



Rwandan Platform for Dialogue, Truth, and Justice

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RDTJ BRIEFING NOTES: ENDLESS PERSECUTIONS OF RWANDANS

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1 Introduction

Peace in Rwanda is largely spoken of by outsiders (foreigners) rather than insiders (Rwandan citizens). The truth is that Rwandans have known no peace since 1990 even though of late Rwanda has been praised because of its economic progress. Rwanda can be compared to South Africa which, during the apartheid era, had made its mark in economic growth. Irrespective of economic growth, South Africa was characterized by all sorts of violence, from racial violence to state-sponsored violence. Black South Africans suffered from the ravages of apartheid. They fled South Africa in numbers and returned home after the country was liberated in 1994. Similarly, Rwanda is economically progressing but Rwandans are not free. They are subjected to terror, fear and threats by their government that wants to defend the *status quo*. Until now many Rwandans continue to flee the country due to violence organised and supported by the government using its military formulations, including the *Intore*, Local Defense Force, Police Force, Directorate Military Intelligence (DMI), and Rwanda Defense Force (RDF).

Rwanda is experiencing organized violence which is directly done by the state systematically to get rid of real and perceived critics and opponents on the one hand, and for ethnic cleansing on the other. Violence is perpetrated with certain continuity against individuals and groups with different political attitude as well as an ethnical background. Several renowned human rights organizations have been recording the massive violation of human rights, including individuals subjected to torture (serious beatings, electric shocks and sensory deprivation), enforced disappearance, arbitrary arrest and detention, fabricated

charges, force confessions to arbitrary detention. Since 2010, the Human Rights Watch (HRW) has documented a number of cases in which people are merely accused of being members or collaborating with opposition political parties, or are arbitrarily charged of threatening state security. There are some people detained *incommunicado* in military camps and these people are tortured and forced to confess to crimes and sometimes implicate innocent people. When they are eventually brought to trial, some of the defendants tell judges that their confessions had been extracted under torture. However, in many cases, judges disregarded their claims and proceeded to convict them in the absence of any concrete evidence.¹

On 8 October 2012, Amnesty International reported that scores of Rwanda's sons and daughters languished in *incommunicado* detention for months at different locations in the country including Kami barracks, Mukamira military camp, and in residential houses in the capital of Kigali. These innocent people were detained by Rwanda's military intelligence known as "J2".²

Many of the young Rwandans who are forced to disappear are, according to the United Nations (UN) Reports, enrolled in military training to fight the proxy war in the Democratic Republic Congo (DRC), which left approximately 8 million Congolese and 300 000 Hutu refugees dead, and more than a million internally displaced. Detailed credible accounts of the recruitment of learners, students and prisoners against their will were documented by the UN.³ Forcing people to disappear is a punishable heinous crime in terms of international law.⁴ It is a barbaric act that does not only cause indefinable pain to the victims but also anguish and suffering to their families, relatives, and friends. It instills fear among the members of a targeted community.

Of great concern is new dimensions in the state-sponsored persecutions and massive violence committed against Rwandan population which are not merely idle but are intended and calculated to intimidate, put in fear, force the majority of population or a segment of dissents thereof, to abstain from exercising their civil and political rights. This brief intends to shed more light on the new patterns of terrorist acts and oppression perpetrated by the rulers (who supposed to protect their subjects) against the governed (the subjects) and to delineate the manner in which the Rwandan government commits crimes of apartheid.

2 Intimidation and enforced disappearance

The recent waves of the state-sponsored organised violence and killings took a new turn when Col. Patrick Karegeya was strangled in Johannesburg at Michelangelo Hotel on 31 December 2013. This followed many attempts to kill Lt. Gen. Kayumba Nyamwasa and other

¹ See Human Rights Watch, Rwanda: Spate of Enforced Disappearances: Investigate and Publicly Account for Victims, 16 May 2014.

² See Amnesty International, 'Rwanda must investigate unlawful detention and torture by military intelligence', Press Release, 8 October 2012.

³ See United Nations Security Council, Resolution S/2012/348/Add.1 (Lettre datée du 26 juin 2012, adressée au Président du Conseil de sécurité par le Président du Comité du Conseil de sécurité créé par la résolution 1533 (2004) concernant la République démocratique du Congo, 27 juin 2012) pp 2,8,9,16,18,19,20,27,28.

⁴ Article 7(1)(e), read in tandem with Article 7(2)(i) of the Statute of the International Criminal Tribunal defines the term "enforced disappearance of persons as:

'the arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time.'

Rwandan refugees around the world. Outside Rwanda, acts of terrorism are spearheaded by Rwandan embassies. In South Africa, these acts are coordinated and ordered by the Rwandan embassy in Pretoria. It is important to point out that a tablet computer, allegedly stolen during the raid of the house of Lt. Gen. Nyamwasa in Johannesburg, was found in a diplomatic bag heading to Kigali. According to the NewAge Newspaper, the search was sparked off by the investigators' suspicion when they investigated the break-in incident.⁵ In addition to this, the South African court found four accused persons (two Rwandans and two Tanzanians) guilty of attempting to murder Lt. Gen. Nyamwasa in 2010. They were commissioned by the Kigali government to carry out such dirt work. In sentencing them, the judge took into account that they were not main culprit.⁶

It has come to light that the embassies employ assassins of different nationalities or use Rwandans who disguise as citizens of other countries, more precisely Uganda, Tanzania and Burundi. Killing with impunity has led Rwandan officials to show their arrogance, coupled with ignorance in the public sphere and to declare that they are above the law. The official attitudes illustrate that there is no rule of law in Rwanda and that the current government is an autocratic regime.

This is evidenced by the reactions of the Rwandan authorities against the assassination of Col. Karegeya. On 12 January 2014, President Kagame addressing a breakfast prayer meeting in Serena Hotel in Kigali, warned that *it was a matter of time, for him to kill anyone who betrays the country*. He went on to say that all those opposing or criticizing his regime should be treated the same way, and that nobody in his government should be apologetic about the fate of his enemies. In his point of view, those who betray Rwanda are critics, dissidents and active members of opposition parties.

This statement strengthened similar statements made earlier by other Rwandan senior government officials. Rwandan former Prime Minister Pierre Habumuremyi tweeted on Monday, 6 January, 2014: "Betraying citizens and their country that made you a man shall always bear consequences to you." Foreign Affairs Minister, Ms Louise Mushikiwabo, tweeted and later confirmed in an interview that Col. Karegeya was a "self-declared enemy" of her government and that what happens to its enemies should not make it lose sleep. In her interview, she insisted that late Col. Karegeya deserved to be killed because of betraying the country that created him. Speaking at a governmental controversial "*Ndi Umunyarwanda*" campaign in Rubavu district on 11 January 2014, the Defence Minister, General James Kabarebe, joined other officials in confirming the regime's role in the assassination. He stated that:⁷

"Do not waste your time on reports that so and so was strangled with a rope on the 7th floor in whatever country... When you choose to be a dog, you die like a dog, and the cleaners will wipe away the trash so that it does not stink for them. Actually, such consequences are faced by those who have chosen such a path. There is nothing we can do about it, and we should not be interrogated over it."

