

MOTION FOR AN URGENCY RESOLUTION

Tabled by KHANBHAI, VAN HECKE, CUSHNAHAN, GROSSETETE

on behalf of the EPP Group

on the situation in the Great Lakes Region with special reference to Rwanda

The European Parliament,

- Recalling its earlier resolutions on the situation in Rwanda,

A. Whereas on 3 November 1999 the appeals Chamber of the International Criminal Tribunal for Rwanda decided to drop all charges against Mr Jean Bosco Barayagwiza, a former official in the Rwandan Foreign Ministry and a prominent genocide suspect;

B. Whereas this decision was due to the excessive delay in the pre-trial of Mr Barayagwiza since his arrest in Cameroon in November 1997, despite the fact that he was charged with 6 genocide-related crimes;

C. Whereas the Rwandan Government has decided to suspend cooperation with the International Tribunal as a result of this decision;

D. Whereas the suspension of the cooperation from Rwanda will seriously hamper the current work of the International Tribunal and threatens to derail future trials, as most of the witnesses come from Rwanda;

E. Whereas the work of the International Tribunal in general has been characterized by excessive delays and extremely slow investigations and proceedings, due among other things to a serious shortage of prosecutors and judges, which has resulted in the fact that the Tribunal has completed only 4 trials since it was established 5 years ago;

1. Deplores the decision of the International Tribunal to release Mr Barayagwiza on technical legal grounds, which risks to heavily undermine the credibility of the Tribunal;

2. Calls on the International Tribunal to review its decision, taking into account the gravity of the charges brought against Mr Barayagwiza, and in particular to reverse its ruling that Mr Barayagwiza cannot be tried again in the Tribunal on the charges for which he was originally indicted;

3. Firmly believes that there can never be immunity from prosecution over genocide charges and calls on the International Tribunal to review its requirements for retrials to avoid such a situation arising again in the future;

4. Calls on the International Community, and the EU in particular, to evaluate the work done so far by the International Tribunal, so that an assessment can be made to determine if additional resources are required, with time limitation, for the Tribunal to conclude the investigations and the trials of the genocide suspects;
5. Calls on the Rwandan Government to resume full cooperation with the International Tribunal to enable it to continue with its work, and to give full assistance to the UN war crimes prosecutor, Ms Carla del Ponte, when she visits Rwanda later this month;
6. Instructs its President to forward this resolution to the Commission, the Council, the International Criminal Tribunal for Rwanda, the UN and OAU Secretaries-General, and the Governments of Rwanda, Tanzania and the Democratic Republic of Congo.