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Rwanda: Reports of extrajudicial executions in Mulindi military detention centre must be independently investigated

Amnesty International today calls on the Rwandan government to set up an independent commission to investigate reports of possible extrajudicial executions by the military police in Mulindi military detention centre on 21 December 2005 and to bring to justice the alleged perpetrators, including their superiors who reportedly gave the order to shoot at the unarmed prisoners.

On 21 December 2005, at least three prisoners at Mulindi military detention centre were killed, and more than 20 were seriously wounded by the military police. Information received by Amnesty International suggests that the names of those killed were Private Ruzindana, Private Assimwe Munyarubuga and Private Assiel Karinganire. Mulindi military detention centre, located in the capital Kigali, holds between 2000 and 3000 prisoners despite an official capacity of 1,000. Prisoners detained at Mulindi military detention centre were originally fighters in the ex-FAR (Forces Armées Rwandaises – the Rwandan Armed Forces) or the ex-APR (Armée Patriotique Rwandaise – Rwandan Patriotic Army).

Details of the events have only recently come to light. The Rwandan authorities' official position was that the military police were trying to stop the prisoners from stealing their arms in order to stage a violent protest in the prison. The army prosecution department has been asked to investigate these allegations.

Amnesty International is concerned that this investigation does not offer the necessary guarantees of impartiality and independence. Amnesty International has received information contradicting the government's official position on these events.

It is reported that on 21 December, a prisoner was reportedly assaulted by guards in Mulindi military detention centre for consuming cannabis. The incident sparked off a wave of discontent amongst some prisoners, who had been complaining about ill-treatment at Mulindi military detention centre and the fact that they had not benefited from the recent conditional release of civilian prisoners. In response, several dozen prisoners reportedly staged a protest and locked the internal courtyard. The administration of Mulindi, deeming the situation as critical, called the military police. Once they arrived on the premises, they unsuccessfully tried to unlock the doors of the courtyard. Then they reportedly surrounded the same courtyard and started to shoot at the unarmed prisoners with Kalachnikovs and machine guns. If this version of the events is confirmed, the reported shooting by the military police of unarmed prisoners would be in violation of the right to life and would constitute excessive use of force.

The United Nations Basic Principles on the Use of Force and Firearms which represent the minimum standards to which law enforcement officials should adhere to, include strict limitation to the use of force and, in particular, states that "intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life."

Amnesty International calls for a thorough, prompt and impartial investigation of these events. Such investigation, in order to be effective, must apply the legal framework of international human rights and humanitarian law, including, in particular, the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and shall include an adequate autopsy, collection and analysis of all physical and documentary evidence and statements from witnesses. The conclusions of this investigation must be made public.

If sufficient evidence is obtained, the competent authorities must bring to justice all those suspected of being responsible for the deaths and injuries of the prisoners.

Background information

The president of Rwanda issued a decree on 1 January 2003 granting the conditional release to an estimated 50,000 prisoners. Following this decision, several thousand prisoners were provisionally released between 2003 and 2005 on the grounds that they confessed their involvement in the genocide. The last wave of releases in August 2005 saw 36,000 prisoners set free under the terms of conditional release. Few have ever been put on trial. Some had already served more than the maximum sentence they would have received had they had been found guilty for the crimes of which they were accused. The decisions were made in part to try detainees in front of gacaca tribunals where they would have to provide further information on the crimes of other perpetrators, but also to relieve the overcrowded conditions within the prison system. The overcrowding and unsanitary conditions in Rwandan detention centres can often amount to cruel, inhuman and degrading treatment.