

National Jurisprudence summary

Dutch case no. 20/3145

In 2015, Rwandan authorities requested the extradition of a suspect allegedly involved in the genocide against Tutsi in Rwanda. The suspect argued that extradition should be declared inadmissible due to **the risk of violation of Article 6 of the European Convention on Human Rights** (right to a fair trial).

On the basis of monitoring reports of the organisation ICJ Kenya in the cases of persons previously extradited to Rwanda, the Court concluded that the defence did not sufficiently substantiate in which way the general human rights situation in Rwanda would lead, in this specific case, to an imminent flagrant violation of Article 6 of the ECHR (despite issues related to financing, visits of suspects during the Covid-19 pandemic, and procedural delays).

Further, the Court found that the existence of politically motivated prosecution is not substantiated. Finally, The Court found that legal remedy would be available to the suspect on appeal.

Therefore, **the Court declared the extradition admissible for the purpose of criminal prosecution in respect of six counts** (out of seven counts in the extradition request).