

Rwanda: Dominique Makeli (m)

Concern: Detention with trial

Dominique Makeli, a former journalist for Radio Rwanda, has been detained for almost 12 years without ever being tried. Although he was arrested in September 1994, it was two and half years before he appeared before a judge when he was questioned for the first time by the prosecutor's office. Makeli received no information about the allegations against him until March 1999 when he was accused by the Kigali substitute public prosecutor of refusing to shelter Tutsis during the genocide. At the end of 1999, the council chamber further accused him of having taken part in attacks against Tutsis. In October 2001 the Kigali public prosecutor finally accused him of having incited genocide in his work.

Makeli had stated in the programme for Radio Rwanda that the Virgin Mary was reputed to have uttered the words: "the parent is in heaven". The "parent" was interpreted by the prosecuting authorities to signify the late President Habyarimana, thereby inferring that both the former President and the massacres that ensued after his death were supported by God. An international organization told Amnesty International that a group of Rwandans were asked to listen to the radio programme in order to ascertain the extent to which the report had incited genocide. The group of listeners stated that they could not understand how a link could be made between the report and the authorities' accusation.

His case file was sent to a Gacaca (community-based) tribunal in Makeli's home area. After reading the case file, the tribunal brought no charges against him. Makeli's name, moreover, was not on a list of suspected genocide perpetrators turned over by the public prosecutor's office to the gacaca tribunal. Yet despite being cleared by his local gacaca tribunal, Dominique Makeli remains in prison. Amnesty International considers his long-term detention without trial to be a clear infringement of his basic human rights. He is one of thousands of people who remain detained for alleged involvement in the genocide. Many of these detainees may be innocent of the charges, and yet they have been detained for many years without trial in overcrowded, unsanitary detention facilities.

Please write to the authorities:

- Calling on the authorities to establish a prima facie case to support their charges against Dominique Makeli and try him without further delays in proceedings that meet international standards of fair trial and without recourse to the death penalty.
- If they are unable to try him, to release him from detention.

Please send appeals to:

Président Paul Kagame
Présidence de la République
BP 15
Kigali
Rwanda