REPUBLIKA Y'U RWANDA

Kigali, 24 Werurwe 2023

MINISITERI Y'UBUTABERA
P.O. BOX 160 KIGALI

ITANGAZO RYA MINISITIRI W'UBUTABERA/INTUMWA NKURU YA LETA

Nyuma y'icyemezo cy'Inama y'abaminisitiri yo ku wa 24/03/2023, hashingiwe kandi ku ngingo ya 228 y'Itegeko rigenga Imiburanishirize y'Imanza Nshinjabyaha, ibihano by'igifungo by'abantu bakurikira bahamwe n'ibyaha bijyanye n'iterabwoba byababariwe n'Iteka rya Perezida wa Repubulika, nyuma yo gusuzuma no kwemera ugusaba imbabazi kwabo:

1. Paul RUSESABAGINA

2. Callixte NSABIMANA (alias "Sankara")

Abandi bantu 18 bahoze ari abarwanyi b'umutwe MRCD-FNL bahamijwe ibyaha mu rubanza rumwe n'abari abayobozi babo Paul RUSESABAGINA na Callixte NSABIMANA nabo bahawe imbabazi hashingiwe ku Ngingo ya 229.

Mu mategeko y'u Rwanda, guhabwa imbabazi z'igihano ntibihanagura icyaha uba warahamijwe n'Inkiko. Umuntu wese ufunguwe igihe yari yarakatiwe kitageze, iyo yongeye gukora icyaha nk'icyo yari yarahamijwe, imbabazi z'igihano yari yarahawe zita agaciro bityo akarangiza igihano yari yarahawe nk'uko byagenwe mu Iteka rya Perezida wa Repubulika. Ibindi bihano byatanzwe n'Inkiko, nk'indishyi zagenewe abahohotewe, ntabwo birebwa n'ivanwaho ry'ibihano, byo bigomba gushyirwa mu bikorwa. Amabaruwa asaba imbabazi agomba gutangazwa mu nyungu rusange.

Abandi bantu batatu bahamwe n'ibyaha mu madosiye adafitanye isano n'abavuzwe haruguru nabo bahawe imbabazi hashingiwe ku ngingo ya 228. Abo ni:

1. Ronaldo Bill RUTAYISIRE

2. Justin NSENGIYUMVA

3. Ephraim RWAMWENGE

Abandi bantu 358 bari barahamijwe ibyaha bitandukanye nabo bahawe imbabazi rusange hashingiwe ku ngingo ya 229. END

Maitre Gatera Gashabana
Avocat au Barreau du Rwanda
Kigali ,Gasabo District , Kinyinya Sector, Gacuriro Cell, Umucyo Estate no 41
Tel : +250788303744 , kavinc57@yahoo.fr

Maitre Rudakemwa Jean Felix
Tel : +250788559057, rudfjf@yahoo.fr

CONFIDENTIAL

KIGALI, 17/10/2022

MINISTRE W' UBUTABERA/INTUMWA
NKURU YA LETA
KIGALI- RWANDA

IMPAMVU : DOSSIER PAUL RUSESABAGINA

BWANA MINISTRE,

Tubisabwe na Bwana Paul Rusesabagina , tunejejwe no kubashikiriza ibaruwa iri ku mugereka wiyingiyi ijyanye n'ubusabe yifuza ko bwazashikirizwa Nyakubahwa Perezida wa Repuburika w'U Rwanda .

Tubaye tubashimiye.

Maitre Gatera Gashabana
Avoka

BARREAU DU RWANDA
Me GATERA GASHABANA
P 4820 Kigali
Mob 0788303744
E-mail:kavinc57@yahoo.fr

Maitre RUDAKEMWA Jean Felix

Avoka

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Me Jean-Félix RUDAKEMWA et Associés

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October 18, 2022

VIA EMAIL

Honorable Dr. Emmanuel Ugirashebuja
Minister of Justice and Attorney General
Republic of Rwanda

Through: Dr. Doris Uwicyeza Picard
Chief Technical Advisor
Ministry of Justice
doris.uwicyezapicard@minijust.gov.rw

Dear Attorney General Ugirashebuja,

I am a Washington D.C. based representative of the family of Paul Rusesabagina, who, as you know, is currently serving a custodial sentence in Nyarugenge Prison.