Different Rwandan Ambassadors also hinted the role of Rwandan government in Col. Karegeya's assassination. These Rwandan Ambassadors include Ambassador to the United

⁵ See The NewAge reported on 19 March, 2014.

⁶ News24, 'Attackers of Rwandan exile jailed for eight years' 10 September 2014, available at <http://www.news24.com/Africa/News/Attackers-of-Rwandan-exile-jailed-for-eight-years-20140910>

⁷ Jennifer Fierberg 'Kigali Working Hard to Divide and Confuse the Opposition' 13 January 2014

Nations in Washington and his deputy as well as Ambassadors to United Kingdom (UK) and South Africa. Particularly, Mr Vincent Karega, Rwandan ambassador to South Africa echoed the harsh and strong words in the following cold way: “we don’t regret his death, we don’t have sympathy...we don’t miss him.”⁸

Since January 2014, the number of people who were forced to disappear frighteningly increased. Many of the disappearance cases occurred in Rubavu, Musanze, Gisenyi and Ngororero Districts, and the City of Kigali.⁹ In many cases, the whereabouts of the disappeared victims are still unknown up to date. The HRW has received information that some of people who disappeared were detained by the RDF and it is believed that they might be in the above-mentioned military custody. The HRW has recorded detailed accounts of some people who have been forced to disappear or who have been reported missing.

Legally, the Rwandan police and judicial authorities have strict and absolute obligations to thoroughly investigate any case of forced disappearance. In terms of due process principle, if the people are arrested, authorities responsible should immediately acknowledge the detainees in their custody, reveal their whereabouts, and allow them access to their families and to a legal representation. In Rwanda, these legal mechanisms are denied the victims’ families and interested third parties. What this tells us is that the Rwandan governance is grounded on totalitarian politics that condone arbitrary imprisonment and torture and on laws authorising enforced disappearance, intimidation, harassment and to provoke a state of fear in the minds of the public. The HRW believes that although the officials claimed that they were investigating the cases, perhaps, there were no such investigations, simply because they could not furnish any information on the progress or results of their investigations.

This belief is echoed by the top officials, who relay intimidating messages to the masses instead of showing sympathy, care and compassion to the victims’ families. Another example worthy citing include the speech of President Kagame, on 5 June 2014, when he addressed residents of Nyabihu district in the Western Province. In his speech, he categorically reiterated that his country will continue to arrest and will ‘even shoot on the spot’ individuals who wish to destabilise Rwanda's state security. He went on to say, amid applause, that those who talk about disappearances were among the people who intend to destabilise his country. Like any other suspect, they should be ‘arrested and if possible be shot in broad daylight.’ The President’s statement came few hours after the United States (US) government stating that they are “deeply concerned” by the outbreak of arrests and disappearance of dozens of Rwandan citizens inside the country.¹⁰

The US government expressed concern that Rwandan authorities have held individuals *incommunicado* for long periods without presenting them in court. It also expressed its concern about credible reports that individual journalists and politicians were arbitrarily arrested and thrown in jail on fabricated charges of cooperating with the Democratic Forces for the Liberation of Rwanda (FDLR), a liberation movement based in the

⁸ See RNC Press Statement: Attacks at General Kayumba Nyamwasa’s residence, 5 March 2014, available at <http://www.therwandan.com/blog/general-kayumba-residence-attacked-by-gunmen-in-johannesburg-south-africa/>

⁹ Human Rights Watch attributes the forced disappearances to sweeps by the military formulations, targeting people suspected of being critical of the Kagame regime. See Human Rights Watch, Rwanda: Spate of Enforced Disappearances: Investigate and Publicly Account for Victims, 16 May 2014 and Lara Santoro and Susan Thomson, ‘Why Are Rwandans Disappearing?’ The New York Times, 17 June 2014.

¹⁰ See Voice of America: US Criticizes Rwanda Over Disappearances, Press Freedom, June 04, 2012 available at <http://www.voanews.com/content/reu-us-criticizes-rwanda-over-disappearances-press-freedom/1929524.html>.

DRC. Moreover, the US government was concerned with ‘the suspension of a call-in radio programme that provided citizens with a platform to discuss current political events.’¹¹ These concerns were triggered by the kidnapping of Mr Kizito Mihigo (renowned musician in Rwanda) and his three colleagues. They were kidnapped and spent almost two weeks in police custody and no-one knew their whereabouts. It came with no surprise when, after two weeks, the police brought Mr Kizito and his colleagues to appear before a court but without a formal charge. As a result, their detention was extended because prosecution could not proceed without a clear charge and without sufficient evidence against them. They were arrested and thrown in jail for calling for genuine reconciliation and unity among Rwandans and for objecting to the political rhetoric of the Rwandan Patriotic Front (RPF) government, which holds that the victims of the Rwandan ethnic conflict was restricted to Tutsi. They believed that reconciliation; unity, peace, harmony, social cohesion, and prosperity will ensue only if all victims of Rwandan genocide are recognized, only if all those victims are afforded justice, and only if Rwandan citizens paid homage to them without distinction to their ethnicity.

The FDLR has been used as a scapegoat to terrorize, intimidate, harass, and threaten the population.¹² The current methods of terrorism employed in the context of disappearance, incinerating of prisoners, mysterious inferno incidents, and drowning of people in rivers are calculated to cause fear and terror in the minds of targeted population. These acts of terrorism recreate political oppression and consolidates ethnic conflict that the RPF is, at international level, praised to undo. The DMI very recently conducted operations in the Western Province, rounding up dozens of people on the ground accusing or linking them to work with the FDLR or with its allies. On that note, on 2 June 2014, James Musoni, Rwandan Minister of Home Affairs, acknowledged officially that there were 16 000 citizens unaccounted for in the area of Ngororero, Western Province. In 2012, the *Imvaho* (a state newspaper) reported that 26 000 prisoners disappeared and could not be traced.¹³ Prior to the report, there was no governmental announcement that prisoners escape prisons and there was no list of fugitives. The figure of the people who were made to disappear is extremely worrying. The figure of people who were forced to disappear from January to August 2014 was, probably, standing at 50 000.¹⁴ The figure includes 30,000 Hutu prisoners sentenced to “community service” (hard labor, known as “*le travail d'intérêt general*” (TIG)) who the Rwandan prison authorities acknowledged that they have also disappeared.¹⁵ This led to many commentators to state that the Kigali regime was cleansing people of Hutu ethnicity in a slow, silent and systematic fashion. They predicted that should the RPF govern for other two decades, there will be no Hutu left in Rwanda. In light of the above, the RDTJ fears that many people will, if nothing is done, will continue to disappear.

