

**AFRICAN RIGHTS**

*Working for Justice*

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# ***A WELCOME EXPRESSION OF INTENT***

## ***THE NAIROBI COMMUNIQUE AND THE EX-FAR/INTERAHAMWE***

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## ACRONYMS AND GLOSSARY

ADFL	Alliance of Democratic Forces for the Liberation of Congo-Zaire
ALIR	Liberation Army of Rwanda
CCR	Committee of Co-ordination for the Resistance
CDR	Committee for the Defence of the Republic
CNDP	National Congress for the Defence of the People
DRC	Democratic Republic of Congo
ESO	Academy for Non-Commissioned Officers
FAC	Congolese Armed Forces
FAR	Rwandese Armed Forces
FARDC	Armed Forces of the Democratic Republic of Congo (After 2003)
FDLR-FOCA	Democratic Forces for the Liberation of Rwanda-Fighting Forces
ICTR	International Criminal Tribunal for Rwanda
MDR	Democratic Republican Movement
MONUC	United Nations Organization Mission in the Democratic Republic of Congo
MRND	National Republican Movement for Development (1975-1991) and National Republican Movement for Democracy and Development (1991-1994)
PALIR	Armed People for the Liberation of Rwanda
PARECO	Coalition of Congolese Patriotic Fighters
PL	Liberal Party
PSD	Social Democratic Party
RCD	Congolese Rally for Democracy
RDR	Republican Rally for Democracy in Rwanda
RPA	Rwandese Patriotic Army
RPF	Rwandese Patriotic Front
RTL	Radio Télévision Libre des Mille Collines
RUD/URUNANA	Rally for Unity and Democracy
UNAMIR	United Nations Assistance Mission to Rwanda

### *Terms for Administrative Units and Their Corresponding Administrators*

Rwanda's local administrative structure was changed between 2001-2006. However, in this report, we have used the geographical locations, the names of administrative units and their corresponding administrators as they existed in 1994.

## INTRODUCTION

On 9 November 2007, representatives of the Governments of the Democratic Republic of the Congo (DRC) and Rwanda met in Nairobi, Kenya, and signed a communique pledging “a common approach to address the threat posed to our common security and stability by the ex-FAR/Interahamwe.”<sup>1</sup> The agreement was facilitated by the United Nations and witnessed by the United States and the European Union. This new accord represents a comprehensive and constructive point of departure that could pave the way for an end to the armed presence of the ex-FAR and interahamwe in eastern DRC, and to the needless suffering of those living in North and South Kivu provinces, who have been the most directly and seriously damaged by the recent violence in the region. *A Welcome Expression of Intent* reveals details of the organization and functioning of the ex-FAR and interahamwe both within eastern DRC and internationally. In publishing this report, *African Rights* hopes to support and encourage the crucial process of dismantling these forces.

The protracted lack of co-operation in finding lasting solutions to long-standing problems in eastern DRC, in which the two governments and the peoples of both countries have an enormous stake, has profoundly hurt the entire Great Lakes region in terms of human security, political stability and economic development. The neighbouring states of Burundi and Uganda have also been affected by the troubles in this shared border region. Yet, as the signatories themselves point out, there has been no shortage of agreements—bilateral, sub-regional and regional—to promote co-operation between the DRC and Rwanda.<sup>2</sup> It is therefore easy, and tempting, to write off this latest initiative as just another document. Indeed, it may turn out to have little real impact, or far less than the civilians whose lives have been devastated need and deserve. It is for their collective benefit that every effort must be made to translate the promise of Nairobi into reality.

Behind the negotiations are the bloody rebellions and counter-rebellions in eastern DRC, which have left hundreds dead, displaced thousands internally or to neighbouring countries, and which are sowing the seeds for intractable future conflicts. The clashes have been particularly intense in North Kivu. Here, soldiers loyal to the National Congress for the Defence of the People (CNDP), set up by a Tutsi general, Laurent Nkunda, are at war with the armed forces of the DRC. The communique draws special attention to the need to reign in Nkunda’s CNDP, whose military campaigns have been a major contributing factor in the humanitarian disaster. Also ranged against the CNDP are the Mayi Mayi militia, and the Coalition of Congolese Patriotic Fighters, (PARECO), a militia force essentially made up of Congolese Hutus, both working in close collaboration with the Democratic Forces for the Liberation of Rwanda (FDLR), a Rwandese militia directed by former officers deeply implicated in the 1994 genocide, and which counts many genocide suspects among its

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<sup>1</sup> The text of the communique is attached to this report as an annex.