Earlier today, through what I understand to be the appropriate legal procedure, Mr. Gatera Gashabana, as local counsel for Mr. Rusesabagina, has submitted the enclosed pardon request for President Kagame's consideration. Because this request has been facilitated and supported by Mr. Rusesabagina's family in the United States, we felt it would be useful to submit this courtesy copy to you via electronic means and, at your option, make myself available for any questions or concerns you may have with respect to this request. If Mr. Rusesabagina's family can be helpful in any way to further this request, I hope you will feel most welcome to reach out to me at your convenience.

With my very best regards,

Ryan Fayhee, Partner
Washington, D.C.

CC: Gatera Gashabana

Enclosure

TRANSLATION FROM ENGLISH ORIGINAL

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Tariki ya 18/10/2022

BINYUJIJWE KURI E-MAIL

Nyakubahwa Dr. Emmanuel Ugirashebuja
Minisitiri w'Ubutabera akaba n'Intumwa ya Leta
Repubulika y'u Rwanda

Biciye : Dr. Doris Uwicyeza Picard
Umujyanama Mukuru mu bya tekiniki
Minisiteri y'Ubutabera
doris.uwicyezapicard@minijust.gov.rw

Bwana Intumwa ya Leta Ugirashebuja,

Nunganira Umuryango wa Paul Rusesabagina, nk'uko mubizi, afungiye muri gereza ya Nyarugenge aho arangiriza igihano cy'igifungo, nkaba nkorera i Washington D.C.

Nasobanuriwe ko, nk'uko biteganywa n'amategeko, bwana Gatera Gashabana, wunganira bwana Rusesabagina mu Rwanda, yatanze ubusabe bw'imbabazi buri ku mugereka w'iyi baruwa, ngo busuzumwe n'Umukuru w'Igihugu. Kubera ko ubusabe bwagizwemo uruhare bukanashyigikirwa n'umuryango wa Rusesabagina uba muri Leta Zunze Ubumwe za Amerika, mu rwego rw'imikoranire myiza, twasanze ari ngombwa kubagezaho iyi nyandiko mu buryo bw'ikoranabuhanga, mwazasanga ari ngombwa, nkaba niteguye gusubiza ibibazo byose cyangwa se ingingingimira mwazagira ku birebana n'ubwo busabe. Nimusanga kandi hari ikindi, icyaricyo cyose umuryango wa Rusesabagina ushobora kuba wakora kugira ngo ubusabe bwe bujye mbere, ndizera ko mutazazuyaza kukitubaza.

Tubashimiye uko mubyakiriye,
Sé

Ryan Fayhee, Partner
Washington D.C.

Bimenyeshejwe: Gatera Gashabana

Umugereka

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Paul Rusesabagina
C/O Nyarugenge Prison
Nyarugenge, Rwanda

October 14, 2022

S/C Director of Nyarugenge Prison

President Paul Kagame
Village Urugwiro
53 KG 7 Avenue
Kigali, Rwanda

Your Excellency,

I am writing to humbly request a pardon so that I may return to my family in the United States. There are many reasons I cite in favor of this request, the most predominant of which is my advanced age and a number of chronic maladies that unfortunately will persist for the remainder of my life.

I wish to express my regret for any connection my work with the MRCD may have had to violent actions taken by the FLN. First, to be clear, I do not condone violence. Violence is never acceptable, including the use of violence to achieve political aims. Violence as a political tool is plainly wrong and more grievously so when used to target civilians. I abhor any violence committed against civilians, whether by FLN or other groups, which I have and will continue to publicly condemn. The loss of a single human life is always deeply regrettable.

As a former head of the MRCD, I regret not taking more care to ensure that members of the MRCD coalition fully adhered to the principles of non-violence in which I fully and deeply believe, and have always ascribed. I extend my heartfelt sorrow for any pain FLN's actions have caused to victims and their families.

If I am granted a pardon and released, I understand fully that I will spend the remainder of my days in the United States in quiet reflection. I can assure you through this letter that I hold no personal or political ambitions otherwise. I will leave questions regarding Rwandan politics behind me.

Moving forward, I know you will focus on securing a peaceful future for all Rwandans. I hope all Rwandans can find peaceful ways to overcome national disagreements and bring Rwandans together through the power of words.

I am also hopeful that my release can be one small gesture to further these aims. And, so, Your Excellency, I ask you to grant me this pardon on humanitarian grounds so that I may move on from here to be with my family as I spend the remainder of my days as a husband, father and grandfather, as you carry on for a hopeful future for the people of Rwanda.

