, **UK** ;
10. Fondation Ibukabose-Rengerabose, Mémoire et Justice pour tous, **France** ;
11. Global Campaign for Rwandans' Human Rights (**UK**)
12. Global Voice of Rwandan Refugees (GVRR), **South Africa** ;
13. Groupe d'initiative France-Rwanda, **France** ;
14. Inganzo Gakondo, **Russie** ;
15. Initiative du Peuple pour l'Alliance Démocratique (IPAD-Umuhuza), **USA** ;
16. Initiative Humanitaire pour la région des grands lacs (IHRGL), **Belgique** ;
17. Initiative HUMURA, **Belgique**;
18. Institut Seth Sendashonga pour la Citoyenneté Démocratique ISCID asbl, **Belgique** ;
19. JAMBO asbl, **Belgique** ;
20. Liberté d'Expression Culture et Paix, LECP Info, **USA** ;
21. Mouvement Républicain pour la Paix et le Progrès, MRP, **Belgique** ;
22. Observatoire des Droits de l'Homme au Rwanda (ODHR), **France** ;
23. Organization for Peace, Justice and Development in Rwanda and Great Lakes Region (OPJDR), **USA**;
24. PS Imberakuri, **Belgique**;
25. Rassemblement des Jeunes pour l'Avenir du Rwanda (RAJAR ASBL), **Africa**.
26. Réseau International pour la Promotion et la Défense des Droits de l'Homme au Rwanda (RIPRODHOR), **France** ;
27. Rwanda National Congress - RNC, **USA** ;
28. Rwanda National Forum (RNF), **USA** ;
29. Rwandan Alliance for the National Pact (RANP-Abaryankuna), **Africa**.
30. Rwandan American Youth Association, **USA**;
31. Rwandan Platform for Dialogue, Truth, and Justice (RDTJ), **South Africa** ;
32. Rwandiske Forum in Norway (RFN), FORUM RWANDAIS DE **NORVEGE** (RFN);
33. United Freedom Fighters (UFF-INDANGAMIRWA), **France**;
34. PDR Ihumure, **Belgique**
35. Rwanda Revolution Movement (RRM), **South Africa**