

**The Facts about the False Charges and Show Trial of Paul Rusesabagina
Why Did Rwanda Resort to Kidnapping, Torture and Making Up Charges?
Frequently Asked Questions (FAQ):**

On August 27, 2020, Paul Rusesabagina was lured and kidnapped from his home in San Antonio Texas, through Dubai and then on to Kigali, Rwanda. There he was tortured and held incommunicado, without access to his lawyers. He was held in solitary confinement for over 250 days and is now subjected to a sham trial, with no real evidence, where he is expected to be found guilty. It is clear that Paul's rights to a fair trial under both Rwandan and international law have been trampled on continuously throughout the trial process.

Paul Rusesabagina is a humanitarian who has regularly criticized human rights violations and a lack of democracy in Rwanda. His criticisms of the Rwandan government made him an enemy in their eyes and led to his kidnapping. The following covers many of the Frequently Asked Questions about Paul's situation.

Who is Paul and why was he kidnapped? Paul Rusesabagina is in jail and on trial today because he is not afraid to tell the truth about the terrible human rights violations perpetrated by the Rwandan government.

Paul is a human rights activist and is one of the most well-known critics of the massive and ongoing human rights violations of current Rwandan President Paul Kagame. These include war crimes and crimes against humanity both in Rwanda and in the neighboring Democratic Republic of the Congo. They also include a suppression of civil and political rights inside of Rwanda, with severe limits on freedom of speech, press, elections and association. When President Paul Kagame killed or disappeared a journalist, political opponent or human rights activist, Paul Rusesabagina spoke out and made certain the world knew about the crimes.

Paul is the internationally acclaimed hero and former hotel manager whose story was told in the 2004 movie *Hotel Rwanda*. He saved 1,268 Tutsi and Hutu lives in the Hotel Milles Collines during the horrific 1994 genocide in Rwanda. Since that time, Paul has engaged in humanitarian work, using his story to say "Never Again" to genocide both in his home country and around the world. For many years he worked to try to get an internationally sanctioned Truth and Reconciliation process for Rwanda and the Rwandan diaspora. Now he was kidnapped, tortured and sits in jail in Rwanda for the crime of speaking out.

Why is Paul falsely accused of terrorism? Paul is facing a sham trial intended to silence a critic of the dictatorial regime and have a chilling effect on other critics. **The charges against him are all false accusations.** They are made in an attempt to discredit his criticisms of the Kagame regime.

The Rwandan regime has charged Paul and 20 of his co-accused with a variety of offenses that they say make him a terrorist. Paul has never met most of the co-accused, and over the course of a criminal trial that ran for 24 days in total over 5 months, the Rwandan prosecutors have failed to even provide evidence that the charges have any basis in facts. The only incriminating statements are by the prosecutors that are not supported by witnesses, testimony or documentary evidence. In addition, Paul and others were coerced to give testimony under threats and/or torture. Paul and many of his co-accused have since denied this testimony in court. The unfairness of the proceedings have led international and independent trial monitors to conclude that any verdict will be called into question because of the extent of fair trial violations..

Why is Paul falsely accused of funding terrorism? Since 2010, the Rwandan authorities have claimed that Paul funded rebel groups or terrorism in an attempt to slander and silence him. No financial records have ever been produced to support this.

A dossier provided by the Belgian government supposedly provided evidence. Once this file was provided to Paul's legal counsel, it is clear that there was no evidence of wrong-doing. Payments were made in insignificant amounts, to family or friends in need, that have no relation to the alleged "terrorist" activities. Remittances like this are sent by millions of exiles to family in their home countries every year.

Why is Rwanda Putting Paul Through a Show Trial? As the most high profile critic of the Kagame regime, it seems that the number one goal of this show trial is to parade Paul through the media and call him "terrorist!" As with many dictatorial regimes, Rwanda has adopted the word "terrorist" as a scare word in recent years, used to charge opponents with little care for whether any actual crimes were committed.

Paul Rusesabagina is facing a Show Trial in an attempt both to silence him and to have a chilling effect on other critics. What is the Rwandan government saying? If we can get Rusesabagina, we can get to you too.