Paul Rusesabagina

TRANSLATION FROM ENGLISH ORIGINAL

Paul Rusesabagina
Gereza ya Nyarugenge
Nyarugenge, Rwanda

Tariki ya 14/10/2022

Umukuru w'Igihugu Paul Kagame
Village Urugwiro
53 KG 7 Avenue
Kigali, Rwanda

Binyujijwe: Umuyobozi wa Gereza ya Nyarugenge

Nyakubahwa,

Mbandikiye nicishije bugufi nsaba imbabazi ngo bityo, nzashobore gusanga umuryango wanjye muri Leta Zunze Ubumwe za Amerika. Hari impamvu nyinshi nshingiraho ubu busabe, iz'ingenzi zikaba ari izabukuru ngezemo ndetse n'indwara zidakira mfite nzabana nazo ubuzima bwose.

Ndifuza kwicuza ibikorwa by'ihohohotera byakozwe na FLN bishingiye ku kazi nakoranye na MRCD. Mbere na mbere, byumvikane neza, ntabwo nihanganira ihohotera. Nta na rimwe ihohotera rigomba kwemerwa, n'igihe rikoreshejwe mu nyungu za politiki. Ihohotera nk'igikoresho cya politiki si iryo kwihanganira cyane iyo rikoreshejwe mu guhohotera abasivili. Sinemera ihohotera iryo ariryo ryose rikorewe abasivili, ryaba rikozwe na FLN cyangwa undi mutwe uwo ariwo wose, nzakomeza kuryamagana ku mugaragaro. Kubura ubuzima n'iyo bwaba ubw'umuntu umwe, buri gihe bitera intimba itagira ukwo ingana.

Nk'uwahoze ayobora MRCD, ndicuza kuba ntaritaye bihagije ku kuba abagize ihuririro rya MRCD barangwa n'imyumvire nk'iyanjye nkomeyeho kandi nashyize imbere igihe cyose, itihanganira ihohotera. Mbabajwe cyane n'ibikorwa FLN yakoreye abahohotewe n'imiryango yabo, bikabatera agahinda gakomeye.

Ndamutse mpawe imbabazi nkafungurwa, ndabyumva ko nzamara ubuzima bwanjye busigaye ntuje kandi ntuye muri Leta Zunze Ubumwe za Amerika. Binyuze muri iyi baruwa, mbemereye ko nta yindi migambi iyo ari yo yose cyangwa iya politique mfite. Ibibazo birebana na politiki y'u Rwanda nzatandukana nabyo ubudasubira.

Mu bihe bizaza, nzi ko muzibanda ku kizatuma ahazaza h'Abanyarwanda bose hazaba hatekanye. Nizeye ko Abanyarwanda bazabasha gukemura ibyo batumvikanaho mu gihugu cyabo mu buryo buciye mu mahoro cyangwa inzira z'ibiganiro.

Ndizera kandi ko ugufungurwa kwanjye kuzagira uruhare n'ubwo rwaba ari ruto mu kugera kuri ibi byifizo. Ni yo mpamvu, Nyakubahwa, mbasabye kumpa imbabazi nshingiye ku mpamvu z'ibibazo by'ubuzima bwanjye kugira ngo nsange umuryango wanjye mbane nawo nk'umubyeyi n'abana n'abuzukuru be, mu gihe mukomeje gukora ibishoboka byose ngo Abanyarwanda bagire icyizere cy'imbere heza hazaza.

Paul Rusesabagina

NSABIMANA CALIXTE ALIAS SANKARA
UFUNGIYE MURI GEREZA YA
NYARUGENGE

Mageragere, kuwa 13/10/2022

Bimenyeshejwe kuboyobozi
bukuru bw'urwego
rw'igihugu rw'isuzuma
ry'ubugenzuzi bw'abagororwa
Kigali

