

responsibility. The law relative to the genocide provides for minors to appear before a 'specialized special court' (*chambre spécialisée spéciale*) and must be defended. This provision is being respected.

In 1996, minors aged below 14 years were released from prison and placed in a separate establishment.<sup>9</sup> This did not affect some 2,000 minors under 18 years, many of them living among adults. It seems that the 5,500 women detainees, some 600 of whom are accompanied by young children, have been separated from male prisoners except, according to some sources, in some communal lock-ups. Women and children are the most affected both physically and psychologically, from the overcrowded conditions prevalent in the places of detention.

**e. Monitoring the trials**

The UN High Commissioner for Human Rights is responsible for monitoring proceedings on behalf of the international community. Mention should also be made of the reports produced by *Avocats Sans Frontières* and the excellent work of the League for the Promotion and Defence of Human Rights in Rwanda (LIPRODHOR). Given greater resources, LIPRODHOR could be present at more hearings and ensure wider distribution of its reports.

**f. The death sentence and public executions**

Both the ordinary criminal code and the genocide law retain the death penalty. Incidentally, victims have criticized this law because it considerably limits the cases in which the death penalty can be pronounced. In fact, it can only be used for major figures in the genocide (category one), and then only if they have not admitted their guilt within the permitted time limit.

On 24 April 1998, 22 people were publicly executed by firing squad. Some international organisations were shocked by the public nature of this mass execution. However, it should be said that no photographs or filming were allowed, and there was no exploitation in the official media. Although the government has not officially announced an end to executions, behind the scenes it has made assurances that there are unlikely to many more of them.

As a matter of principle, approval cannot be given to the death penalty. But it must be remembered that this is a subject for which there are mixed opinions. This is particularly true in regard to crimes against humanity and the crime of genocide, and public opinion in Rwanda sees the death sentence as a legitimate form of punishment.<sup>10</sup>

<sup>9</sup> Given the level of need and the complexity of this question, specific groups require attention, particularly women and children. According to a UNICEF report: *Children and women of Rwanda: A situation analysis of social sectors*, published in 1998, 5% of the prison population accused of genocide and crimes against humanity are women, of whom 600 are in prison with their children. A detention centre holding 300 women has been opened in Myove, but this is far from meeting the needs.

<sup>10</sup> See *Eichman in Jerusalem* by Hannah Arendt, Harmonths-Worth, Penguin, 1994.