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RWANDA: THOSE ACCUSED OF LAST YEAR'S MASS KILLINGS SHOULD GET A FAIR TRIAL

Seven defendants charged with involvement in last year's mass killings in Rwanda will not get a fair trial that meets international standards unless they are given the lawyers, resources and time necessary to defend themselves.

"These trials should be halted until all the defendants have competent lawyers who have the time and facilities to prepare a defence," said Amnesty International, which sent a letter highlighting some of its concerns about these trials to Rwanda's Minister of Justice, Alphonse-Marie Nkubito.

"We are concerned about the apparent premature commencement of the proceedings," the organization's 13 April letter states. "We are also concerned that six of the defendants reportedly had no legal counsel."

The seven defendants, including a teen-age boy, appeared before Rwanda's Tribunal de première instance on 6 April. The trial was then adjourned after the juvenile's age was disputed and dossiers for the others were found to be incomplete, although the defendants were reportedly chosen from 300 detainees who have been fully investigated.

To meet international standards for fair trials, the Rwandese authorities should ensure, among other things, that:

- all defendants are informed of and are afforded their rights to competent and independent legal counsel;
- the state assists in paying legal fees for those defendants who cannot afford such legal representation;
- the defendants and their lawyers should be given adequate time and facilities to study the complete dossiers and prepare the defence; and
- the defendants and their lawyers should have the opportunity to examine the witnesses against them and to present evidence and witnesses on their own behalf.

"We have heard that the death penalty has not been ruled out in these cases," Amnesty International said. "We are asking the Rwandese government not to impose the death penalty on any convicted person, but to take appropriate steps leading to the abolition of the death penalty in Rwanda."

In the letter to Minister of Justice Alphonse-Marie Nkubito, Amnesty International noted that its concerns about the 6 April trials are similar to those the organization raised in 1990, when the former government began court trials of people accused of collaborating with the Rwandese Patriotic Front.

"Almost five years ago, we fought for the fair trial of people suspected of connections with the Rwandese Patriotic Front (RPF), and now we are concerned about how the RPF-led government conducts the trials of those accused of last year's mass killings," Amnesty International said.

"A fair and impartial trial is the unchanging, universal right of anyone, at any time, under any circumstances," the organization said. "In all cases of trying political prisoners, Amnesty International calls for the proceedings to be conducted in accordance with international standards for fair trials."

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