

February 6, 2007

Senate Endorses ICTR Transfers' Bill

By Felly Kimenyi & Steven Baguma

The Senate yesterday evening unanimously endorsed the special bill on the transfer of cases from the International Criminal Tribunal for Rwanda (ICTR). The Bill was tabled by justice minister Tharcisse Karugarama. The Senators had, however, contested some clauses in the Bill especially the one granting all witnesses in the trials prosecution immunity, saying that some of them may be wanted criminals. "What will happen if some of those genocide fugitives take advantage of the immunity and turn up in the country as witnesses? Will they be simply let go like that? There should be a provision deterring this," Wellars Gasamagera contented.

However, in response Karugarama (pictured) said that it would even serve Rwanda better if at all those people showed up in the country. "We have nothing to lose if anything, we have everything to gain, by these people turning up, it will be a step toward their being captured. They will have to sign affidavits on which their current address will be shown and that would at any other time lead to their arrest," Karugarama told the Senators. Article 14 of the Bill states inter alia 'All witnesses who travel from abroad to Rwanda to testify in the trials of cases transferred from ICTR shall have immunity from search, seizure, arrest or detention during their testimony or their travel from or to the trials'. Senators also raised concern over immunity from search, saying that prohibited commodities like drugs would be trafficked into the country.

But Karugarama countered the assertion, saying the immunity will only apply to documents that will be used in the trial.

"The normal immigration procedures will be followed; it does not mean that they will would go through the airport unsearched," Karugarama assured the legislators.

This Bill which was endorsed and subjected to further scrutiny by the Political Commission was last month passed by the lower chamber.

Meanwhile, during yesterday's session, the lawmakers also passed a draft bill for the law on political parties.

The Senators however, first tasked the Minister of Local Government, Protais Musoni, who presented the bill, to explain some issues among others 'political space'. "We have been hearing debates about lack of political space in this country; now as the minister in charge, could you tell us whether political parties in Rwanda function or not, do they actually operate according to their ideals? And if yes, why do we continue hearing statements like 'in Rwanda there is completely no Political Space'?" Senator Antoine Mugesera asked. In response, Minister Musoni clarified that the 'political space' debate dates back to 2003 when the new Rwandan constitution was enacted. "That's when it

started and those who have persistently traded the allegations argue that the Forum for Political Parties is dominated and manipulated by the ruling Rwanda Patriotic Front which is not the case as we have always assured those people," Musoni said. He added the functioning of political parties was incumbent upon their doctrines.

"If you allow I will bring you the report about their activities," Musoni underlined and added: "those people just engaging in politics of conflict."

Copyright 2007
The New Times (Kigali)