As noted above, fleeing Rwanda for the purpose of seeking a safe haven in another country is not a thorough solution to the said persecutions. Every Rwandan refugee knows

¹¹ Ibid.

¹² The Rwandan government and the Ibuka (Tutsi survivors’ group) claim to fear that these people may have escaped across the border to join the FDLR in DR Congo, where they constitute a threat to Rwandan security and stability.

¹³ See Rising Continent: Kigali acknowledges the disappearance of 16,000 of its citizens, June 06, 2014, available at <<http://therisingcontinent.wordpress.com/2014/06/06/kigali-acknowledges-the-disappearance-of-16000-of-its-citizens/>>

¹⁴ Ann Garrison, ‘Second genocide in Rwanda? Slow, silent, systematic?’ August 30, 2014.

¹⁵ See AllAfrica.Com, ‘Rwanda: 30,000 Genocide Convicts Disappeared From Community Work’, July 30, 2014, available at <<http://allafrica.com/stories/201407311017.html>>

about this. Persecution is not something new. What is interest is that the Globe and Mail Newspaper, on 14 May 2014 revealed to the world that there were a global pattern of attacks against those refugees who are termed “enemies.” This newspaper cited secret phone recordings and other evidence from Rwandans who said they were offered money by government agents to assassinate Rwandan opposition leaders in exile, more precisely in South Africa, Uganda, Belgium, Britain, and Sweden.

In Uganda, the DMI kidnapped political opponents in February 2014. They were mainly members of PS-Imberakuri (Rwandan opposition party) who sought asylum in Uganda. They were taken back and imprisoned in Rwanda after being tortured in military facilities, particularly in Kami Military barracks which is in the outskirts of Kigali.

In Belgium, Mr Faustin Twagiramungu, former Prime Minister and 2010 presidential candidate, confirmed in an interview with the Globe and Mail Newspaper that the Belgian police and state security services arrived at his home near Brussels on April 4, 2014 to inform him that his life was in imminent danger – just two days after President Kagame and his delegation came in Brussels, the Belgian capital city, for a summit with the European Union (EU) and African Union (AU). Mr Twagiramungu emphatically stated that Belgium’s Head of State Security alerted him to the urgent threat against him and eight police officers in four vehicles, one of them armoured, were dispatched to his home. The police provided surveillance around his residence until April 8, 2014 at which time the threat was considered much lower.

The issue of criminal activities carried out by the DMI against refugees has started long time ago. In UK, in May 2011, the Metropolitan police had warned two Rwandan exiles living in London that they face an “imminent threat” of assassination at the hands of the Rwandan government. The dissidents received letters which advised them to take extra steps to increase their safety and raised the possibility of them leaving the country. These letters contained the following information:

“The Rwandan government poses an imminent threat to your life. The threat could come in any form. You should be aware of other high-profile cases where action such as this has been conducted in the past. Conventional and unconventional means have been used.”¹⁶

In fact, Rwanda either eliminates or terrorizes anyone who questions its discriminatory policies. In this respect, Rwanda expels foreign human rights activists who dare talk about or furnish reports about its human rights violations. Foreign activists and aid workers agree that “the level of fear is so high that no one speaks out in public” for fear of arrest or expulsion. Their expulsion is called “the 24/20 rule” by foreign aid workers. One foreign aid worker explained the rule as follows: “You say something wrong and you get 24 hours to leave the country with 20 kilos worth of stuff.”¹⁷ Saying something wrong related to the government is to say the truth as it is. The victims include but are not limited to Ms Carina Tertsakian, a researcher of HRW, Prof Peter Erlinder, the ICTR defence lawyer, and Ms Susan Thomson, a PhD candidate.

¹⁶ The Guardian, Rwandan exiles warned of assassination threat by London police: Two dissidents living in London told that Rwandan government poses imminent risk to their lives, 20 May 2011, available at <http://www.theguardian.com/world/2011/may/20/rwanda-exiles-warned-assassination-threat>

¹⁷ Ibid, Lara Santoro and Susan Thomson.

3 Incinerating of prisoners

It is not in dispute that people who are languishing in prisons are of Hutu community. In prisons, these are more than 100 000.¹⁸ Gacaca courts tried more than 1.2 million throughout the country¹⁹ and 80% were convicted and sentenced.²⁰ A number of criminal researchers have questioned the Rwandan transitional justice system and thus denounced these convictions as a total sham. Others have stated that the ruling party – RPF – had since 1990s an intention of annihilating and eliminating the Hutu population and imposing harsh sentences to the convicted is one of ways of achieving that goal. This claim has not been considered by the international community as credible or worthy investigating. But the attitudes and ill-sentiments of the RPF government towards the Hutu community is illustrative.

There are mysterious inferno incidents breaking out in Rwanda. These include a fire that had razed a shop in Giporoso, three shops in Nyabugogo, and seven shops in Quartier Mateus. In addition to these shops, two prisons were set on fire. The fire happened in a span of two months. The question is who is behind this? Whoever is behind this endemic fire has targeted prisons that host Hutu inmates. Indeed, they were incinerated and perished in a fire set on Rwanda's largest prison, Muhanga Central Prison (Gitarama) and on Nyakiriba Prison in Rubavu (Gisenyi), on June 5 and July 7, 2014 respectively. In these two prisons, inmates were incinerated in their cells without any help being sent to them as soon as the fire outbreak becomes obvious. Referring to the Muhanga Central Prison, the International Red Cross (IRC) reported that a quarter of prison which accommodates 3 500 of 6 000 inmates went up in flames.

To begin with, it has been reported that the Muhanga Central Prison (formally known as Gitarama Central Prison) was designed to host 400 inmates. In 1995, a London Independent newspaper reported that 7 000 suspects of Rwandan massacre were kept in jail built for 400 and that it is 'one of the most hellish prisons on earth'. A higher number died from suffocation, torture and other forms of inhumane treatments. Life prisoners are, according to the Global Research, regularly "hung, cuffed and crucified." The inhuman treatment is not restricted to Muhanga but applies to all prisons. It was further reported that those who are released either after completion of their sentence or on parole 'live no longer than another year or two'. Though it is proclaimed that there no ethnicities in Rwanda, it is not disputed that there are two warring ethnics when it comes to genocide issues and the FDLR issue. For redressing the past, we have to acknowledge that we have ethnic conflict in Rwanda. Today, the government employs its resources available to silence the Hutu

¹⁸ More than 100 000 people are in prison, serving terms of imprisonment varying in length, some up to 30 years. See Anne N Kubai 'Between Justice and Reconciliation: The Survivors of Rwanda' (2007) 16 *African Security Review* 53, 60.

