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Rwandan wins extradition fight

A MANCHESTER man accused of taking part in the 1994 Rwandan genocide in which 90,000 people died has won a High Court battle against extradition from Britain - and will walk free. Emmanuel Nteziryayo, who was a Rwandan mayor at the time of the genocide, was one of four men arrested in December 2006.

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Emmanuel Nteziryayo

A MANCHESTER man accused of taking part in the 1994 Rwandan genocide in which 90,000 people died has won a High Court battle against extradition from Britain - and will walk free.

Emmanuel Nteziryayo, who was a Rwandan mayor at the time of the genocide, was one of four men arrested in December 2006.

Nteziryayo, who made his home in Wythenshawe after fleeing Rwanda, was arrested along with Celestin Ugirashebuja, from Essex, Charles Munyaneza, from Bedford, and Vincent Bajinya, who had changed his name to Brown, from north London,

All four were accused of killing, or conspiring with or aiding and abetting others, to kill members of the Tutsi ethnic group 'with the intent to destroy in whole, or in part, that group'.

They were held under a memorandum of understanding in which Rwanda waived the death penalty.

Two judges have now made legal history after they ruled there was 'a real risk the men would suffer a flagrant denial of justice' if returned to Rwanda to face trial and they should be set free.

Lord Justice Laws and Lord Justice Sullivan, sitting at London's High Court, allowed the men's appeals against Home Secretary Jacqui Smith's orders that they be extradited.

The judges said there was evidence that defence witnesses were afraid to give evidence.

The judges said: "We conclude that if (the four) were extradited to face trial in the High Court of Rwanda, the appellants would suffer a real risk of a flagrant denial of justice by reason of their likely inability to adduce the evidence of supporting witnesses."

They also ruled there was a real risk 'of executive (government) interference with the judiciary' in Rwanda.

The judges refused the Rwandan government, represented by the Crown Prosecution Service, permission to appeal to the House of Lords against their ruling.

It is the first time an English court has ever blocked an extradition request from a foreign government on the grounds that it would violate Article 6 of the European Convention on Human Rights, which safeguards the right to a fair trial.

The judges ordered that the four men, who have been in custody since December 2006, must now be set free.

In August 2006 the M.E.N. revealed how Nteziryayo had been living in Manchester for three years under a false name.

He said he settled with his family in Wythenshawe after being granted asylum in Britain. The father-of-five admitted he lied to officials, saying that he was called Emmanuel Nidikumana and was fleeing from another African country - Burundi - where he was being persecuted.

In fact Nteziryayo, then jobless and living on benefits in housing association accommodation, was number 71 on a list of the Rwandan prosecutor's 100 most-wanted war criminals living abroad.