IMPAMVU: Gusaba Imbabazi
Nyakubahwa
Perezida wa Repubulika
y'u Rwanda
Kigali

Nyakubahwa Perezida wa Repubulika y'u Rwanda, Ndushinjiye kubiteganywa mu ngingo ya 226 y'itegeko N°: 027/2019 ryo kuwa 19/09/2019 ryerekeye Ikiburanishirizwa y'Imanza z'Inkiriza byaha, iyi ngingo ikaba iteganya Impamvu zihoganika Imanza ni Impamvu ya kabere Ikaba ari Imbabazi Zitangwa na Perezida wa Repubulika, Ndushinjiye kandi kubiteganywa mu ngingo ya 227 y'iryo tegeko twavuze haruguru, iyi ngingo Ikaba iteganya ko Perezida wa Repubulika agira ubushobozi bwo guteranya Imbabazi ku mpamvu zikomeye zirimo ubuzima n'umutekano, ubisabwe cyangwa abyibwirije, kandi amaze kubisha inama mu Nama y'Abaminisitiri, nubika ko nyuma cy'iyi ngingo bagaragaza ko Imbabazi zitangwa na Perezida wa Repubulika zivanaho burundu byose cyangwa bimwe mu byakatiwe yaba ari, cyangwa zikagabanya Ibihano byose bihano byoroheje, Ndushinjiye na none kubiteganywa mu ngingo ya 228 y'iryo tegeko twavuze haruguru, iyi ngingo Ikaba ivuga ku bijyanye n'Imbabazi zitangwa na Perezida wa Repubulika igihe abisabwe n'umukatiwe Ibihano, nubika cya Kabiri cy'iyi ngingo ivuga ko gusaba Imbabazi bikorwa mu nyandiko yandikirwa Perezida wa Repubulika Imigijwe ku byobazi bukuru bw'urwego rw'igihugu rushinzwe Imigenzurire Imigirwa n'abagororwa iyo usaba Imbabazi ofunze, bikanyuzwa mu Minisitiri ugiye ubatabera mu nshingano ze, Nyakubahwa Perezida wa Repubulika, nejejwe no kubandikira iyi baruwa nsaba ko Imbabazi Kubera Ibyaha nakoreye Umunyango nyarwanda, bigatuma nkatirwa n'umukiko Rw'ubujurire igifungo cy'Imyaka cumi n'itanu (15 years).

Mu by'ukuri Nyakubahwa Perezida wa Repubulika, nari narateranye, nari narayobye, nishora mubikorwa bibi bihungabanya Umutekano Wigihugu cyiu Rwanda.

Muri macye Nyakubahwa Perezida wa Repubulika, Impamvu nshingiraho mbasaba imbabazi ni izi zikurikira:

1° Impamvu yambere ishingiye ku kuba nafatwa taliki 13/04/2019, nabaye Cooperative n'Inzego zose z'ubutabera ndetse n'izindi nzego zose zishinzwe Umutekano w'Igihugu, sinigeze nduhanya na gato kugeza ubu munsi sinabwemye Kugabanya Imyitwarire myiza. Ibyo nari nshobeye gutanga byose narabitanze. Natanze amakuru yose nari mfite kandi nabikoze ku bushake bwanjye nta gahato nashyizweho n'ubwumvikane bwo ariwese;

2° Impamvu ya kabiri, ishingiye kuba imbere y'Inzego zitandukanye z'ubutabera nemeye Ibyaha byose naregwaga nubwo bwose bwabashidikanyaho ariwabyo kuko nari mfite Uburenganzira bwo Kuburana ariko sinabikoze nashingiyeho Kunyabanira Ibihano.
Hejuru yo kwemera Ibyaha byose naregwaga, naperetseho Kwicuza no gusaba imbabazi nubwo kuko mbere ya Nyakubahwa Perezida wa Repubulika, nasabye imbabazi kandi aba nyamwanda bose, byi'umwihariko nasabye imbabazi abantu bose bagizweho ingaruka n'ibitero byagabwe n'abanyamuryango ba FLN nari mbereye umuyobozi;

3º/ Impamvu ya gatatu
ishingiro ku busaba imbabazi,
ni uko nitandukanije Guverinoma
n'umutwe wa RRM kari mbere ye
Umuyobozi mukuru, nitandukanije
Kandi na MRCD kari mbere ye
Umuyobozi mukuru wa Kabiri
wungirije ndetse nitandukanije
n'undetse w'abamanyi wa FDU
kari mbere ye Umuvugizi;

4º/ Ndi impamvu ya kane nifuza
Kubonabarizwa, Ishingiye Kubudasa
bwa Leta muyobora. Kuva 1994
muhabarika jenoside yakorewe
abatutsi, Imbabazi nizo mwashyize
Imbere Kuruta Kuhosera.
Uko Kureba Kure Kwanyu, nibyo
byatumye u Rwanda Rutera
Intambwe Rugezeho mu bumwe
n'ubwiyunge. Abo mu maze guha
Imbabazi Kugiti cyanyu n'Ubumwe
w'Igihugu, Ni benshi cyane! Nyakubahwa
na njye ndifuza Kuba Umwe muri
abo banyamahirwe.
Nyakubahwa Perezida wa Repubulika,
amateka asharishye ya jenoside
yakorewe abatutsi 1994, yatwize ndi
Umufubyi mfite Imyaka 12. Ayo mateka
yarigize Inganka mu mikerereze
ari nabyo Kidyumba Nyamwasa
na Patrick Karegeya bashingiyeho
ba nyangisha Leta yu Rwanda.