¹⁹ United Nations, 'The Justice and Reconciliation Process in Rwanda' March 2014, available at <http://www.un.org/en/preventgenocide/rwanda/pdf/Backgrounder%20Justice%202014.pdf>

²⁰ According to Domitille Mukantanzwa, the Executive Secretary of Gacaca Jurisdiction, a total of 1,951,388 cases have been tried and completed, save for a few:

- Category one, which contained people who committed actual crimes of murder had about 31,453 people and 79% of them ended up convicted, while 21% were cleared.
- Category two, which consists of people suspected of committing more conspiracy oriented crimes, had 649,599 people tried. 67% were convicted and sentenced while 33% were found to be innocent.
- The third category, which included the majority of people, had 1,270,336 cases with 96% found to be guilty and convicted, while only 4% were cleared.

For further detail, see the Independent, 'Curtains Fall on Gacaca', 29 May 2012, available at: <http://www.independent.co.ug/rwanda-ed/rwanda/5843-curtains-fall-on-gacaca#sthash.SSIsZGpO.dpuf>

community. The killings and disappearances are not only gruesome but also ominous. Bodies were previously burnt in order to hide the evidences. Today, bodies are thrown in the river and lakes for the purpose of instilling fear in the community.

4 Dead bodies in Lake Rweru and the Akagera River

The RDTJ holds a belief that many of the people who were forced to disappear through politically motivated and arbitrary arrests and detentions are killed one by one, by using any means necessary including drowning or dumping their dead bodies in the rivers. The recent incident of discovery of ‘dead bodies in Lake Rweru ‘is not merely an accident but what Rwandan political experts and commentators termed “a slow, silent and systemic genocide” or ‘Leave no one to tell the story’.²¹ Within this context, Burundian authorities have reported that more than 40 dead bodies, floating in Lake Rweru, have been discovered and counted since the month of July 2014 by Burundian fishermen. No investigation about this saga was made by Rwanda.

A month after these bodies were found, the EU called for Rwanda and Burundi to conduct an investigation to determine the identity and origin of the victims. Mr. Edourd Nduwimana, Burundi’s Minister of Home Affairs publicly declared that the bodies were not Burundians and that they were spotted, coming from the river of Akagera, which flows from Rwanda.²² The *Radio France Internationale* (RFI) conducted its own investigation too. The RFI inquest was conducted in Rwanda and Burundi. It confirmed Mr Nduwimana’s declaration. Eye-witnesses told the RFI that the bodies that were floating in Lake Rweru were brought by the Akagera River. On this note, Mr. Nduwimana had further confirmed that the Burundian government had undisputable evidence that the dead bodies were found with Rwandan identity cards, showing that they were issued in *Gisenyi Prefecture* (now part of Western Province). As noted above, people were forced to disappear in Ngororero, Western Province. This is not a mere coincidence. In addition, the Mayor of Ngororero was quoted saying that those people whom the people feared to be disappeared, have left Ngororero to seek employment in other parts of Rwanda. We live in a contemporary world where technological communication is at its boom. Even an old person in remote rural areas knows how to use the modern communication, and stay in touch with relatives and friends, and therefore they could have stayed in touch with their relatives.

The Burundian government strongly believes that such action was a deliberate one, aimed at implicating President Nkurunziza’s government of unity in the genocide against Tutsi. Burundi suspects that Rwanda was an accomplice in the brief that were transmitted to the UN, alleging that Burundi was preparing the Tutsi genocide under its jurisdiction. On this issue, President Kagame had declared the war against Burundi if it transpires that Tutsi were the targets. To prove this, Rwandans have become victims of a strategic plan to destabilise the Burundian fragile peace and to militarily support Burundian Tutsi to retain total control of Burundi in the context of creation of Tutsi-Hima Empire, President Museveni’s brain child.²³

²¹ Human Right Watch, ‘Leave None to Tell the Story: Genocide in Rwanda, June 1999.

²² See BBC, ‘Burundi investigates 'Rwandan bodies' in Lake Rweru’ 26 August 2014.

²³ According to President Museveni, Tusti-Hima Empire is possible when all countries in central Africa are ruled by an individual of Hima or Tutsi background. Once this achieved, a United States will be created, headed by one President. All Bantu peoples will be reduced to their subjects.

5 Suppression and neutralisation of the FDLR

As alluded to earlier, Rwandans are forced to disappear for the sake of suppressing and neutralising the FDLR. However, the fact is that FDLR decided to lay arms down and, on several occasions, have requested political negotiations to settle their political differences in a peaceful and harmonious way. The laying down of arms led to the National Commission of Refugees in DRC to record all Rwandan refugees in the DRC. The census indicated that there were 245 000 Rwandan refugees, instead of 56 000, the figure provided by the UNHCR.²⁴ These refugees are survivors of the atrocities and barbaric acts committed by the RPF, which, if proved before a competent court, can amount to crimes of genocide.²⁵ This notwithstanding, several joint military operations were conducted to suppress and eliminate the Hutu refugees, scattered in the forest of the DRC. The FDLR was born out of the will of refugees to defend themselves against these brutal attacks as well as autocratic regime that oppresses Rwandans. It protects women, children, disabled, and elderly who were abandoned by the international community. The UNHCR did not only turn its back against them, but it assisted the RPF in killing them. Very recently, the UNHCR issued recommendations to revoke the cessation clause of Rwandan refugees who might have escaped the RPF bombing campaigns and sought safe havens in faraway countries.

With retaliation in mind, the government of Rwanda had called for international community to bomb again unarmed refugees who are seeking a durable solution to their refugee problems in terms of voluntary repatriation, through the process of dialogue. The international community has, on several occasions, warned of use of military action if they do not repatriate voluntarily. The UN Security Council statement dated 26 August 2014 reiterated its support for a rapid neutralization and suppression of the FDLR without taking into consideration that the FDLR had voluntarily surrendered. The RDTJ is concerned with the proposal of the SADC, taken on the Victoria Falls, on 17-18 August 2014 to resettle Rwandan refugees, based in the DRC, in the third countries. This is the same conclusion reached by the UN Security Council *vis à vis* the ICTR acquitted persons and those who completed their sentences.²⁶ Resettling Hutu refugees in the third countries is not a best way to restore peace, security and stability in Rwanda, in particular, and in the Great Lakes, in general.

