



Photo Source: Amnesty International

TRIALWATCH REPORT ON THE TRIAL OF PAUL RUSESABAGINA QUESTIONS THE FAIRNESS OF ANY CONVICTION

This statement can be attributed to a spokesperson for the Clooney Foundation for Justice. For further inquiries, please contact media@cfj.org.

CHARGE

Terrorism-Related Crimes

POTENTIAL SENTENCE

Life imprisonment

TRIAL MONITOR

American Bar Association
Center for Human Rights

June 17, 2021

“Has the court in Rwanda predetermined Mr. Rusesabagina’s guilt?” asks Geoffrey Robertson QC, the TrialWatch Expert who is assessing the fairness of the trial of the ‘Hotel Rwanda’ figure and will assign it a grade.

A [TrialWatch report](#), by Mr. Robertson and the American Bar Association Center for Human Rights, finds numerous violations of Paul Rusesabagina’s rights. These include denial of the facilities necessary for him to prepare his defense and violation of his right to confidential communication with his lawyers. The report stresses that although Mr. Rusesabagina has withdrawn from the trial, it remains essential that his fair trial rights be protected. The report calls into question the fairness of any convicting verdict.

Trials *in absentia* require scrupulous respect for defendants’ rights. However, Geoffrey Robertson QC said: **“The trial of Paul Rusesabagina has degenerated into a ‘show trial,’ in which no challenge is permitted to undermine the state’s story.”** He explained:

- “Even before Mr. Rusesabagina withdrew, the court protected a key witness by disallowing cross-examination and refusing even to require him to testify on oath. This witness—Bishop Constantin Niyomwungeri, the man who allegedly tricked Mr. Rusesabagina into boarding a flight to Rwanda—was key to the court’s finding that Mr. Rusesabagina had been ‘lured’ not ‘kidnapped.’ The court’s treatment of the witness was contrary to the basic principles of fair trial, which require that defendants be permitted to examine prosecution witnesses who give evidence against them, and the court should not have denied that right.”

Statement Continued

- “Even after Mr. Rusesabagina’s withdrawal, the court has taken no steps to ensure that the testimony of government witnesses is credible, by for example appointing *amicus* counsel to examine them. The court failed to ask prosecution witnesses about their motivations—whether they received money for their testimony, what connections they had to the Rwandan government, or whether they had personal or political hostility to Mr. Rusesabagina.”

Mr. Robertson concluded, **“This so-called trial is not a real adversarial proceeding: it has become a spectacle in which the state’s version of events is not allowed to be challenged. Any conviction that emerges from it cannot be considered credible as it will be based on evidence that has not been properly examined.”**

Mr. Robertson went on:

- “Mr. Rusesabagina is being tried alongside 20 other defendants who have allegedly been involved in anti-government military activities. Furthermore, the court has allowed 84 individuals who claim to have suffered from anti-government military activities to be parties to the proceedings and to claim compensation. The tactic has allowed the prosecution to portray Mr. Rusesabagina as being involved in every murder, theft and destruction of property mentioned at trial, which may have resulted from actions he did not direct or even know about.”

Further, Mr. Robertson noted that in light of the Rwandan prosecution’s assertion that Belgium has provided them materials, **“Belgium must explain its assistance to the Rwandan authorities, which appears to have been provided as recently as December 2020, notwithstanding violations of Mr. Rusesabagina’s rights.”**

ABOUT THE CLOONEY FOUNDATION FOR JUSTICE’S TRIALWATCH INITIATIVE



The Clooney Foundation for Justice's [TrialWatch](#) initiative monitors and grades the fairness of trials of vulnerable people around the world, including journalists, women and girls, minorities, LGBTQ+ persons and human rights defenders. Using this data, TrialWatch advocates for victims and is developing a Global Justice Ranking measuring national courts' compliance with international human rights standards.