Nyakubahwa Perezida wa Repubulika,
Simfeze nkoresa leta muyobora,
Simfeze mba mu nkotanyi,
ntabihandi bantu twifeze dukwiriye
ngo mbe mariya ngo hari Ikibi
yawankoreye, Njyeshe nabayeho
Kuva 1994 mbayita nk'umucengezi
wacu nk'abarokotse jenoside
yakorewe abatutsi 1994, Kugeza 2013
Igihe nahuriye na Kayumba na
Karegeya bakanyinjizamo Umugambi

bakansaba no kwamamaza
Izo myigisho zabo.

Izi myigisho mbi zabo, zatumye
Zatuhaye nishoza mu bikorwa
bibi bihungabanya umutekano
w'igihugu cyiu Rwanda, ndetse
bikaba bigaragaje inyanka mbi
ku banyamuryango.

Nyakubahwa Perezida wa Repubulika,
Ubu nicaza bikomeye ngiha
Cyangiye natanye mu ntambara
Ziteguye impamvu (cause),
Nkabasabaza cyane n'abantu
nashaye muri Abyo bikorwa bibi
bendi bakaba barakibirimo.

Muri macye nabaye nka Samuli
wahindutse Paulo. Ubu mbabazwa
cyane no kuba ntashoboye
Kumyamaza abirimo ku mbuga
nkoranyambaga baraga umubyinyo
bamigisha ibimyoma nk'ibyo
nanjye bari barangijijemo
bikaranga na njye mbajigisha abandi.
Sinifuza ko hari undi muntu wogwa
mu mutego nkuwo nagweyemo, akaba
ariyo mpamvu mbasaba ko
muhanga amaliwe yo gusiba
mu muryango nyamwinshi ngafata nya
n'abandi Kubaka igihugu.

5º Impamvu ya nyuma nshingiraho
mbasaba kd muvangire imbabazi,
ni ukugira ngo njye mu muryango
nyamwinshi nanjye mbashe
gushinga urugo.

Nyakubahwa Perezida wa Repubulika,
Ingabo z'inkotanyi muri muyoboye
Zaturokoye njyewe na mushiki
wanjye gusa mu muryango w'abantu
Icumi. Ibikorwa bibi nishoyemo
byanteye ipfunwa pikomeye:

Ubu mfite imyaka mirongo ine (40)
Nta mbaraga, nta mugore,
Nta mutungo, ndi umutsinzi
Igihe no cyose ndatinze cyangwa
Ngo ni'itaha nazaza muri gereza
mfite imyaka 52, icyo gihe
nzaba ndi umuzigo ku gihugu,
akaba ariyo mpamvu mbasabaka
muranga imbabazi nkagira
amahirwe yo kugya kubaka urugo.

Nyakubahwa Perezida wa Repubulika y'u Rwanda,
Ubuzungure tuzika muri uhuzabgeji w'abanyamanda
twese Kandi ko nyubahwe na Kabalabina
aba nyobgoba nkanjye, ungera mwa thafi ni
abahoze bi abanyanjiba PNR twakanaga
barenga (400), Kuwa 24/05/2022 (Mutoba) barababarirwe bazubizwa mu murongo nyamwanda.

Nyakubahwa Perezida wa Repubulika,
Nkaba mbizeza ko ni nuwanuka nuriniye imbabazi
nta zo ngera naimwe Kwisbora mu gikorwa icyo
oricyo cyose cyaba ngaba nga u mutekano w'u Rwanda,
Cyane cyane ko abo twabijata nyoga baba abanto
Kdi piti cyaba ndetse na bimwe mu bihugu byo
mu mahanga twakanaga aho twabaye abanzi
Kubera ko nk'menye amakabanga yabo ku migambi
mibi twari dufatanije mu gahungabana nga u mutekano
w'u Rwanda.

Mu gutegereza igisubizo cyanyu
cyiza, mbaye mbashimiye uburyo
muri ku bayakire nga Kabahwa
Perezida wa Repubulika y'u Rwanda.

Bimenyeshejwe:
Iwacu Minisitiri
w'ubutabera
Kigali.

NSABIMANA Callixte
Alias SANKARA