

AI INDEX: EUR 45/47/99
24 November 1999

PUBLIC STATEMENT

UK must investigate allegations of crimes against humanity, war crimes and torture by Rwandese former army officer

Recent reports in the UK media, in particular in the London *Times* of 16 November, have stated that Tharcisse Muvunyi, a Lieutenant-Colonel in the former Rwandese army, is currently living in London and is wanted by the Rwandese authorities to face 17 counts of genocide and crimes against humanity.

Amnesty International would like to remind the UK government of its obligations under international law -- including the Convention against Torture, which it ratified in 1998; the Genocide Convention, which it ratified in 1970; the Geneva Conventions, which it ratified in 1957; and Protocol II of those conventions, which it ratified in 1998 -- to ensure that the perpetrators of serious human rights violations are brought to justice:

- No matter where the acts of crimes against humanity, war crimes or torture are committed and no matter the nationality of the suspected perpetrator or victim of such crimes, under international law, all states including the UK, must conduct an inquiry when there are serious allegations that a person who participated in such crimes is present in the territory of the state.

If satisfied that there are reasonable grounds to believe that the person has participated in such crimes, the state must take the person into custody or take other legal measures to ensure the person's presence until criminal or extradition proceedings are instituted.

- Consistent with the principle of universal jurisdiction, any state can and *should* investigate and, if there is sufficient admissible evidence, prosecute those suspected of crimes against humanity, war crimes or torture regardless of where the crimes were committed, the nationality of the person responsible and the nationality of the victims. Such proceedings must be in accordance with international standards for fairness without recourse to the death penalty.

If a state does not do so, then it *should* extradite the suspect to a state that is able and willing to do so in accordance with international standards of fairness without imposing the death penalty, or surrender the suspect to an international criminal court.

In the case of Tharcisse Muvunyi, the UK government should cooperate fully with the International Criminal Tribunal for Rwanda, should it request him to be handed over.

ENDS.../