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"Pour un Etat de Droit, la Democratie et l'Egalité de chances" ; "For the rule of law, democracy and equal opportunity"

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PRESS RELEASE

DRC MAPPING REPORT: THE VICTIMS CRY FOR JUSTICE.

At long last, the United Nations High Commission for Human Rights has released its final report into horrendous crimes that were committed among others by Rwandan Patriotic Army (RPA), against Hutu refugees in DRC from 1996 to 2003. Although justice delayed is justice denied, we salute the bravery of the UNHCHR, for refusing to bow down to intense pressure from the government of President Kagame and its lobbies, in order to water down the tone of the report.

By publishing the report, the United Nations High Commission for Human Rights has honored the mandate bestowed on it by the General Assembly as an independent UN body to cater for the promotion and protection of human rights, and for implementing the human rights programme within the UN. The legal qualification is clear and the facts are so chilling that something has to be done.

It is quite shocking to see negative forces struggling to belittle the crimes that engulfed, according to NGOs, millions of DRC citizens and more than 300,000 Hutu refugees, by battling over the word "genocide".

Whatever the legal framing, the crimes listed are so chilling that their authors ought to be prosecuted.

1. The July 1995 Srebrenica killings landed Milosevic, Karadzic and other Serbs leaders into jail. Yet, the victims were, according to UN records, between 6,000 and 8,000.
2. The UPC leader, Thomas Lubanga was arrested, and charged in ICC with minor crimes of enlisting and using child soldiers. This was done under the pressure of some of the very powers which are today reluctant to prosecute Rwandan leaders.
3. The killing of Rafik Hariri in Lebanon prompted the United Nations to set up a special tribunal.

Why should the Rwandan Patriotic Army misdeeds not be exposed and prosecuted?

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As the report eloquently shows, the killings were systematic, selective, methodical and carried out over a long period of time that they cannot be termed as collateral damage. Nothing can justify the massacres of children, women and elderly people and reducing to ashes their bodies. Alleging that there were elements from former Rwandan government forces among refugees does not at all give to RPA a licence for wanton and massive killings.

The Rwandan government reaction filed in Geneva on the eve of the release of this report is sadistic and misleading:

- The Rwandan government does not as such deny the mass and large-scale killings. Instead, it considers them as "self-defence against the perpetrators of the 1994 genocide" (item 14). Some of the killings took place as far as Mbandaka, over 3,000 km in the West. It is hard to believe that those victims were posing a security threat to Rwanda.

- The Rwandan government also links the invasion to "cross—border attacks". The attacks on refugees started the very day RPA troops entered Gisenyi town on 18th July 1994. Indeed, mortar shells landed in the middle of crowds of refugees that were gathered in the vicinity of Goma airport. The airport had to be closed. So was the incursion of RPA in Birava in South Kivu in 1995. The assumption of self-defence betrays rather a well planned and premeditated crime.

- The claim by the Rwandan current regime of invading the DRC for "rescuing its own citizen and facilitating their return and reintegration (item 14) is another scapegoat illustration. There are reliable reports on killings targeting some returnees in different areas of the country. This is the case with the late catholic bishop Phocas Nikwigize of Ruhengeri who went missing at the crossing border of Gisenyi. Furthermore, the only military assault on refugees' camps is a serious crime.

Leaving unprosecuted the master minders and perpetrators of these crimes, even for the selfish sake of not disturbing the UN peace keeping forces in Darfur (Sudan), or for the sake of a false analysis of regional stability will give licence to militarism and violence as means of achieving political goals.

The embers of hate and mistrust will not be put out as long as there will be a double standard justice in Rwanda.

When the Security Council set up the two ad hoc international criminal tribunals for Rwanda and the former Yugoslavia, it considered truth-seeking and criminal punishment essential prerequisites for reconciliation and for maintaining or restoring peace (item 1010 of the UNHCHR report). The FDU-INKINGI fully agrees with this stance and expects the United Nations to bear this in mind. There will be no peace and sustainable development in the African Great Lakes Region in general and in Rwanda in particular, until there is fair justice and a fair roadmap to uproot the impunity. All the victims cry for justice and rehabilitation. The FDU- INKINGI urges the UN Security Council in particular, to fulfill its international obligations to punish genocide and crimes against humanity including the establishment of an appropriate international tribunal to punish the culprits within the current Rwandan regime and rehabilitate the victims of these absolute crimes. A regime accused of such atrocities has no longer any moral legitimacy to run a country, leave alone the fact that it has totally closed down the political space to opponents and through unfair elections that were marred by political killings of opposition leaders and independent journalists. Therefore, we call upon the UN

to act on the report as a matter of urgency and ensure that a judicial mechanism is put in place. Otherwise, the UN will be betraying its mandate.

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