

## Spanish cabinet reopens Gen. Kayumba Nyamwasa indictment

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Kigali: Spain's cabinet has agreed to file a fresh appeal to South Africa to extradite Lt. Gen Kayumba Nyamwasa to Madrid in connection with a 2008 indictment of 40 Rwandan top military and political officials, RNA can reveal.

The Spanish Justice Minister Francisco Caamaño Domínguez on Thursday submitted to cabinet a proposal enabling government to officially request the South Africans for the General – on asylum there.

“The accused, whose presence is established in South Africa, although not currently detained is involved in judicial proceedings opened” by the Spanish High Court, said a statement from the Justice Ministry in Madrid.

"He took part in systematic and planned attacks on the civilian population, in forced disappearances

and crimes against international law, also, organising and executing terrorist attacks," the statement said, written in Spanish.

Among his victims are four Spanish citizens, says the Justice Minister, naming them as missionary Joaquim Vallmajó and members of the NGO "Doctors of the World", Flors Sirera Fortuny, Manuel Madrazo Valtueña Osuna and Luis Gallego.

Gen. Nyamwasa has lived in S.A since February after abandoning his ambassadorial office in India. Government here accuses him of abuse of office and terrorism.

The ex-Army chief was indicted along with many other officers by the Spanish judge Fernando Andreu Merelles of the National Court in April 2008 in connection with wars which took place in northern Rwanda and DR Congo. Rwanda has furiously dismissed the indictments as politically motivated.

Even though Spain and South Africa have not extradition treaty, the Spanish Justice Minister says there is a way out. Spain has what is called 'Passive Extradition'.

In the absence at present of an extradition treaty between Spain and the African country, the government says the procedure will be based on Law 4/1985 of 21 March.

"...making a systematic interpretation of national and international legislation on the subject, especially about the principle of reciprocity," said the statement.

Nyamwasa was shot in the stomach in June in what his wife called a Rwandan-backed assassination attempt. South African police arrested four people for the attack.

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