

UA 126/98

Imminent executions

22 April 1998

**RWANDA33 people sentenced to death,
including Silas Munyagishali and Froduald Karamira**

Thirty-three people are due to be executed in Rwanda at 10am on 24 April 1998, according to a Radio Rwanda broadcast on 22 April. If carried out, these will be the first known judicial executions of people found guilty of participation in the 1994 genocide.

A ministerial order was amended in an extraordinary cabinet meeting on 20 April in order to allow the executions to take place in public. The 33 people are therefore due to be executed by firing squad in the stadium at Nyamirambo in the capital Kigali, and in several other public places in the south and east of Rwanda, "as a lesson to people who do not respect the life of others", according to the radio announcement.

The 33 people's appeals have been turned down by the Court of Appeal and their request for presidential clemency was rejected in the 20 April cabinet meeting. The names of those facing execution have not been disclosed, but are believed to include Silas Munyagishali, former assistant prosecutor of Kigali, and Froduald Karamira, former vice-president of the *Mouvement démocratique républicain*, Democratic Republican Movement (MDR), and a leading figure of its hardline faction known as MDR-Power.

Silas Munyagishali is one of many defendants sentenced to death in Rwanda after an unfair trial. During his trial in Gitarama in 1997, several defence witnesses were threatened and intimidated and effectively prevented from testifying. He was sentenced to death on 22 August 1997. His appeal against the conviction on the basis of several irregularities in the trial was rejected by the Court of Appeal, and his death sentence was confirmed on 20 February 1998. There are concerns that he may have been arrested due to his complaints about irregularities in judicial procedures while working as assistant prosecutor, and because he had refused to authorize the detention of people against whom there was no evidence.

Froduald Karamira is widely believed to have played a leading role in the planning and implementation of the 1994 genocide and to have actively supported the *interahamwe* militia who carried out widespread massacres in 1994. He was sentenced to death in Kigali in February 1997.

It is feared that the 31 others due to be executed may include several individuals whose trials were grossly unfair, including some who were tried without access to a defence lawyer.

BACKGROUND INFORMATION

As many as one million people were killed during the genocide and other massacres in Rwanda between April and July 1994. Amnesty International continues to campaign for those suspected of participation in the genocide and other grave human rights violations to be brought to justice, but without recourse to the death penalty. The organization remains unconditionally opposed to the use of the death penalty, in all countries and in all circumstances, because it is a cruel, inhuman and degrading punishment and a state-sanctioned violation of the ultimate right to life. The application of the death penalty is of particular concern after unfair trial, as in the case of many defendants in Rwanda. Less than half of those tried in Rwanda during 1997 had access to a defence lawyer. In many cases, defence witnesses were not present at the trials. More than 130,000 people are currently detained in prisons and detention centres in Rwanda, in life-threatening conditions. The majority are accused of participation in the genocide. While many detainees are thought to be guilty, a significant proportion are widely believed to be innocent. Many do not

even have a case file. Large numbers of arbitrary arrests continue to be reported, and it is suspected that some people accused of participating in the genocide have been arrested for other motives, for example due to property disputes, or because they are perceived as opponents or critics of the government.

Trials of individuals accused of participation in the genocide began in Rwanda in December 1996, continuing throughout 1997 and 1998. More than 300 people have been tried and more than 130 sentenced to death. The International Criminal Tribunal for Rwanda (ICTR), set up by the United Nations to try individuals suspected of playing a leading role in the genocide, began trials in Arusha, Tanzania, in January 1997. No judgments have been announced to date. The death penalty is excluded from the punishments which the ICTR can hand down.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or French or your own language:

- expressing grave concern at the announcement that 33 people will be executed in public in Rwanda on 24 April 1998;
- appealing for these executions not to take place, on the basis that the death penalty represents a state-sanctioned violation of the ultimate right to life and an extreme form of cruel, inhuman and degrading punishment and expressing the belief that executions will only reinforce the cycle of violence in Rwanda;
- expressing particular concern that the executions are due to be carried out in public, contrary to the specifications of the ministerial order of 19 May 1997, and that the executions will have a brutalizing effect on the spectators;
- expressing additional concern that many defendants have been sentenced to death after an unfair trial and citing the example of Silas Munyagishali, who was sentenced to death despite threats to several of his defence witnesses;
- appealing for the President to grant clemency to other defendants who have been sentenced to death;
- stressing that those who participated in the genocide should be brought to justice, but appealing for them to be given sentences which do not violate the right to life.

APPEALS TO:

President Pasteur Bizimungu

Office of the President, BP 15, Kigali, Rwanda

Telegrams: President, Kigali, Rwanda

Fax: + 250 84390

Salutation: Monsieur le Président / Dear President

Dr Faustin Ntezilyayo

Minister of Justice, Ministry of Justice, BP 160, Kigali, Rwanda

Telegrams: Minister Justice, Kigali, Rwanda

Fax: + 250 86590

Salutation: Monsieur le Ministre / Dear Minister

Major General Paul Kagame

Vice-President and Minister of Defence, Ministry of Defence

BP 23, Kigali, Rwanda

Telegrams: Vice-President, Kigali, Rwanda

Fax: + 250 72431 / 76969

Salutation: Monsieur le Vice-Président / Dear Vice-President

COPIES TO:

Pierre-Célestin Rwigema

Prime Minister, BP 1334, Kigali, Rwanda

Fax: + 250 83714

and to diplomatic representatives of Rwanda accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 4 June 1998.