

EXTERNAL

AI Index: AFR 47/01/96

UA 11/96

Death Penalty

22 January 1996

**RWANDASergeant of the Rwanda Patriotic Army (RPA)
(name unknown)**

A sergeant in the Rwandese Patriotic Army (RPA), sentenced to death by a *conseil de guerre* (court martial) on 28 December 1995, has the right to appeal to the military court within 30 days of the sentence.

In a trial beginning on 21 December, the War Council, a military court, found the sergeant, whose name is not yet known, guilty of murdering three civilians and injuring a fourth, at Mumege *Cellule*, Busumba Sector in Rwerere District, Gisenyi Prefecture (in the northwest of Rwanda) on 10 December 1995. He was tried with three other soldiers who were allegedly present when the killings took place. The three others received sentences of up to eight months' imprisonment.

Amnesty International's fears that the sergeant may be executed are heightened by recent comments attributed to the Vice-President of Rwanda, Major-General Paul Kagame. In December 1995, he was reported to have stated that a military court would begin sitting during the following week. He added: "*We are going to start shooting our soldiers who killed people...we'll execute people who get (the) death sentence. If a soldier kills 20 people in a village, he must be sentenced to death*".

BACKGROUND INFORMATION

The Rwandese Patriotic Front, (RPF), leads a coalition government which came to power in Rwanda in July 1994. The RPF's military wing, the RPA, became the national army. The previous government had been implicated in the genocide of that year, which left as many as one million people dead.

Since coming to power, the current government has had to deal with a problem of indiscipline among its soldiers. Two other soldiers are already known to be under sentence of death, awaiting the results of their appeals (See UA 111/95, AFR 47/10/95, 16 May and updates AFR 47/28/95, 1 November and AFR 47/28/95, 29 December 1995).

Amnesty International opposes the death penalty in all cases without reservation.

It considers the death penalty to be incompatible with the right to life and the right not to be subjected to cruel, inhuman or degrading punishment as proclaimed in the Universal Declaration of Human Rights. The organization believes that the use of the death penalty in Rwanda would serve only to perpetuate the cycle of violence in that country by officially sanctioning the use of violence.

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

- expressing concern about the death sentence passed on the RPA sergeant in connection with the killing of three members of a family in Rwerere Commune, Gisenyi, on 10 December 1995.
- stressing that, while Amnesty International does not condone the crimes for which the soldier was convicted, it is unconditionally opposed to the death penalty in all cases on the grounds that it is a cruel, inhuman and degrading punishment which violates the right to life and which is shown to have no special deterrent effect;

- urging that the death sentence, if the convictions are upheld by the appeal court, be commuted to a humane punishment;
- urging the government to refrain from applying the death penalty in all cases;
- expressing the belief that the use of the death penalty will only perpetuate the cycle of violence in Rwanda by officially sanctioning the use of violence.

APPEALS TO:

Président Pasteur Bizimungu
Présidence de la République
BP 15, KIGALI, Rwanda

Faxes: + 250 83975; 84769;

Telegrams: President Bizimungu, Kigali, Rwanda

Salutation: Monsieur le Président de la République / Dear President

Général Major Paul Kagame
Vice-Président de la République
et Ministre de la Défense
Présidence de la République
BP 15, KIGALI, Rwanda

Faxes: + 250 83980; 84769; 72431

Telegrams: Vice President Kagame, Kigali, Rwanda

Salutation: Monsieur le Vice Président / Dear Vice President

Colonel Alexis Kanyarengwe
Vice-Premier Ministre et
Ministre de l'Intérieur
Ministère de l'Intérieur
BP 446, KIGALI, Rwanda

Faxes: +250 85714

Telegrams: Ministre de l'Interieur, Kigali, Rwanda

Salutation: Monsieur le Ministre / Dear Minister

Mme Marthe Mukamurenzi
Ministre de la Justice
Ministère de la Justice
KIGALI, Rwanda

Faxes: + 250 86509; 85477.

Telegrams: Ministre de la Justice, Kigali, Rwanda

Salutation: Madame le Ministre / Dear Minister

NOTE: You may experience difficulty in getting through to Rwanda by fax (it sometimes can be easier via the international operator)

COPIES 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 10 Marcy 1996.