



NATIONAL COMMISSION FOR HUMAN RIGHTS

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STATEMENT OF THE NATIONAL COMMISSION FOR HUMAN RIGHTS ON THE PROVISIONAL DETENTION OF PAUL RUSESABAGINA

On 16 September 2020, the National Commission for Human Rights (NCHR) visited Mr. Paul RUSESABAGINA at Remera Police Station, where he was being detained, pursuant to Article 1(4) of Law № 61/2018 of 24/08/2018 modifying Law № 19/2013 of 25/03/2013, which entrusts NCHR with the responsibility to monitor respect for the rights of detainees.

The Commission conducted an interview in private with Mr. Rusesabagina on his detention situation.

The visit aimed at ensuring that Mr. Rusesabagina's rights to social welfare and due process of law are respected.

The Commission established that:

- His rights to social welfare are respected. He was detained individually in a spacious, self-contained room, which is clean, has enough light and fresh air, proper bedding, a mosquito net, and adequate sanitary facilities. His clothes were clean and kept in proper condition;
- Three (3) times a day, he was provided adequate food, and he has clean drinking water at all times. His health special needs are correctly catered for;
- His right to health is respected as he was immediately taken to a doctor whenever the need arises, and was provided necessary care and treatment. In particular, he is protected from COVID-19 infection with the necessary personal protective equipment and his visitors are required to provide proof of a negative COVID-19 test;
- He has been facilitated to speak with members of his family who live abroad;
- He was informed of the charges against him at the time of arrest, and the statement of arrest and detention (arrest report, provisional arrest warrant) were correctly filled. During questioning his right to protection from torture, cruel, inhuman and degrading treatment was respected;
- He personally chose two lawyers to represent him from a list provided by the Rwanda Bar Association, and is given time and facilities to engage in private communication with them for the preparation of his defense;
- The time limit for the submission of his case file to Prosecution by RIB, the submission of the case file to the Court by Prosecution, and the time limit for the court hearing and decision on provisional detention and release, were respected.

The Commission met with representatives of the Rwanda Investigation Bureau (RIB), the National Public Prosecution Authority (NPPA), the Rwanda National Police (RNP), and Mr. Rusesabagina's legal counsel to share findings from the visit.

The Commission took the opportunity to advocate for the following wishes expressed by Mr. Rusesabagina:

- (1) to be given more time while talking to his legal counsel;
- (2) to call his family members abroad more frequently.

The Commission took note of the ruling on provisional detention on 17/9/2020 in Kicukiro Primary Court. The Commission will continue to monitor respect for Mr. Rusesabagina's rights, as it does for other detainees.

Kigali, 22nd September 2020

Signed

MUKASINE Marie Claire

Chairperson of the National Commission for Human Rights