²⁴ As of September 2011, there were approximately 100 000 Rwandan refugees and others in refugee-like situations in some forty countries of asylum, mainly in Africa. See UNHCR, Implementation of the Comprehensive Strategy for the Rwandan Refugee Situation, including UNHCR's recommendations on the applicability of the "ceased circumstances" cessation clause, IOM/093 – FOM/094/2011, 30 December 2011, para 5.

²⁵ See United Nations High Commissioner for Human Rights, 'Report of the Mapping Exercise documenting the most serious violations of human rights and international humanitarian law committed between March 1993 and June 2003 on the territory of the Democratic Republic of Congo' 01 October 2010, para 85 states that:

"Drawing up an inventory of the most serious violations of human rights and international humanitarian law that were committed on DRC territory between March 1993 and June 2003, the report concludes that the vast majority of the 617 listed incidents could constitute crimes under international law, given full judicial investigation and prosecution. These include war crimes committed during armed conflicts, either internal or international, or crimes against humanity committed in the context of a generalized or systematic attack against a civilian population, or in many cases both. *The issue of whether the numerous serious acts of violence committed against Hutus in 1996 and 1997 constitute crimes of genocide can only be determined by a competent tribunal.*"

²⁶ See the Resolution S/RES 2054 (2012): Preamble.

6 Establishing Tutsi-Hima Empire in the Great Lakes region

If the above suggestion of resettling Rwandan refugees is maintained, it is then an indirect support to the Kagame and Museveni's heinous plan of establishing Tutsi-Hima Empire in the Great Lakes region. The ideology of building Tutsi-Hima Empire by annexing DRC (in whole or in part) and other neighbouring countries continues to expand. First and foremost, this expansionist ideology was uncovered by the National Resistance Movement (NRM) invasion of Uganda in 1980s. Was it incidental for the Tutsi refugees to fight alongside and in the NRM and to oust the Uganda's People Congress (UPC) government of Milton Obote in July 1985? The fall of Obote was followed by the invasion of Rwanda by the RPF-Inkotanyi (now Rwandan army) on 01 October 1990 with the sole aim and purpose to centralise power in the hands of Tutsi minority tribes in Rwanda and later in Burundi, Tanzania, and DRC. This aim is illustrated by the beheading the young democracy in Burundi, with the assassination of democratically elected President Melchior Ndadaye from the Hutu majority. Both President Museveni and President Kagame are allegedly implicated in the Ndadaye assassination.

In particular, the RPF invasion of Rwanda has cost the Great Lakes region two heads of the state and governments – Major General Juvenal Habyarimana (President of the Republic of Rwanda) and Mr. Cyprien Ntaryamira (President of the Republic of Burundi) on 06 April 1994, at 8:25 pm. They were both Hutus. The plane in which they were travelling was shot down whilst coming from the Peace Summit meeting in Dar-Es-Salaam, Tanzania concerning the implementation of the Arusha Peace Agreement, concluded on August 4, 1993 between Habyarimana's government and the RPF armed opposition. According to Arusha Peace Agreement, a consensus was reached to adhere to principles of the rule of law, democracy, national unity, pluralism, the respect of fundamental freedoms and the rights of the individual. The issues related to power sharing among Rwandan ethnic groups, formation of one and single national army and a new national '*gendarmerie*' or police forces as well as a definitive solution of Rwandan refugees were also among matters that were debated on and settled. The cold and terrorist act of assassination of the two Hutu presidents did not only destabilise the Arusha Peace agreement but also triggered the Rwandan genocide.

The issue of creation of Tutsi-Hima Empire was revealed by the Wikileaks news that exposed the animosity that existed between President Mugabe and President Museveni during the 'Great Lakes War'. According to the Wikileaks cable, in 1998, the two leaders had an open bitter exchange of words in Paris during a conference of African leaders hosted by former French President Jacques Chirac. In this meeting, the power of the then Rwandan President Bizumungu was questioned by both President Laurent Kabila and President Mugabe, who referred to him as a Hutu who was just a figurehead without real power. They believed that he was a personal assistant to Paul Kagame (then Vice President) with whom the real power lay. They were also convinced that Kagame and Museveni had a hidden plot to build a Hima-Tutsi empire and regarded the threat of Tutsi-Hima Empire as a serious matter that could have featured on the agenda of the day.²⁷

The issue of creating Tutsi-Hima Empire led to the fighting of the proxy war in the DRC under the façade of supporting *Banyamulenge*, the descendants of the Rwandan Tutsi

²⁷ http://www.observer.ug/index.php?option%3Dcom_content%26view%3Darticle%26id%3D15100:wikileaks-dirty-little-secrets-out-whistleblowing-site-leaves-many-world-leaders-expos

then resident in DRC. In an effort to ensure that there was no resistance, Hutus have collectively been demonised as bad guys and nothing can be done to clear their names. For instance, Hutu refugees and acquitted persons as well as those who completed their sentences are seen as “pariahs” of the Rwandan society. The international community continues to blindly support Hima-Empire by combating alongside with the RPF in their effort to neutralize the FDLR or to grant resettlement to them as a durable solution. This is not a viable solution. In reality, there is no better place than home.

It is also surprising that Members of FDLR liberation movement are encouraged to return home voluntarily regardless of the fact that Rwanda is ruled by iron fist and of the fact that it is characterized by disappearances or flagrant human rights violations. The UNHCR had affirmed that Rwanda was not a safe place for refugees to return, when it, in December 2011, recommended receiving countries to continue admitting asylum-seekers fleeing Rwanda. The HRW and Amnesty International continue to record the brutalities committed against people who the Rwanda authorities suspect to have relatives in the DRC or who travel to DRC for business or personal reasons.²⁸ If this is the case, is Rwanda a good place for members of the FDLR? Why should not AU and UN focus on a peaceful dialogue? We should recall that the UN pressurized the Habyarimana regime to come to the table of negotiation and, astonishingly, enormously contributed to the abandonment of implementing the Arusha Accords through morally and financially supporting the RFP discriminatory policies.

What we can learn from other countries with a fragmented society such as ours, *inter alia*, Burundi and South Africa, is that peace negotiations are only mechanisms that could yield a good result.

On 23 May 2013, President Kikwete was of the view that peace and stability would not come by in the Great Lakes region without ‘open dialogue between different actors.’ Surprisingly, President Kagame reacted by threatening to kill him! The manner in which he responded to the President Kikwete proposal illustrates that the oppressor is not prepared to sit with the oppressed. His stance had a dire consequence because Article 20 of the African Charter on Human and Peoples’ Rights expressly states that the oppressed people shall liberate themselves from the bonds of tyranny and African nations shall support such liberation struggle.²⁹ In this liberation struggle, we call upon an international community to support a highly inclusive dialogue.

