Reuters
7 July 2006

UN court rejects Rwanda ex-mayor genocide appeal

By George Obulutsa

DAR ES SALAAM, July 7 (Reuters) - A former Rwandan mayor jailed by a U.N. tribunal for 30 years for his role in the country's 1994 genocide lost an appeal on Friday and had his sentence increased to life imprisonment.

The former mayor of Rusumo, Sylvestre Gacumbitsi, is accused of giving weapons to killers and urging them to rape women when 800,000 minority Tutsis and moderate Hutus were butchered over 100 days in the central African nation.

In its fresh ruling, the Tanzania-based U.N. International Criminal Tribunal for Rwanda (ICTR) also handed another conviction to Gacumbitsi for aiding and abetting murder.

Convicted for one count of genocide and two counts of crimes against humanity in 2004, he had lodged an appeal, saying the court failed to prove he committed the crimes.

"(The court) dismisses the appellant's appeal in its entirety, enters a sentence of imprisonment for the remainder of the appellant's life, subject to credit being given for the period already spent in detention from June 20, 2001," the ICTR appeals chamber said in its ruling.

During a 101-day trial, witnesses testified that Gacumbitsi handed out weapons to extremist Interahamwe Hutu militiamen and encouraged them to rape Tutsi women.

The court heard how he drove around his district, using a megaphone to urge rape and sexual degradation of Tutsis. It also heard he ordered militias to attack and kill more than 20,000 people at Nyarubuye Parish a week after the genocide began.

In its new ruling, the court found Gacumbitsi guilty of indirect involvement in the murder of two Tutsi women tenants by evicting them from one of his homes, knowing they risked being killed because of their ethnicity.

"On the basis of these findings, the appeals chamber, by majority, will enter a new conviction for aiding and abetting murder," the court said.

Since it was established in 1994, the tribunal has indicted more than 80 people for genocide-related crimes, convicted 25, and acquitted three.

Under pressure to clear all its cases before its mandate ends in 2008, U.N. prosecutors believe European nations might be able to help them ease the load, analysts and diplomats say.

In a June ruling, ICTR said its prosecutors would no longer have to prove occurrence of genocide in individual cases and that its trial chambers must recognise the April to July 1994 killings as genocide.

Some of those accused before the court deny genocide took place in Rwanda.

In a separate ruling, ICTR reduced the sentence handed to a former lieutenant in the Rwandan army, Samuel Imanishimiwe, from 27 years to 12 years for his involvement in the genocide.

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