

PUBLIC

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Further information on EXTRA 71/97 (AFR 47/17/97, 19 May 1997) and follow-up (AFR 47/19/97, 2 June 1997) - Death penalty / unfair trial

RWANDA Léonidas Ndikumwami, businessman from Burundi

Léonidas Ndikumwami, a Burundian national who was sentenced to death in Rwanda after an unfair trial in January 1997, was acquitted by the Court of Appeal in May 1999. He was released on 7 July 1999.

Léonidas Ndikumwami was among the first wave of people to be tried in Rwanda for participation in the genocide, which claimed as many as one million lives in 1994. His trial took place in the Rwandese capital Kigali on 20 January 1997. He had been denied access to a lawyer and was sentenced to death after an unfair trial. He was allowed to be assisted by a lawyer only in the appeal phase. On 31 May 1997, the Court of Appeal ruled that his appeal was admissible on the grounds that his right to legal defence had not been respected; it ordered further investigations into the charges against him. This was the first time that an appeal had been ruled admissible since the genocide trials began in Rwanda in December 1996.

However, Léonidas Ndikumwami remained in Kigali Central Prison, under sentence of death, for a further two years, awaiting the outcome of the investigations ordered by the Court of Appeal. When Amnesty International delegates visited him in prison in February 1998, he had not received any news about the progress of his case. On 24 April 1998, 22 other people who had been sentenced to death for participation in the genocide were publicly executed; they included several who had been tried at around the same time as Léonidas Ndikumwami.

On 28 May 1999, Léonidas Ndikumwami was acquitted by the Court of Appeal on the grounds that there was insufficient evidence of his participation in the genocide. Some of the individuals who had accused him of these crimes reportedly protested to the President of the Court of Appeal, but the Court stood by its judgment, explaining that there was no proof of his guilt. Léonidas Ndikumwami spent a further month in prison following his acquittal and was eventually released on 7 July 1999. He has now safely returned to his home country Burundi.

Léonidas Ndikumwami has since expressed his gratitude to all those who participated in Amnesty International's Urgent Action. He said that the knowledge that the organization was acting on his behalf had been a great source of comfort to him during his time in prison. He also wishes Amnesty International success in its campaign for an end to the use of the death penalty worldwide.

Many thanks to all those who participated in this Urgent Action. No further action is required.