7 Support for a highly inclusive dialogue³⁰

The RDTJ supports the call made by President Morisho Kikwete for the RPF government to sit on the table of dialogue and negotiate with the FDLR and, actually, wishes to call

²⁸ Ibid, Lara Santoro and Susan Thomson.

²⁹ It states that:

- (1) All peoples shall have the right to existence. They shall have the unquestionable and inalienable right to self-determination. They shall freely determine their political status and shall pursue their economic and social development to the policy they have freely chosen.
- (2) Colonised or oppressed peoples shall have the right to free themselves from the bonds of domination by resorting to any means recognised by international community.
- (3) All peoples shall have the right to the assistance of the state parties to the present Charter in their liberation struggle against foreign domination, be it political, economic or cultural.

³⁰ See RDTJ, ‘A support for a highly inclusive dialogue between Rwandan government and the FDLR’, 15 November 2013, available at <<http://www.france-rwanda.info/article-a-support-for-a-highly-inclusive-dialogue-between-rwandan-government-and-its-opposition-rdtj-121131499.html>>.

international community to support this call. So far, this call was echoed by Belgium Prime Minister Didier Reynders as well as the Southern Africa Development Community (SADC). The call should not remain political. It should be translated into actions. Its translation into action is one of means that can defeat the social division in Rwanda, superiority and ethnocentric as well as centralisation of power in on ethnic group. This will enormously contribute to the sustainable peace and social progress in Rwanda in particular and Great Lakes region in general.

The RDTJ calls upon the UN to recognise and consider the FDLR's request of a peaceful dialogue, communicated in its Memorandum addressed to the Permanent Representative of France in the UN Security Council, dated 02 November 2013. It clarified its political willingness to come to the table of dialogue with the government of Rwanda. This decision illustrates that the FDRL is determined to find a solution to Rwandan political problems through a peaceful means. Political violence and repression, social fragmentation, and ethnic conflict arising out of political competition between the main Rwandan ethnic groups: Hutu and Tutsi would be brought to an end by a peaceful dialogue that would pave the way to a peaceful transition and political reform.

The issues of the Rwandan ethnic conflict which predate the days of independence have claimed millions of lives, harmed thousands, left many others with no option but to flee the country, and millions of survivors traumatised. Since 1950s, there have been sporadic and horrible killings that always generated refugees. Today, Rwanda's refugee problem has not been resolved. Instead of adopting dialogue and reconciliation, the Rwandan government chose the route of eliminating vocal refugees and asylum seekers in their host countries. Yet, Rwanda's political problems cannot be resolved by incarcerating, killing, and harassing all those who do not agree with the ruling party, in this case, the RPF. Peace, stability and development cannot be brought by oppressing and excluding the majority social group - Hutu community – or by reducing it to second class citizens and by suppressing Tutsi dissidents who support a genuine reconciliation, transparency, justice, and democratic governance.

The attitude of the government of Rwanda towards the Hutu community squarely fits the definition of crime of apartheid as it was applied in South Africa. The crime of apartheid normally applies to inhuman acts committed for the purpose of establishing and maintaining domination by one racial or ethnic group of persons over any other racial or ethnic group of persons and systematically oppressing them in one or more of the following way:³¹

1. Denial to a member or members of a racial/ethnic group or groups of the right to life and liberty of person by murder of members of a racial group or groups; by the infliction upon the members of a racial/ethnic group or groups of serious bodily or mental harm, by the infringement of their freedom or dignity, or by subjecting them to torture or to cruel, inhuman or degrading treatment or punishment; or by arbitrary arrest and illegal imprisonment of the members of a racial group or groups;
2. Deliberate imposition on a racial/ethnic group or groups of living conditions calculated to cause its or their physical destruction in whole or in part;
3. Any legislative measures and other measures calculated to prevent a racial/ethnic group or groups from participation in the political, social, economic and cultural life of the country and the deliberate creation of conditions preventing the full

³¹ See Article II of the International Convention on the Suppression and Punishment of the Crime of Apartheid, G.A. res. 3068 (XXVIII), 28 U.N. GAOR Supp. (No. 30) at 75, U.N. Doc. A/9030 (1974), 1015 U.N.T.S. 243, entered into force July 18, 1976.

development of such a group or groups, in particular by denying to members of a racial group or groups basic human rights and freedoms, including the right to work, the right to form recognized trade unions, the right to education, the right to leave and to return to their country, the right to a nationality, the right to freedom of movement and residence, the right to freedom of opinion and expression, and the right to freedom of peaceful assembly and association;

4. Any measures including legislative measures, designed to divide the population along racial/ethnic lines by the creation of separate reserves and ghettos for the members of a racial/ethnic group or groups, the prohibition of mixed marriages among members of various racial/ethnic groups, the expropriation of landed property belonging to a racial/ethnic group or groups or to members thereof;
5. Exploitation of the labour of the members of a racial/ethnic group or groups, in particular by submitting them to forced labour;
6. Persecution of organizations and persons, by depriving them of fundamental rights and freedoms, because they oppose apartheid/discrimination.

It is evident that in Rwanda apartheid is being implemented. The implementation of apartheid in Rwanda is not questioned due to the collective guilty card used by the minority Tutsi community to dominate the Hutu community. Members of the Hutu community (irrespective of their age) are called *genocidaires*. As such, they must be brought to justice or must apologise and seek forgiveness from the Tutsi compatriots. In the eyes of the Tutsi elites, Hutus are not fit to participate in Rwandan politics. This misconception has led Hutu politicians and activists to be charged with genocide ideology crimes arbitrarily. Furthermore, a lot of energy has been spent on the campaign to forcefully repatriate refugees (whom are viewed as fugitives); the campaign which, instead, revealed the RPF plan to annihilate and suppress all Hutu intellectuals so as to ensure absolute political and military control, thereby consolidating power in the hands of the minority group. The RPF vision goes beyond political life itself and, thus is aimed at Tutsi elites' power, glory, and happiness.

To implement this apartheid system successfully, Rwanda abolished ethnicity in Rwanda. Nevertheless, Hutu can be identified when it comes to politics of apologies and when they are associated with crimes of genocide. Likewise, Tutsi can be identified as the sole victims of the ethnic conflict and forgiveness givers or those who should decide the fate of the members of the Hutu community – the perpetrators. Hence for reconciliation, two conflicting ethnics need to sit together and resolve their differences amicably; the RDTJ calls upon the Rwandan government to reconsider its position on ethnicity and to recognise that Rwanda is a tri-nation comprises of Hutu, Tutsi and Twa, who should, on equal footing, participate in the Rwandan affairs, enjoy equal opportunity and the rule of law. We, Hutu, Tutsi, and Twa, “as Rwandans” should recognise that we are all Rwandan citizens, who must live together in peace and harmony and that political conflict pains us all when it destroys our beautiful dreams; robs us our beloved ones; and reduces our development to ashes.

The RDTJ holds these truths to be undeniable, that all Rwandan citizens are created equal; they share the good and the bad; they are all victims; and they are all survivors. In this context, they should move beyond the discourse and practice of oppressing one another and discriminating against one another on the basis of blame. Dialogue is the only mechanism that can be used to develop an inclusive approach to ethnic conflict resolution as it will restore, improve, and enhance relationship, understanding and trust between ethnic groups

and individuals. The RDTJ remains convinced that an inclusive dialogue and genuine reconciliation will bring about an improved understanding of each ethnic group's concerns, interests, and needs.

The fundamental question is whether killing one another is a solution to Rwandan problem or aggravating it. All two ethnics justify killing on the basis of self-defence or reprisal. In the latter context, the following Rwandan refugees were further victimized by the current government of Rwanda in their countries of asylum. Examples worth citing include *Col. Théoneste Lizinde* and businessman *Augustin Bugirimfura* (both assassinated in Nairobi, Kenya, on 6 October 1996); former Interior Minister *Seth Sendashonga* (assassinated in Nairobi, Kenya, on 5 May 1998); former CEO of Rwanda African Continental Bank *Pasteur Musabe* (assassinated in Yaoundé, Cameroon, on 14-15 February 1998); *Regina Uwamariya*, the sister of *Col. Théoneste Bagosora* (assassinated in Brussels, Belgium, in December 2000); *Col. Laurent Bangaya* (assassinated in Nigeria, in June 2003); *Lt. Gen. Kayumba Nyamwasa* (survived four attempted murders in Johannesburg, South Africa, between 2010 and 2014); *Déo Mushahidi*, a Rwandan opposition party leader and genocide survivor (kidnapped from Burundi by Rwandan security services in 2010 and is now a political prisoner); *Victoire Ingabire Umuhiza*, President of opposition political party - FDU INKINGI (arrested on 14 October 2010 and now is a political prisoner); *Charles Ingabire*, a Rwandan journalist (assassinated in Kampala, Uganda, on 01 December 2011); *Frank Ntwari*, a leader of RNC in South Africa (attacked in Johannesburg, South Africa, on 22 August 2012); *Théogène Turatsinze* (murdered in Maputo, Mozambique, on 15 October 2012); and *Col. Patrick Karegeya*, former external intelligence chief (assassinated in Johannesburg, South Africa, on 31 December 2013). These examples are illustrative that there is no difference between the former and the current regime. They share the same ideologies of eliminating the real and perceived opponents and consolidating governance on the basis of ethnic conflict.

8 New revelations on Rwanda Genocide

Twenty years on from the Rwandan genocide, The BBC screened a well-researched documentary, revealing damning evidence that challenges the accepted story of the Rwandan genocide, dubbed “*Tutsi genocide*” by the RPF.³² It questions the widely accepted claims that the current president of Rwanda, Paul Kagame, brought an end to the 1994 massive killings and rescued his country from being reduced to ashes. The documentary provides possible answers to increasing questions about the role of President Kagame and his RPF ruling party in the dark days of 1994. It affirms President Kagame's role in the shooting down of the presidential plane that killed the Presidents of Burundi and Rwanda, discussed earlier in this brief, which in turn sparked the killings in 1994. Contrary to the popular narrative of having ended the genocide, Kagame had initiated and extremely contributed to it. Regardless of this fact, he is praised and supported by some personalities in the West, although they cannot tolerate a person of this kind in their own respective countries for a single day. It provides evidence implicating President Kagame's role in the proxy wars in the DRC and reveals his character of abusing human rights in Rwanda and elsewhere as from the invasion of Rwanda in 1990 to date. Despite human rights abuses and lack of democratic governance in Rwanda, Rwanda is one of the biggest recipients of aid from UK and US. Finally, it questions the

³² The Untold Stories: Kagame the War Criminal President, BBC TWO 03/10/2014 4:47:16+00:00.

closeness of former UK Prime Minister Tony Blair (who became an unpaid adviser to President Kagame), and other western leaders to Rwanda's president. Being a darling of the West, he was shielded from accounting to the ICTR, whose its prosecution team ruled out the investigation of the shooting down of the Habyalimana's plane. This issue remains a source of political conflict between Hutu and Tutsi.

To some commentators, the ICTR is the victors' justice and this is what the documentary has revealed. It also strengthens the arguments of the RDTJ that a higher number of the people who perished during the 1994 massive killings were members of the Hutu community. Accordingly, both the Gacaca courts and ICTR were partial and bias in prosecuting Hutus only. With the support of the US and UK, the Tutsi genocide was carefully crafted by the RPF rebellion who came out victorious. This raises the question as to whether the international community has achieved its goal of eradicating impunity in Rwanda, thereby reconciling Rwandans.

Ms Jane Corbin, a BBC Journalist, in the said documentary, provides a forensic deconstruction of the official history of the genocide which puts the blame entirely on the Hutu community. Her forensic investigation discloses the manner in which the Clinton and Blair administrations began covering-up Rwanda President Paul Kagame's role in the April 6, 1994 presidential assassinations. These administrations sponsored the covering-up of impunity of President Kagame's and the RPF's crimes in Rwanda and DRC from 1993 to the present. The RPF's killings in the DRC, which were called "*genocides in plain sight*" by the UN and by US documents, claimed the lives of five to eight million Congolese.

Ms Corbin revelations are based on a variety of credible info, including academic, ICTR prosecutors, UN staff, survivors and the RPF members, including, former Chief Prosecutor Carla del Ponte, former FBI Special Agent James Lyons, Col. Marchal (who was second-in-command to Gen. Dallaire in the UN Mission to Rwanda), Lt. Ruyenzi (formerly Kagame's personal bodyguard), former Secretary of State Warren Christopher, former Rwandan Chief of Staff Gen. Kayumba Nyamwasa, and former Rwandan Chief of Staff, Dr. Theogene Rudasingwa.

