



Inkingi
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United Democratic Forces

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Kigali – Rwanda

"Pour un Etat de Droit, la Démocratie et l'Egalité de chances"; "For the rule of law, democracy and equal opportunity"

Kigali, November 22, 2013

**Sylvain Sibomana, the FDU-Inkingi's Interim Secretary General,
has been unfairly sentenced to two years in prison.**

On Friday November 22, 2013, the Nyarugunga First Instance Court announced the verdict in the trial against Mr. Sylvain Sibomana, the FDU-Inkingi's Interim Secretary General, and Mr. Dominique Shyirambere, on two accounts:

- Organizing illegal protests while attending the appeal court hearings in the trial against the FDU-Inkingi's Chairperson, Ms. Victoire Ingabire Umuhiza, on March 25, 2013, within the Kigali Supreme Court's premises.
- Uttering defamations against Security Services.

This case had been first presented to the Gasabo High Court but owing to some jurisdiction limitations the High Court declared itself incompetent to try it. The Court had therefore decided to send the case back to the Nyarugunga First Instance Court where the same case had already been heard on November 4, 2013.

In its conclusions, the Nyarugunga First Instance Court found Mr. Sylvain Sibomana guilty of the above mentioned two accounts and sentenced him to two years in prison with a fine of one million Rwandan Francs (1,000,000 FRW) in litigation fee. With regard to Mr. Dominique Shyirambere, the Court sentenced him to five months in prison with the same fine of one million Rwandan Francs (1,000,000 FRW) in litigation fee.

The trial was characterized by the Prosecutor's inconsistency with regard to some articles of the Penal Code pertinent to the High Court level. The Prosecutor failed to acknowledge the fact that it was because of such jurisdiction limitations that the case was sent back to the First Instance level specifically in reference to the alleged charges against the accused and related punishments according to the Penal Code.

When the Prosecutor was prompted to provide irrefutable evidence that the alleged crimes might have been committed by the accused, he couldn't say anything better than saying that someone was found carrying in his pocket a badge harbouring Ms. Victoire Ingabire's picture. Surprisingly, the Prosecutor swallowed his tongue when

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the Judge asked him to explain how such a picture could be linked to the alleged charges against Mr. Sylvain Sibomana and Dominique Shyirambere.

In their defence, the accused demonstrated how their citizen's rights have been severely violated, a fact that clearly implies that their arrest amounted to intimidation tactics aimed at specifically preventing the Rwandan people from massively attending the court's hearings of the trial against Ms. Victoire Ingabire even though by attending such court's hearings, the public did not violate any law. Indeed, throughout the Ingabire's trial, the court's hearings have always been held in public. The trial was closely followed by numerous people and various organizations, including the Embassy of the Netherlands in Rwanda.

It is important to remind the public that the case against Mr. Sylvain Sibomana and Dominique Shyirambere had already been tried by the Gasabo High Court on June 10, 2013. At that time, the Judge announced that the verdict would be announced on July 12, 2013 but on that date the Judge postponed the verdict to July 19, 2013 then once again to July 24, 2013. Surprisingly, it is on that date that the same Judge, evoking jurisdiction limitations, declared that the Gasabo High Court was incompetent to try the case. He therefore sent the case back to the Nyarugunga First Instance Court, which is located in Kigali-City.

The political party FDU-Inkingi has always denounced such an inconsistency that is typical of the Rwandan judiciary and is aimed at continuously harassing the Rwandan people by constantly brandishing trumped-up charges in order to muzzle them. We once again call upon the ruling party, the RPF-Inkotanyi, to give a break to the Rwandan people and its political opponents so that we may all live freely.

FDU-Inkingi
Boniface Twagirimana
Interim Vice-President