<sup>2</sup> Previous agreements include the Lusaka Cease Fire Agreement of 1999; the July 2002 bilateral agreement between the DRC and Rwanda; the Principles on Good Neighbourly Relations and Cooperation between the DRC, Burundi, Rwanda and Uganda of 25 September 2003; the Pact on Security, Stability and Development in the Great Lakes Region of 15 December 2006; and the many written engagements within the context of the Tripartite Plus Commission which brings together the DRC, Rwanda, Burundi and Uganda.

combatants and civilian cadres. PARECO is in fact a creation of the FDLR. In South Kivu, two units composed of Congolese Banyamulenge soldiers are in rebellion against the regular army. Also operating in South Kivu is Rasta, a small militia made up of former Mayi Mayi who have merged with elements from the FDLR. These multiple conflicts reinforce each other, providing new opportunities and justifications for the endless cycle of conflict.

Whatever the political, ethnic and social tensions that characterize the history of eastern Congo, there is little doubt that the seemingly permanent crisis in the Kivus dates from the arrival of more than two million Rwandese refugees in July 1994, including soldiers of the Rwandese Armed Forces, known as the ex-FAR, and their allies, the interahamwe militia. Their activities, and those of the groups which express their political interests and aspirations, and which fight on their behalf, for example the Republican Rally for Democracy (RDR), the FDLR and the Rally for Unity and Democracy (RUD/URUNANA), are at the source of the violence, mistrust and sense of hopelessness which feed on each other in the Kivus. In particular, they have hardened and widened the gulf that already existed between Congolese of Rwandese origin—both Hutus and Tutsis—and the other ethnic groups, and these fault lines are now part of the complex political landscape. In South Kivu, the presence of a large number of Burundian refugees who crossed the border after the murder of President Melchior Ndadaye in October 1993, was an additional complicating factor.

Although the most recent fighting and atrocities in the Kivus were sparked by the rebellion of Laurent Nkunda, there is little prospect of stemming the violence, of restraining the armed groups or of facilitating the voluntary return of Rwandese refugees without first neutralizing the ex-FAR and interahamwe. They are the key to a realistic and successful strategy to bring human security to the Kivus, to defuse political and ethnic tensions, to promote dialogue and to lay the groundwork for effective and lasting regional solutions to the challenges spelt out in Nairobi. Even if Nkunda is brought under control, so long as the ex-FAR and interahamwe hold sway, as they do, in large parts of the Kivus, there will be neither peace nor security for the Congolese people or Rwandese refugees, and the Great Lakes region will continue to be unstable and fraught with tension.

In addressing the complex configurations of warfare, the Nairobi communique rightly acknowledges that all foreign as well as national armed groups in the Kivus are part of the problem and must be tackled in a serious, urgent, concerted and collaborative manner, and places particular emphasis on the hazards inflicted by the ex-FAR and interahamwe. It calls for military action to dismantle illegal armed groups, as well as political programmes to enable fighters to lay down their arms, move away from the border areas and, for the Rwandese, to exercise the right to choose between voluntary repatriation to Rwanda or peaceful integration in the DRC. Rwanda and the DRC have committed themselves to impose strict controls to prevent cross-border movements of fighters, weapons and the provision of food and medical supplies to all groups; to refrain from giving human, material or political support, directly or indirectly to the armed groups; to desist from engaging in destructive propaganda against each other, to encourage and enable refugees to return home; to share information and to use existing mechanisms to deal with issues of common concern. It urges the DRC to “arrest and hand over to the ICTR [International Criminal Tribunal for Rwanda] and Rwanda those indicted for crimes of genocide, crimes against humanity or war crimes.”

