

ARBITRARY DETAINMENT OF FRANK RUSAGARA

Chairman McGovern, Chairman Hultgren, distinguished members of the commission and ladies and gentlemen on behalf of the Rusagara family, I'd like to thank you for organizing this hearing on human rights situation in Rwanda and to particularly talk about the detention of my father, Frank Rusagara. I thank you for your continued attention on the human rights situation in Rwanda.

I'll start off by giving a brief history of my parents, Mr Frank Rusagara and the late Mrs Christine Rusagara.

My parents met in Uganda where they were both working for the Ministry of Defence in the NRA government. It's from here that they both went on to serve in the struggle for freedom and return to their homeland Rwanda. My father devoted his career to national defence and rose to the rank of a general in the army. He also served as the President of the Kanombe Military High Court—the court that would later convict him. His last post in service was as the Defence Attaché to the United Kingdom, Geneva and Scandinavian region. He was also a PhD student at School of Oriental and African studies, University of London.

My father was summoned back to Rwanda from the UK in February 2013; from here he was fired from his post. He saw this positively as he believed it would give him more time to do research in Rwanda as he was meant to complete his PhD in the spring of 2014. He was able to come back to London one last time to move us out of the diplomatic residence. This would be the last time we would be able to see him.

In September 2013 he learnt that he was going to be forcibly retired from military service along with 32 other officers. On the last Friday of October 2013, the Ministry of Defence hosted a party for the 33 officers and their spouses. The Minister of Defence thanked them for their service and emphasized that all were retiring with honours and privileges due to them for their exemplary services.

In November 2013, my father was requested by the Office of the President to participate in the Ndi-Umunyarwanda programme coordinated by the Prime Minister. He participated through giving public lectures and debates on post-genocide Rwanda throughout the country. During this time period, he continued his research and assisted foreign students in their research on Rwanda.

In March 2014, he met with 12 postgraduate students from St Andrew's University and their lecturer who were on a field trip to Rwanda. They met at Nyarutarama Tennis Club, a location guarded by army personnel as only senior military officers can enter. It is here that my father is alleged to have privately expressed criticism of the current Rwandan regime.

Shortly after this, my father was arrested on August 17, 2014 with no arrest warrant. In fact, an arrest warrant wasn't produced until August 23, 2014.

A few days after my father's arrest, his brother-in-law and fellow high-ranking military officer Tom Byabagamba and my father's driver Sergeant Francois Kabayiza were also arrested. I should mention that my late mother's brother, David Himbara, is a well-known Rwandan dissident who fled to Canada a few years ago. Tom Byabagamba is David Himbara's brother.

We don't know if it is this relationship with David Himbara that led to my father's arrest or if the government was just really upset at being allegedly criticized in private.

On October 29, 2014, my father was charged with:

- Knowingly spreading rumours with the intent to incite or attempt to incite citizens to oppose and revolt against the established government. (Article 463 of the Rwandan penal code)
- Committing acts aimed at tarnishing the image of the country when one is a leader. (Article 660 of the Rwandan penal code)
- Illegal possession of arms. (Article 671 of the Rwandan penal code)

Mr. Byabagamba and Mr. Kabayiza were also charged with a set of invented crimes, including concealing evidence in my father's case.

In addition to his arrest, the government froze my father's accounts and barred him from any phone calls with his wife and children who were still living in the UK.

Dad was held in a non-gazetted area in the military barracks in Kanombe under very appalling conditions, in an individual secluded cell, 24 hours under lock and key with cameras and antennas. For a short period, he was able to receive brief visits from his family in Rwanda, but these reunions were always monitored by military police officers.

On March 31, 2016, my father was convicted on all charges and sentenced to 22 years in prison. He was joined by Tom Byabagamba, who was sentenced to 21 years, and Francois Kabayiza, who was sentenced to 5 years.

In 2015 my mother became very sick with cancer. She was given a terminal diagnosis in July 2016 and admitted to hospice care. The hospice wrote a letter requesting for our father to be allowed to speak with her as her time was limited. This letter was sent to the President's office through the British High Commission. The Rwandan government refused. Eventually she passed on without ever being able to say her final goodbye to him.

We remain alone as children and the effects of his arrest have left us with a great deal of psychological burden due to fear, stress and coping of normal day to day life. I miss him every day. I have become head of the household, this has put my educational and future pursuits on hold as I was juggling being my mother's primary caregiver and supporting my siblings--especially the youngest. We are fortunate enough to have a church community that has helped us especially with parental guidance and counselling for my youngest sibling who was 14 years of age when all this started.

My siblings and I have encountered mental health issues of depression and anxiety plus nightmares due to thinking of the worst possible outcome.

Since April 2017, my father has been barred from family visits and is held in solitary confinement. For the last year and a half, we have no clue as to how he is faring.

This has further increased our state of fear and stress as we are greatly worried about him both physically and psychologically, especially as we know that contact with his family had been helping him through his grief over the loss of our mother. I am angry and frustrated due

to the injustice my father has been subjected to, especially considering the sacrifice and devotion he has made to Rwanda.

As a family we're still in limbo with our grief process because we have never finished our mother's burial rites. This will only be completed with our father amongst us for him to be able to observe her burial process.

We are requesting his release, so we can be reunited as a family.

Thank you.