Since the release of *Hotel Rwanda* in 2004, Kagame has attempted to silence Paul Rusesabagina's criticisms of the Rwandan regime. These attempts include frequent harassment, raids of the Rusesabagina home and at least two assassination attempts. Rwanda has also resorted to failed attempts to get the US and Belgium to investigate Paul, by recycling the same unproven allegations of funding and supporting groups that the Rwandan government claims are "rebels" or now "terrorists." No evidence has ever been provided for these claims. Some of the most ridiculous claims include attempts to link Paul to the FDLR, a group associated with the 1994 genocidaires, but also a group that Paul directly opposes and speaks out against.

Does Rwanda follow the “rule of law?” Rwanda is a nation where the “rule of law,” especially in relation to high profile political trials, is often limited to the will of President Paul Kagame. Human rights organizations and consistent country reports show clearly that there is no respect for legal proceedings when a critic of the Rwandan regime is arrested. Evidence may be manufactured, witnesses coerced, attorney-client privilege violated and legal processes ignored to get the result desired by the regime. This has been done with everyone from popular singers, to newspaper editors, reporters and opposing politicians. In addition, opponents of the regime are also subjected to harassment, arbitrary detention, exile, kidnapping, extrajudicial killing inside of Rwanda and even assassination outside of the country.

How was Paul kidnapped? Under US and international law, “luring” someone into capture is called “inveigling,” and this is a key part of kidnapping statutes. Force is not necessary to kidnap someone, as is often seen in sex trafficking cases. In legal and practical terms, Paul was kidnapped.

Paul was lured by what President Kagame called a “flawless” operation from his home in San Antonio, Texas to Dubai. There he boarded a flight that he thought was going to Burundi, but in fact landed in Kigali, Rwanda. He was lured by a Rwandan agent who testified to the plot, which was planned, supported and paid for by the Rwandan Investigative Bureau.

Why was Paul kidnapped? The kidnapping itself is a sign that the Rwandan government was desperate and had no credible evidence against Paul.

Rwanda has a good relationship with both the US and Belgium, with multiple genocide suspects put on trial and/or extradited from those countries. If Rwanda actually had evidence to support their very serious accusations, it would have sought assistance from the US and Belgium to extradite Paul. Because of the lack of evidence, the Rwandan government chose to use this plot to illegally kidnap him. Rwanda originally claimed it had the support of the US and Belgium, but this claim was later dropped.

How were Paul’s fair trial rights violated? Paul’s rights to a fair trial have been violated at every step of the process, starting with his kidnapping and torture, and continuing through his solitary confinement and the trial process.

- a. **Kidnapping:** the illegalities begin with his kidnapping, which is not only against Rwandan and international law, but which should be grounds for immediate dismissal of a case. The Judges hearing the case have refused all legal challenges brought on this basis.
- b. **Torture:** Paul was tortured in an unknown location for the first four days of his detention. Not only is the act of torturing a prisoner illegal, but the Rwandan authorities

also claim that Paul made a statement incriminating himself during this time. Paul denied the statement at his first opportunity in open court, but regardless statements taken without counsel presence and under coercion are illegal. Paul was also held in solitary confinement for 258 days. Under the UN's Nelson Mandela rules anything over 15 days in solitary confinement also constitutes torture.

- c. **Detention Conditions:** Paul was held in solitary confinement for 258 days. His conditions are poor and have not improved. He has no ability to exercise and cannot leave his cell in the same manner as others. He was deprived of all food and water over the weekend of 4-6 June, which he understood to be an attempt to coerce him to return to attending his trial.
- d. **Blocking of legal assistance:** Paul was not allowed to consult with lawyers of his own choosing for the first two months of his detention and instead had lawyers forced upon him by the Rwandan government. He now has access to two Rwandan lawyers, but his international legal team is barred from visiting or communicating with him. Attorney-client privilege is routinely violated, with the Rwandan authorities inspecting any documents brought into the prison by Paul's lawyers. His lawyers in Rwanda are prohibited from taking any documents into legal visits since 23 April 2021, undermining their effective legal assistance. Any notes taken in meetings with Paul must also be reviewed on exit. These rules do not apply to any other detainees.
- e. **Ongoing Harassment and Surveillance of the Ruesesabagina Family and Lawyers:** Paul's family and lawyers are under regular surveillance by Rwanda. The Project Pegasus surveillance report from Amnesty International's forensic lab confirmed that Paul's daughter Carine and one of his Rwandan lawyers were both the targets of surveillance in which their phones were tapped. Time stamps from the report show that this includes monitoring of high-level meetings Carine attended with government and other officials in the US and Europe. Before this, the Second Counsellor of the Rwandan Embassy in the United States logged into a university zoom event with several members of Paul's family in attendance. (the FBI is currently investigating this). Carine has also received months of threatening phone calls and messages from Rwandan intelligence agents posing as the prison guards of her father.
- f. **Trial** – After 24 days of hearings (for 21 accused), the trial has moved to the deliberations phase; the Prosecution case consisted of 2 sworn witnesses and 1 unsworn witness, oral submissions, and a small volume of documentary evidence. No credible evidence linking Paul to any terrorist activity was produced. The second half of the trial was marked by recantations of Paul's co-accused, who withdrew their prior accusations against Paul saying they had no choice but to accuse him, after having been held in "inhumane conditions".

Is Paul a Belgian citizen? Yes, after fleeing Rwanda and seeking asylum there, Paul became a Belgian citizen in 2000 and a US Permanent Resident in 2008. He has residences in both

Brussels and San Antonio, Texas. Since neither Belgium nor Rwanda allowed dual citizenship in 2000, Paul was forced to give up his Rwandan citizenship at the time he assumed Belgian citizenship. As such, he has not been a Rwandan citizen since 2000. Recently a Belgian judge confirmed that Paul is, in fact, a Belgian citizen.

Is Paul's Health an Ongoing Concern? Paul's health is the most serious ongoing concern during his illegal, arbitrary detention. Paul is a 67 year old cancer survivor and suffers from heart disease, including hypertension. Paul has lost significant weight while imprisoned and has complained regularly of headaches and dizziness.

Before being kidnapped, he was under treatment that included a range of medication to help his conditions. Since his imprisonment, the Rwandan government provides Paul with one pill a day; he has never been told what it is, and it does not alleviate his symptoms. He has now missed two regular check-ins for his cancer diagnosis, which is of growing concern. Rwanda claims to be providing Paul with any treatment he needs, but refuses to allow his Belgian doctors to either see him, or even to communicate with the local medical staff who treat him. This is a dire condition, which even in the absence of all of the other problems above would call for his immediate compassionate release.

Key resources to learn more about the facts surrounding Paul's kidnapping, torture and arbitrary imprisonment:

[9/10/20: Human Rights Watch: Rwanda: Rusesabagina Was Forcibly Disappeared](#)

[9/18/20: New York Times: How the Hero of 'Hotel Rwanda' Fell Into a Vengeful Strongman's Trap](#)

[1/25/21: Clooney Foundation for Justice/American Bar Association: TrialWatch Expert Highlights Key Legal Issues Ahead of The Trial of Paul Rusesabagina in Rwanda](#)

[1/26/21: American Bar Association: Rwanda: Background Briefing on Proceedings Against Paul Rusesabagina](#)

[2/2021: Freedom House Report: Special Report 2021 Rwanda: Transnational Repression Case Study](#)

[3/2/21: Human Rights Watch: Rwandan Judiciary Under Scrutiny](#)

[4/23/21: San Antonio Express News: FBI probes St. Mary's Zoom 'intrusion' linked to Rwandan regime](#)

[5/27/21: The Guardian: The World is Slowly Waking Up to Paul Kagame's Brutal Actions in Rwanda](#)

[6/2021: American Bar Association Centre for Human Rights, "The Case of Paul Rusesabagina"](#)

[7/18/21: Amnesty International: Forensic Methodology Report: How to catch NSO Group's Pegasus](#)

[7/21/21: Organized Crime And Corruption Reporting Project \(OCCRP\): A World of Surveillance - Rwanda](#)

[7/22/21: CNN: Daughter of detained man behind 'Hotel Rwanda' says she was spied on by Israeli software](#)

Website: www.hrrfoundation.com

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