Calling the ex-FAR/interahamwe a “genocidal military organization”, the communique also calls on the Security Council to impose sanctions against them, and appeals to all member states of the UN to “prevent all fund-raising, mobilization or propaganda activities of the ex-FAR and interahamwe.”

International concern about the serious crimes the ex-FAR and the interahamwe combatants have inflicted on communities in eastern DRC is crucial to achieving progress in the region, but *African Rights* believes that attention must simultaneously be focused on the activities and presence of their members abroad. Little consideration, if any, has been given to their representatives and spokespeople in Africa, Europe and North America, who raise funds; lobby governments, Churches and NGOs for political and other support; recruit within the large Rwandese diaspora communities; facilitate travel and travel documents for their leaders and their families; act as conduits through which relatives send money to the fighters; win over public opinion, especially through contacts with the media, and spread the propaganda of their groups to mislead the world. They also travel to the DRC itself to help settle internal disputes to maintain the cohesion and effectiveness of their armed forces.

The presidents of the FDLR and RUD, Ignace Murwanashyaka and Jean Marie-Vianney Higiro, are based in Germany and the US respectively, along with other senior officials, an advantage that gives their organizations considerable exposure and opportunities internationally. FDLR cells or satellites exist in Zambia, Congo-Brazzaville, Tanzania, Cameroon, Zimbabwe, Mozambique, Malawi, South Africa, Sudan, Uganda, and also in Norway, Sweden, Austria, Switzerland, Denmark, Canada, Belgium, France and the US. *A Welcome Expression of Intent* provides extensive information about the identities and backgrounds of the men and women who act and speak in the name of the ex-FAR and interahamwe in the DRC and on the world stage. Many of their names are on the wanted lists of Interpol, the US Rewards for Justice Programme and the ICTR.

Drawing on years of extensive research on issues relevant to peace and security in eastern DRC<sup>3</sup>, its substantial body of work on genocide justice in Rwanda, and using new research that consists of detailed interviews with former combatants, *African Rights* is publishing this report as a contribution to the debate on some of the central questions at the heart of the Nairobi agreement, on which so much else in the Kivus depends.

*A Welcome Expression of Intent* provides answers to some of the following questions:

- Who are the ex-FAR and interahamwe in eastern DRC?
- What is the structure of the political and military organizations to which they belong, and how did these evolve?
- What is the background of their political and military leadership?
- What is the evidence that some of these military commanders and senior politicians participated in the 1994 genocide?

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<sup>3</sup> See “*The Democratic Republic of the Congo: The Cycle of Conflict, Which Way Out in the Kivus?*”, December 2000, 340 pages; “*Rwanda: The Insurgency in the Northwest*” September 1998, 412 pages and the October 2005 Letter to the President of the Security Council.

- Where are their representatives and supporters based around the world?
- What is the evidence that some of them took part in the genocide?
- What is the nature of the support they receive from the committees and communities they rely on outside the DRC?
- What sanctions, which the signatories urge the Security Council to impose, are warranted and feasible?
- What can, and should be done by Rwanda, the DRC, neighbouring countries, the UN, the US, the EU and other concerned institutions and countries to help implement the letter and spirit of the communique?

The current impasse comes at a time when the DRC is emerging from the first national elections which observers qualified as free and fair, and in which the international community invested considerable resources and hope. It was thought that the elections, which grew out of long and tense negotiations would bring an end to the armed conflicts that have ravaged the DRC for the past decade. The efforts at the local, national, regional and international levels helped to address some of the existing crises in the DRC. But as the situation now unfolding there shows, the Kivus require a different approach. Here, a complex, bitter and long history has left a complicated legacy and a people who are angry and divided. Congolese of Rwandese origin argue that they are still not accepted as full citizens, despite the elections and regardless of a new constitution that grants them Congolese citizenship. In the long-term, the DRC will need to reflect on the appropriate policies and measures to promote peaceful co-existence. This will not be possible as long as the Kivu region is hostage to the politics and interests of the ex-FAR and interahamwe. Implementing the Nairobi communique is a first step in the right direction.



# 1

## A LONG CHAIN

### The Origins and Evolution of the Political/Military Organizations of the ex-FAR and Interahamwe

Between April-July 1994, Rwanda experienced a genocide, directed at the Tutsi minority, and a war between the FAR and the rebel group, the Rwandese Patriotic Front.<sup>4</sup> Facing the prospect of military defeat in early July 1994, the FAR, which had played a pivotal role in organizing, inciting and implementing the genocide, together with politicians, civil servants, the interahamwe militia, journalists, doctors, university lecturers, teachers and clergymen, urged the Hutu population of Rwanda to abandon the country *en masse*. While some chose Burundi or Tanzania, the overwhelming majority, estimated at two million, settled just across the border, in North and South Kivu. The ex-FAR, as they came to be known, quickly re-organized themselves as a fighting force with the goal of recapturing power in Rwanda. They used the camp set up for the refugees in Mugunga in North Kivu as their military headquarters, with Major-General Augustin Bizimungu, the Chief of Staff of FAR,<sup>5</sup> at the helm. The national gendarmerie was integrated into this force. Other camps which housed substantial numbers of former soldiers and gendarmes, in addition to civilians, included Katale, Kahindo and Kibumba in the north, and Kashusha and Panzi in the south. In addition to the headquarters, the new military structure consisted of two divisions, each with four brigades, with the First Division set up in Bukavu, in South Kivu, and the Second Division in North Kivu. The fight that began then—to return to power in Rwanda using eastern DRC as a military and political base—continues today.

Asked who is preventing and discouraging the return of fighters and refugees to Rwanda from the DRC, Major-General Paul Rwakarabije divided the opponents of peaceful repatriation into three principal categories.

Firstly, there are the extremists who are known for their participation in the genocide, especially those who are wanted by the ICTR, men like Ildephonse Nizeyimana who is working in Masisi in the office of the second vice-president of the FDLR, Gaston Iyamuremye. He knows very well that he is much sought after by the institutions of justice for his role during the genocide. Callixte Nzabonimana is also well aware that justice bodies have their eyes on him. Here, I can also name [Faustin] Sebhura, a captain who was the deputy commander of the gendarmerie in Gikongoro, the deputy to Mpatwenumugabo. He is in Masisi.

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<sup>4</sup> The war started in October 1990, when the RPA attacked from Uganda. A long process of negotiations culminated in the Arusha Accords, signed in August 1993, which brought the war to an end, and introduced a system of power sharing between the government, the RPF and opposition political parties. The war reignited on the first day of the genocide, 7 April 1994.

<sup>5</sup> Augustin Bizimungu was arrested in Angola on 2 August 2002 on an ICTR arrest warrant, and transferred to Arusha on 14 August 2002. His case is part of the on-going joint military trial which groups together a number of officers.

The second category he labelled as “hardliners.”

These individuals are not necessarily génocidaires, but their convictions make it difficult for them to lay down their arms. Take, for example, Sylvestre Mudacumura who never tires of saying that he worked for the regime of Habyarimana, that he is loyal to him and to no one else.

It is also the position of Gaston Iyamuremye who, pointing to his advanced age, tries to dissuade men younger than him, including myself, saying: “You are still young, you don’t know the *inyenzi*. Me, I studied with them, I knew them in 1959/60 and I know they are bad and can never like a Hutu. Nubaha<sup>6</sup>, who died recently in Belgium, used to make similar comments.

Finally, he said, there are the “ideologues of the FDLR.”

The ideology taught by the soldiers and the civilian refugees have one centre of gravity, namely “the wickedness of the Tutsi.” It is very close to the views expressed by the CDR [Committee for the Defence of the Republic] before and during the genocide. The courses in ideology are essentially based on a book entitled “*Ten Years After Independence*”, a book of the Parmehutu party, and certain passages of the songs of the choir Abanyuramatwi such as “Turatsinzegaye.” It’s not easy for them to think of coming back to live with the Tutsis who they have made out to be so evil. However, I believe they can be made to see reason, slowly and with time. One of their teachers returned just last week, a captain.

Rwakarabije knows the military and political terrain in the DRC only too well. The head of training, recruitment and operations at the headquarters of the national gendarmerie in Rwanda, he arrived in Goma on 17 July 1994. He settled his family in camp Katale, and took over as the head of the 4<sup>th</sup> brigade of the Second Division. After the closure of the camps, he went on to become one of the top commanders during the insurgency in the northwest in 1997, and mid-1998 took charge of the insurrection after the death of his superiors. He later became the 2<sup>nd</sup> vice president of the FDLR. He returned to Rwanda on 14 November 2003, at the head of 113 members of his battalion, including 11 officers.

Rwakarabije’s views were echoed by Col. Evariste Murenzi, who has a similar history, first as a fighter in the camps, then in the insurgency, when he was known as Mwalimu, and later in the FDLR. He mentioned two senior officers in the FDLR who boast openly about their contribution to the genocide.

Gakwerere, who was at ESO in Butare, brags about the fact that he directed the soldiers who attacked the family of the préfet of Butare during the genocide, Jean-Baptiste Habyarimana.

Ildephonse Nizeyimana, also from ESO, is accustomed to saying, when he speaks about Tutsis in Butare: “We really killed them.” When we were in the refugee camp at Kashusha, he got a

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<sup>6</sup> Col. Laurent Nubaha died in Belgium when he went to testify for the defence in the recent trial of Major Bernard Ntuyahaga accused, among other charges, of involvement in the murder of 10 Belgian soldiers in Kigali on 7 April 1994.

<sup>7</sup> This refers to a well-known song about the victory of MDR-Parmehutu during the referendum of 21 September 1961.

message from the wife of Vincent Ntezimana [an academic from Butare who was prosecuted and convicted in Belgium] asking him to testify for the defence. He spoke to me about this one day, saying: “He can look after himself. I told him many times to mind his own business and to leave the genocide to the soldiers. But he didn’t want to listen to me.”

The political convictions of the men who occupy senior military and political positions must also be taken into account in order to understand the FDLR, he added.

There are others who, although perhaps not genocide suspects, have clear anti-Tutsi views, for example Gaston Iyamuremye. He says openly that he will not return to a country run by Tutsis. Mudacumura does not only hold extremist views; he publishes them. When we were in Kamina, he was writing a book in Kinyarwanda, but I don’t remember the title. I read it, and it is extremist, in the true sense of the word.

Men like Callixte Nzabonimana, Mudacumura, Ildephonse Nizeyimana and others who are wanted for genocide, will never drop their weapons and return through voluntary repatriation. You would have to be really naïve to believe this.

However, Murenzi underlined the urgency of dismantling the FDLR.

It is not only a menace for Congo and Rwanda, but also for other countries in the region. When there are infiltrations into Cyangugu, the fighters often pass through Burundi. There are also those who slip into northern Rwanda via Gisoro in Uganda.

Today, it is Rwakarabije’s job, as a member of the Commission for Demobilization and Reintegration, to design policies which will convince his former colleagues and the men he had commanded, and recruited, to lay down their arms, opt for voluntary repatriation and return to their families and communities.

Rwakarabije and other former FDLR members estimate the number of fighters at 6000-7000, and put the number of civilians in the Kivus at double that number.

## **Same People, Different Associations**

Behind the bewildering array of acronyms, the reality is simple: the names change, but the people remain the same. From the first association to the most recent, the core political and military objective remains the same, namely to deny the genocide, to provide a sanctuary to genocide suspects, to change the government in Rwanda, or at the very least to force it into political negotiations. The emphasis and the tactics have differed at times, but over the past 13 years, there has not been a profound shift in the goals. What has changed, is the people in leadership positions, sometimes because of personality clashes, competition for power and influence, or because of differences over the use of funds or management style.

Much of this report focuses on the FDLR-FOCA which is, today, by far the most important of the organizations which speak and act on behalf of the ex-FAR/interahamwe, in terms of the territory it controls or where it has influence, and in terms of its manpower. The others are essentially small splinter groups.

## ***1995: The Creation of the RDR***

The organizations which today represent the military and political interests of the ex-FAR and interahamwe, and of the forces of genocide broadly speaking, have their origins in the establishment, on 3 April 1995, in Mugunga camp, of the *Rassemblement pour le Retour des réfugiés et la Démocratie au Rwanda*, or Rally for the Return of Refugees and Democracy in Rwanda.”<sup>8</sup> The very next day, the ex-FAR issued a statement in which they expressed their full backing. The high command of the ex-FAR met in Bukavu on 28-29 April 1995, and went as far as publicly asking the “government in exile”, which it had put in place, to resign in favour of the RDR.

After examining the goal and the objectives of RDR, the Rwandan Armed Forces welcomed this positive initiative to set up an organization which can exert efficient supervision over the population in exile, guarantee maximum cohesion and bring about influence through the media and through diplomatic channels, which are the preliminary conditions for the return of the refugees to their country. This is the reason why the Rwandan Armed Forces signed a declaration of support for the RDR on April 4, 1995. The FAR believes that the Government must be aware of its responsibilities before history, the Rwandan people in general and the refugees in particular, [and to show this] by ... resigning to let the RDR represent and defend their interests. Therefore, the Government must hand in all the documents it has kept on behalf of the people in exile. The relations between the FAR and the Government are being cut off as of April 29, 1995.

The list of signatories reads like a who is who among the leaders of the genocide and of the camps in the Kivus, of ALIR and now of the FDLR: Major-General Augustin Bizimungu; Brigadier-General Gratién Kabiligi<sup>9</sup>; Col. Murasampongo; Col. Aloys Ntiwiragabo (see below); Col. Vénant Musonera (see below); Lt.Col. Juvénal Bahufite; Lt. Col. Antoine Sebahire; Lt. Col. Augustin Rwamanywa<sup>10</sup>; Lt. Col. Paul Rwarakabije; Lt. Col. Edouard Gasarabwe; Lt. Col. Dr. Baransalitse; Major Aloys Ntabakuze<sup>11</sup>; Major Théophile Gakara (see below) and Major François-Xavier Nzuwonemeye.<sup>12</sup>

The first president, François Nzabahimana, had been Minister of Commerce between 1991-1992. Its members, particularly at the senior level, included genocide suspects and genocide ideologues, ministers, diplomats, and senior civil servants. One of the founders, and the commissioner for political affairs, Charles Ndereyehe Ntahontuye, had been the head of an extremist think-tank called *Cercle des Républicains Progressistes* (CRP). The CRP was

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<sup>8</sup> It changed its name in 2003 to *Rassemblement Républicain pour la Démocratie au Rwanda* (RDR), or the Republican Rally for Democracy in Rwanda.

<sup>9</sup> Gratién Kabiligi was promoted from colonel to brigadier-general on 8 April 1994. Responsible for security in Kigali, he is one of the officers who directed the genocide in Kigali. He then became the deputy commander with responsibility for the 1<sup>st</sup> Division in Bukavu. He was one of several genocide suspects arrested in Nairobi on 18 July 1997 and transferred to Arusha.

<sup>10</sup> Lt.Col. Augustin Rwamanywa, from Mudasonwa, Gikongoro, worked in logistics in the army. After working with the High Command in exile, he joined the insurgents in the northwest.

<sup>11</sup> Major Aloys Ntabakuze a battalion commander in FAR was, like Kabiligi, arrested in Nairobi on 18 July 1997.

<sup>12</sup> Major François-Xavier Nzuwonemeye, deputy commander of the Reconnaissance battalion in Rwanda, was arrested in France on 15 February 2000 and arrived in Arusha on 23 May 2000.

instrumental in launching the Coalition for the Defence of the Republic (CDR), whose ideology underpinned the genocide, and whose leaders and militia, the *impuzamugambi*, played a significant part in the massacres in 1994. Ndereyehe, who now lives in the Netherlands, is on Interpol's wanted list of November 2007. The RDR was very active in the refugee camps. But with offices in France, and later also in Belgium, the Netherlands and Canada, it was also effective internationally. Ignace Murwanashyaka, the current president of the FDLR, became the representative of RDR in Germany.

The RDR was essentially formed as a mechanism to circumvent the embargo imposed on the government in exile in Zaire, as the DRC was then known, by the international community. The government in exile was handicapped by its association with the genocide and it was therefore necessary to found a movement that could be an intermediary between the refugees and the world. The executive secretariat was established in Nairobi, where the treasurer, Denis Ntirugirimbabazi, former governor of the Central Bank of Rwanda, lived. RDR maintained close relations with the soldiers, until there were disagreements over money between Nzabahimana and Major-General Bizimungu. Col. André Bizimana, who would later become a key figure in the FDLR, talked about the nature of the rift.

Bizimungu had maintained a strong hold over RDR. At the beginning of 1996, infiltrations into Rwanda, christened "operation insecticides", had just begun and had to be financed. To find the money, the soldiers sold the vehicles and other property they had seized from Rwanda. Ntirugirimbabazi had sent a sum of money for this as well. When Nzabahimana found out about it, he asked for a report about how the funds had been used. Bizimungu refused, fearful that this would expose the secrets of the military. That's how mistrust and misunderstandings arose. The treasurer, Ntirugirimbabazi, preferred to deal directly with Major-General Bizimungu, without having to check in with either the president or the executive secretary.<sup>13</sup>

### ***1996: The Founding of PALIR***

The disagreements over money, and the imperative of demarcating the line between the military and civilians, led to a new round of discussions, and the birth of a new movement, Armed People for the Liberation of Rwanda, PALIR.

Bizimungu and the other leaders of the army decided that it was better to let RDR focus on the needs of the refugees, without getting involved in military matters. So in 1996, the high command despatched a delegation to Nairobi to talk to RDR about setting up a new body which could combine the political and the military aspect. From Mugunga, Bizimungu sent two envoys, namely Col. Juvénal Bahufite<sup>14</sup> who was in charge of intelligence (G2) in the new army, and Major Ntabakuze, who had been head of the Paracommando battalion in Rwanda. When they reached Nairobi, they were joined by Major Emmanuel Neretse, who now lives in Belgium, and who was then in Nairobi as the liaison officer between RDR and the leaders of the army.

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<sup>13</sup> Interviewed in Gisenyi, 29 November 2007.

<sup>14</sup> Col. Juvénal Bahufite was killed in battle in Gbadolite, DRC, in 1997.

So it's these three officers who founded PALIR, Armed People for the Liberation of Rwanda, after letting the leaders of RDR know that they will no longer have anything to do with the military aspect of things, and that RDR must concentrate on fighting for the peaceful return of the refugees.

As for the new movement, PALIR, it could undertake military action since it represented the masses who, having no other choice, "had taken up arms to reclaim the right to go back to their country."

When the camps were disbanded, RDR and PALIR existed side by side, with the latter seen as a military affair, and the first as an advocate for the return of the refugees. Nevertheless, the army always needed RDR to mobilize the international community.

There was no talk at the time, Bizimana added, of ALIR, the armed wing that would stand for the Liberation Army of Rwanda.

They did not speak of ALIR. That came later, during the insurgency in the northwest of Rwanda.

### ***1997-1998: The Insurgency in the Northwest of Rwanda and the Birth of ALIR***

In September 1996, the Government of Rwanda, working closely with the Governments of Uganda and Burundi, and the Alliance of Democratic Forces for the Liberation of Congo-Zaire (ADFL), led by Laurent-Désiré Kabila, launched a war against the DRC, with the forcible closure of the camps as a specific aim. The majority of the refugees returned to Rwanda. Augustin Bizimungu was evacuated in a helicopter by the Congolese army.

But most of the ex-FAR either continued into the interior of Congo to fight alongside the forces of Mobutu—including Renzaho and Ntiwiragabo who went to Kisangani—or they decided to remain in North Kivu, as a base from which to re-group, re-organize and to take the war into Rwanda itself. The main pull was the proximity to Rwanda, but there were other advantages as well. It was inhabited by Congolese of Rwandese origin who spoke Kinyarwanda, and there was an abundance of food.

The closure of the camps inevitably brought about political uncertainty, but it also brought political tensions to the forefront. Innocent Butare, the executive secretary of RDR<sup>15</sup>, resigned. Worried about the future, which was further complicated by the existence of PALIR, the other commissioners travelled to Brussels where the president, Nzabahimana, was living. Nzabahimana rejected their arguments for new elections. Some of the commissioners then published a statement, saying that RDR had become a purely political body, and would not engage in military matters. The army, which was fighting a war, was furious, as were some members of RDR, including Murwanashyaka who spoke out against the new position. New elections were held in January 1998, and Victoria Ingabire was elected as the new head of RDR.

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<sup>15</sup> Innocent Butare used to be the director of the Iwacu vocational training centre in Kabusunzu, Kigali.

Even before the insurgency in the northwest began in earnest in May 1997<sup>16</sup>, there were of course ex-FAR soldiers who had quietly slipped into Rwanda. Their mission was to gather intelligence, gauge the potential for local support, sensitize the population, create a network of informants and of people who would assist their fighters, and to find new recruits as combatants. The early infiltrators included men who would later play a critical role in the insurgency, for example Lt. Innocent Ndamyumugabe, alias Kazungu, and Sub-Lt. Musare, now head of the military wing of RUD-URUNANA. Others, like Captain Alexandre Shumbusho, alias Gashumba, had taken advantage of the massive return of the refugees to sneak back into the country. They were joined by others in the early months of 1997 to begin acts of sabotage, in order to test the capacity of the RPA to retaliate and forestall attacks, now that it was also fighting a war in the Congo.

In May, the attacks in the préfectures of Gisenyi and Ruhengeri intensified and became more open and daring, targeting schools, local government offices, buses etc... But it was not, for the most part, until July that the senior commanders of the insurgency, men like Léonard Nkundiye, Paul Rwarakabije and Gaston Iyamuremye (now the 2<sup>nd</sup> vice-president of the FDLR), entered Rwanda. In October, Col. Flodouard Mugemanyi, arrived from South Kivu and was appointed as the chief of staff of ALIR and the overall head of ALIR/PALIR. Officers who now hold senior positions in FDLR/FOCA, or who did until they returned to Rwanda, were among the top commanders of ALIR.

- Paul Rwarakabije, head of military operations and subsequently 2<sup>nd</sup> vice-president in the FDLR;
- Major Laurent Rwagakinga, now with the FDLR in Zambia, in charge of personnel and administration, G1;
- Major Appolinaire Hakizimana, alias Poète, the current commissioner for defence and security in the FDLR, responsible for intelligence, G2;
- Major Gaston Iyamuremye, 2<sup>nd</sup> vice president of the FDLR, head of the political department responsible for relations with civilians, G5;
- Jérôme Ngendahimana was the deputy to Iyamuremye and at one time was the commander of the division in South Kivu for the FDLR.

ALIR was set up by Nkundiye, Mugemanyi and Rwarakabije who had come to realize that they needed two institutions: PALIR to mobilize the civilian population, and a military wing.

So confident was ALIR/PALIR in its hold over the northwest that a year later, by mid-July 1998, the leadership had set up a base and a training centre for non-commissioned officers in cellule Cyanika, sector Cyanika in commune Nyamutera, Ruhengeri. They abandoned Nyamutera after a siege by the RPA on 22 July which led to the death of Nkundiye. Encircled a few days later, 2 August, in Gatonde, Ruhengeri, Mugemanyi died. The remaining officers regrouped and remained in the northwest until 10 October when Rwarakabije ordered a general retreat back to the DRC.

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<sup>16</sup> For a detailed discussion of all aspects of the insurgency, see *Rwanda: The Insurgency in the Northwest*, September 1998, *African Rights*, 426.

### ***1997: The Departure of Renzaho and Ntiwirigabo for Sudan***

Col. André Bizimana settled in Nairobi from late 1996. Nairobi was home to a large number of genocide suspects, especially the educated. But on 18 July 1997, a number of them were detained on arrest warrants issued by the ICTR. Two of the men who eluded arrest are among the founding members of the FDLR, Col. Tharcisse Renzaho<sup>17</sup> and Col. Aloys Ntiwirigabo. They eventually moved to Sudan. