



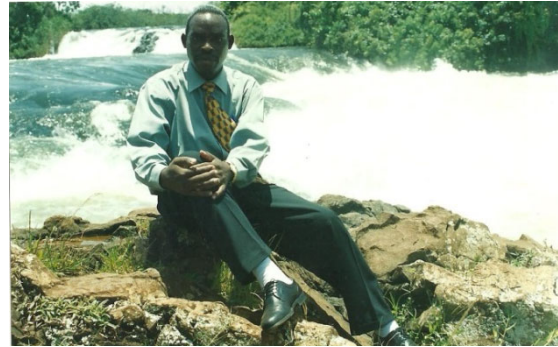
Inter-Parliamentary Union
For democracy. For everyone.

Rwanda

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 173rd session (Geneva, 23 January to 7 February 2024)



Leonard Hitimana and his wife Gahongayire Grâce Hitimana



Leonard Hitimana on mission to Uganda. One of the last existing photos before his disappearance

RWA-06 - Leonard Hitimana

Alleged human rights violations

- ✓ Enforced disappearance
- ✓ Lack of due process at the investigation stage

A. Summary of the case

Mr. Leonard Hitimana, a member of the (former) Transitional National Assembly of Rwanda and of the Republican Democratic Movement (MDR, now dissolved), disappeared on 7 April 2003, the day before he was to make a speech in parliament to defend the MDR, the sole remaining opposition party, following a parliamentary report that had recommended it be banned.

According to eyewitness accounts, as relayed by the complainants, Mr. Hitimana's car was intercepted late in the afternoon of 7 April 2003 by Rwandan Directorate of Military Intelligence (DMI) agents. The agents are alleged to have taken Mr. Hitimana to Kami military camp, where, on the orders of superiors, he was tortured and killed in May 2003 by Mr. John Karangwa, who was Deputy Director of Counter-intelligence at the time. Mr. Hitimana's remains were then removed to an unknown destination; persons making their rounds at the Kaniga border post say that they saw Mr. Hitimana's car and that of the military. Mr. Hitimana's car was allegedly moved by police or intelligence officers to Byumba, where it was apparently kept for a month. Mr. Hitimana's representatives subsequently retrieved the car and were told by the police that it was in the condition in which they had found it close to the border with Uganda. According to the representatives, the car's electrical cables had been cut, the key was no longer in the ignition and there were bloodstains on the front seat.

The complainants point out that the suspected perpetrator, DMI officer John Karangwa, has been accused by non-governmental sources not only of killing Mr. Hitimana, but also of abducting and executing, in April 2003, Mr. Augustin Cyiza, the Vice-President of Rwanda's Supreme Court, the

Case RWA-06

Rwanda: Parliament affiliated to the IPU

Victim: Opposition member of parliament

Qualified complainant(s): Section I.(1)(d) of the Committee Procedure (Annex I)

Submission of complaints: April and June 2003

Recent IPU decision: February 2017

Recent IPU Mission: June 2011

Recent Committee hearing: Hearing with the Rwandan delegation during the 135th IPU Assembly (Lusaka, March 2016)

Recent follow-up:

- Communication from the authorities: Letter from the Speakers of both Houses (January 2023)
- Communication from the complainants: February 2019
- Communication to the authorities: Letter to the Speakers of both Houses (December 2023)
- Communication to the complainants: January 2024

President of Rwanda's Cassation Court and a founding member of two Rwandan human rights organizations. The sources believe that Mr. Hitimana was abducted by the DMI in order to silence any opposition to the dissolution of his party.

The authorities, for their part, have said that they believe Mr. Hitimana is in another country. While they have reaffirmed several times that the investigation remains open, they have also indicated that it has failed to produce any results so far.

The United Nations Working Group on Enforced or Involuntary Disappearances has repeatedly sought observations from the Rwandan authorities, including through a communication in May 2022, regarding the serious reports apparently showing the existence in recent decades of a practice of enforced disappearance of political opponents, human rights defenders, journalists and other perceived critics of the Government, both within and outside the country. In addition, several human rights organizations have documented, as recently as October 2023, how even Rwandans who are abroad and are critical of the Government allegedly face serious intimidation, sometimes with fatal consequences, for the purpose of silencing them. In this regard, it should also be noted that Mr. Hitimana's family and the relatives of one of the complainants have allegedly suffered reprisals for their insistence that light be shed on his disappearance.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Thanks* the Speakers of both houses of the Rwandan Parliament for their latest communication and their continued cooperation in this matter;
2. *Considers* that, more than 20 years after Mr. Hitimana disappeared and with only scant and relatively old details on file about the investigation, many questions remain unanswered, including with regard to any specific action that the Rwandan authorities may have taken to help shed light on his disappearance; *considers*, further, this state of affairs to be all the more regrettable as the lack of a serious investigation can only support the long-standing accusation that Mr. Hitimana was the victim of an enforced disappearance; and *stresses* that Mr. Hitimana was not a junior politician, but had played an important role in his party, and the fact that he was intending to speak in parliament the following day against the party's dissolution, in a pre-electoral context in which he was considered a serious contender, constitutes a serious motive for the crime;
3. *Recalls* that enforced disappearances are a serious human rights violation and that the enforced disappearance of a member of parliament, if the perpetrators are not brought to justice and punished, stands as a threat to parliament as such, to all its members and, in the final analysis, to the people parliament represents, as it can only encourage the repetition of such acts;
4. *Urges* the authorities, once again, to carry out an independent, prompt and effective investigation, examining all lines of enquiry; *is convinced* that, if new lines of inquiry are effectively followed, new evidence may still emerge; and *eagerly awaits* information to this effect;
5. *Calls on* parliament to do everything possible to help ensure that these steps are indeed taken, and to expedite the implementation of the long-standing recommendation to ratify the International Convention for the Protection of All Persons from Enforced Disappearance to which the Rwandan authorities agreed; and *wishes* to be kept informed of any action taken in this regard;
6. *Is deeply concerned* about renewed reports portraying the existence of a climate of intimidation that may well prevent any witnesses and others who could help shed light on this case to come forward; *urges*, therefore, the Rwandan authorities to do everything possible to ensure the safety of any potential witnesses and other sources of information who could assist with the investigation; and *wishes* to know what steps the authorities intend to take in this regard;

7. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainants and any third party likely to be in a position to supply relevant information;
8. *Decides* to continue examining the case.