

Rwanda: Perpetrators of genocide jailed

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The International Criminal Tribunal to investigate the genocide that took place in Rwanda in 1994, against the minority Tutsis, has passed a sentence of life imprisonment against General Theoneste Bagasora for his role in the slaughter. This is by far the most important ruling to date, as no one before Bagasora has been convicted of actually organising the genocide. According to one of the chief prosecutors, Barbara Mulvaney, "He was the man in control, hands down, no dispute."

Bagasora, the son of a teacher who trained in several military academies in Belgium and occupied the post of Cabinet Director of the Defence Ministry in Rwanda, faced 11 charges of genocide, war crimes and crimes against humanity. In custody since 1996, his trial did not begin until 2002, and then extended over 409 trial days, producing 30,000 pages of transcripts, 242 witnesses, 16,000 exhibits and 300 written decisions.

Despite the extensive and intensive nature of the trial, those who were behind the perpetrators on the ground in Rwanda remain in the shadows. The real reasons behind what has been called the "Africa's Holocaust", in which up to a million Tutsis and Hutus who opposed the slaughter died in 100 days, remain unspoken in the UN court in Arusha, Tanzania.

What the tribunal failed to mention was that Bagasora, organiser of the genocide, was a creature of France, the imperialist power backing the regime. The genocide unfolded against a power struggle between French and American imperialism, the latter backing the opposition Rwandan Patriotic Front. The people of Rwanda were sacrificed on the altar of US interests. As the genocide began, with full knowledge about what was about to happen, the US under President Bill Clinton, with the backing of the UK, instructed the United Nations to order its troops out of Rwanda, all the better to fight it out on the ground to clear out the French.

This is not to in any way minimise the culpability of Bagasora. This man was found guilty of drawing up lists of Tutsis to be murdered, alongside moderate Hutu politicians, who favoured a power sharing deal with the RPF (the Tutsi opposition in exile in neighbouring Uganda.)

Enmity between the two main ethnic groups, the Tutsis and Hutus, began with the colonisation of Rwanda by Belgium in 1916. The Tutsis were given social and economic privileges until independence in 1962. After independence, the new rulers were chosen from the Hutus with the Tutsis becoming the section that faced discrimination. The inter-ethnic hatred that was stoked up in this small and very poor African country spilled over into

intermittent violence. Thousands of Tutsis fled over the border to neighbouring Uganda. This policy of divide and rule continued when the French took over as the main imperialist power in the area, giving their support to the Hutu leaders.

The French government, led by President Francois Mitterrand, continued its support for the Hutu regime throughout 1994 during the genocide, providing finance and arms to the military. In her book *Conspiracy to Murder*, Linda Melvern details the intimate ties between France and the regime in Rwanda. At the time of the genocide, 47 high ranking French officers were embedded in the Rwandan army.

The Tribunal ruled that Bagasora had planned the murders as early as 1990. Evidence for this was a paper he had drafted and circulated throughout the Rwandan army, stating that the Tutsis were the principal enemy of the people of Rwanda. In 1993, the then Defence Minister James Gasana and his family were driven into exile in Italy in fear for their lives when he attempted to disband the Interahamwe militias. The latter were to play a leading role in the genocide. A member of the Akazu clique, with Habyarami's wife at the centre, Bagasora was found to have played a major role in setting up these murderous gangs, both arming and training them.

Bagasora later stormed out of US sponsored peace talks between the government of Rwanda led by President Habyramani and the Rwandan Patriotic Front, declaring that the government was too lenient with the Tutsis and that he was going home to Kigali, the capital of Rwanda to "prepare the apocalypse." UN officer and colonel in the Belgian army, Luc Marshall, reported that in April 1994, on the eve of the genocide, Bagasora informed him that the only way Rwanda's problems could be solved was by exterminating all the Tutsis. The impending genocide was in fact common knowledge in the higher echelons of the UN, via the many warnings they received.

In April 1994, President Habyramani was returning from the peace talks in Tanzania when his plane was shot down by missiles over the presidential palace, killing all on board. Much controversy has surrounded the downing of the plane, which acted as a signal for the start of the genocide. The Hutu extremists, the RPF and their US backers have been accused of being the architects of the assassination.

In the court room, prosecutor Mulvaney from the US said that "the preponderance of evidence is that the men in our court room are the men who shot down the plane. They surrounded the site. They wouldn't let the UN in, they wouldn't let foreign observers in—they took the shell casings."

Journalist Linda Melvern concurred and said the murder of

President Habyarimana was "a way to avoid power sharing with the minority."