The narrative of the RDTJ is reflected in Ms Corbin's "Rwanda's Untold Story." The truth about Rwandan genocide was however for the first time presented before the ICTR and was describes as the "alternative description of the mass violence that swept Rwanda" in the Major Aloys Ntabakuze Defense ICTR Trial Brief of November 2007. The damning evidence resulted in the acquittals of the Military-1 defendants on all charges of "conspiracy and planning to commit genocide" in December 2008. Furthermore, the ICTR found that the allegations of the Rwandan government that Col. Theoneste Bagosora and his three co-defendants (Lt. Col. Anatole Nsengiyumva, Major Aloys Ntabakuze, Brig. Gen. Gratién Kabiligi) were "architect of Rwanda's genocide" was unfounded. The ICTR stated that Tutsi genocide was "brainless" because there was no evidence it was planned, or the result of a conspiracy. Prof Peter Erlinder, in his book entitled "The Accidental Genocide," which relies on original UN and US Government documents, describe in detail the "logic" of the Rwandan civil war and of involvement of the US and UK. In his book, Erlinder states that the winners of the war (RPF) have told their side of the story, but there is another story, which is reflected in the UN, and the US documents but never came to light. It is true that both Hutu and Tutsi committed the crimes of genocide but that a story told by the winner (RPF regime) doesn't reflect what happened in the dark days of 1994. The BBC documentary calls on the international community to listen to the other side – the Hutu community – for the sake of

justice and peace. It is a Rwandan genocide but not a Tutsi genocide. We should recall that it was officially known as Rwandan genocide for 14 years.³³ To afford justice to all victims of genocide, it should remain as such.

9 Concluding Remarks and Recommendations

For two decades, the Rwandan politics is grounded on distorted truth, portraying the Tutsi as the “saints” who were victims of the 1994 Rwandan genocide and the Hutu as the “evils” who perpetrated the massive killings. In addition, the international community continues to sell a lie that the Tutsi elites put an end to the genocide. But historical experience and research projects have shown that the majority of the people who perished before, during, and after the so called genocide are Hutus and the ICTR had found that the Hutu elites did not plan any genocide. Should 85% of population had planned to kill 14% of population, the minority could not have survived without international interventions, as it happened or happens elsewhere. The RDTJ shares the same conviction with majority of Rwandans and numerous researchers that the RPF’s terrorist act of shooting down the plane carrying Rwandan President Habyarimana and Burundian President Ntaryamira (Hutus), triggering the massacre. The ICTR distanced itself from investigating the matter and to bring the culprits to justice, making it a source of the contemporary Rwandan political conflict. The ICTR’s refusal to investigate and prosecute those who planned the *coup d’état* was solely justified on the basis of its conviction (without any concrete evidence) that only the Tutsi community were victims. The issue of assassinating the late President Habyarimana, a Hutu, could therefore not fall in the ICTR’s scope of mandate. The ICTR prejudice in the Rwandan ethnic conflict is another hand of the international community in tarnishing the Hutu image and in implicitly supporting the falsely collective guilty card, sold by the post-genocide regime.

Once these fundamental issues remain unresolved, the questions arise as to how long the elites Tutsi will kill Hutu population with impunity and to how long Hutus will be hunted down by both international community and the government of Rwanda. Will Hutus ever be accepted as honourable members of the Rwandan society? Will they ever see justice? Proceeding in this vein, the RDTJ strongly believes that the Rwandan problem is logically international, political and ethnic. These issues make it more complex and multifaceted. It will neither be resolved by resettling Hutu refugees in the third countries nor by shooting at the FDLR in the concerted effort to neutralize them. Drawing on the Rwandan history, the invasion of the Tutsi refugees in the 1960s were suppressed and resurfaced after two decades. They emerged as a more powerful armed group in Africa. Its re-insurgencies culminated in the 1994 mayhem, in deposing of Habyarimana regime, in adding fuel in the Burundian ethnic conflict, in deposing the late President Mobutu and his successor, the late President Kabila and in supporting the CNDP/M23 in an effort to deny the Congolese people the right to democratic succession on one hand and to take their plan to create Tutsi-Hima Empire further, on the other.

The lesson that can be drawn from the historical insurgencies, defiance, and resistances is that Rwanda should belong to all three ethnics – Hutu, Twa, and Tutsi – without domination of one another or oppression of one another. It is therefore imperative that they

³³ The 2008 amendments to the 2003 Rwandan Constitution restricted genocide to the victims of Tutsi backgrounds. The Rwandan constitution recognize that the genocide was committed as from October 1990. It was in 1994 when the UN Security Council declared Rwandan mass killings as “Rwandan genocide.” This was followed by the adoption of the Statute of the International Criminal Tribunal of Rwanda of 1994.

should learn to be tolerant, understanding, and more importantly, respect one another on the basis of equality in dignity, in honour, and in rights. Rwandan society should be built on promise that where there was once masters and slaves, there shall be Rwandan citizens, equally entitled to the privileges and benefits of citizenship. The RDTJ is convinced that the continuance of oppression, domination, degradation, and demonization will only aggravate ethnic conflict throughout Great Lakes region and arouse an uprising in Rwanda. A campaign to neutralize the FDLR, without affording it an opportunity to be heard would create a tension which is no less serious than other ongoing conflicts that destabilize peace, security, and economic sustainability around the world.

The RDTJ recommends the following to avoid the repetition of another catastrophe and international community's guilty in the mismanagement of the Rwandan unfolding ethnic conflicts:

To international community *vis* SADC, AU and UN:

1. To investigate the cause of disappearances of citizens and inhumane treatment of those arbitrary arrest cases, including torture and degradation;
2. To investigate the issues of the dead bodies, seen floating in Lake Rweru, which might be a cause of tension or source of friction between Rwanda and Burundi;
3. To impose economic and military sanction against Rwanda because these aids are used for the purpose of hunting down refugees and terrorising Rwandan citizens both in the country and in exile, instead of defending them.
4. To demand the government of Rwanda to sit on the table of peace negotiations, which will pave the way to power sharing and government of unity;
5. To give the ethnic and political questions their urgent considerations in order to prevent an already dangerous situation from deteriorating further and to bring about a settlement in conformance with the Spirit, Object, and Principles of the African Charter on Human and Peoples' Rights and Charter of the United Nations.

To Rwandan government:

6. To acknowledge the ethnicity in Rwanda and allow for their political representation in the Rwandan affairs;
7. To conduct investigations in the forced disappearances and arbitrary arrest and detentions and to bring to justice the perpetrators;
8. To recognize atrocities committed against Hutu populations and to allow them to bury the remains of and to remember their relatives and to seek a judicial redress.
9. To open the political space to all who want to compete politically, including allowing the people to speak out and to participate in the decision-makings.
10. To employ a peaceful mechanism in finding a durable solution to the endemic Rwandan refugee problems, particularly, a settlement of disputes through dialogue.

In sum, the Hutu community is crying for freedom, justice, equality, and dignity in particular, and the Rwanda's diverse society – Hutu, Tutsi, and Twa – is crying for a democratic society, based on the democratic values and principles of reconciliation, social justice, and fundamental human rights, in general.

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