The killing began immediately, starting with those names on Bagasora's lists. Later on that evening Bagasora convened a crisis military meeting, to which he invited UN commander Romeo Dallaire. A force of 2,000 UN soldiers was stationed in Rwanda at the time to oversee the peace process between the government and RPF.

Aware of the slaughter being planned, Dallaire faxed his bosses at the UN with an urgent request to expand his troop numbers to 5,000. He believed this troop number would be sufficient to prevent the genocide. The UN force, however, at the behest of the US, was reduced to a skeleton after the murder of 10 Belgian peacekeepers protecting the "moderate" Prime Minister. Later, in 2002 the UN acknowledged its role in the genocide in leaving the population to their fate, but said nothing about the role of the US.

Giving evidence at the tribunal, Canadian Lieutenant Dallaire said at first he thought Bagasora would put a stop to the massacres. He was to later refer to his meeting with Bagasora as like "shaking hands with the devil" and wrote his memoirs with the same title. The last time Dallaire saw Bagasora was in July when his forces were in retreat faced with the RPF invasion from across the border in Uganda. At this meeting Bagasora swore he would kill Dallaire if ever their paths were to cross again.

Later on that evening of April 6, leading moderate politicians in Habyarimana's cabinet were tracked down and butchered. Prime Minister Agatha Uwilingiyimana was violated and killed in her garden along with her husband. The 10 Belgian UN soldiers guarding her were dragged away and mutilated, before suffering the same fate. Bagasora was now in political and military command. The Tribunal found he also ordered the killing of the head of the constitutional court, Justice Joseph Kavaruganda, as well as hundreds of terrified families who had taken refuge in the Gikondo Parish church.

Between the months of April to July, the Interahamwe militias set about their work.

The killing only stopped when the country was overrun by forces of the RPF. Then French troops organised safe passage for the army and allowed the Interahamwe to disappear amongst the two million Hutu refugees who had flocked to camps across the border in Zaire (now the Democratic Republic of the Congo or DRC). The events in Rwanda were a humiliating defeat for French interests in the region, as the US-backed RPF came to power. It is alleged that Bagasora flew out of Rwanda in a French helicopter, remaining at large until his arrest in Cameroon in 1996.

During the 15 days Bagasora spent in the witness box he remained unrepentant. He denied his role in the genocide, asserting that the Tutsis had only themselves to blame for "spontaneous bloodletting" because he said they shot down Hutu President's Habyarimana's plane. The prosecution countered this with evidence of "the most complete record of the planning of killing going back four years before 1994."

Also convicted by the tribunal were Major Aloys Ntabakuze, the commander of the Para Commando Battalion and Colonel Anatole Nsengyumua, commander of the operational sector of Gisenyi, who were also found guilty of genocide and crimes against

humanity.

In another verdict, the tribunal sentenced Protais Zigiranyirazo 57, known as Mr Z and the brother-in-law of former President Habyramani, to 20 years in prison for his part in the genocide. He was accused of ordering Hutus to kill 48 people in two incidents, and as a member of the Zero Network death squads, of aiding and abetting the genocide.

The tribunal has so far convicted 34 defendants for their role in the genocide and acquitted six. Many suspects are still at large. It is due to be wound up in a year, with 23 defendants still on trial and eight trials yet to begin. The UN General Assembly is at present discussing whether to extend the court's mandate.

The verdicts of the tribunal have met a muted response in Rwanda, where people have to live alongside neighbours who were involved in the genocide. In Rwanda, community courts or gacaca have been set up, where murderers can confess and ask forgiveness in return for lighter sentences.

The events in Rwanda have played a major role in contributing to the civil war in the Democratic Republic of the Congo, where five million have died and hundreds of thousands of people have been displaced. The continued presence of the Interahamwe militias—now reformed as the Democratic forces for the Liberation of Rwanda or FDLR, in the DRC—poses a continuous threat of invasion to Rwanda. The Kigali government in Rwanda denies backing Tutsi rebel forces, the National Congress for Peoples Defence (CNDP) led by Laurent Nkunda, who are fighting the DRC government backed FDLR.

Meanwhile tensions between Rwanda and France continue. In August last year the Rwandan government issued a report that declared France had facilitated the genocide, and that it was preparing to indict members of the French military and political establishment. In November, a senior Rwandan official was flown to France to face accusations of complicity in assassinations and genocide. Director of State Protocol Rose Kabuye was arrested while in Germany, and extradited to France to face charges that she was involved in the shooting down of President Habyarimana's plane in 1994. She has since been released on bail and allowed to return home for Christmas, with her trial pending.



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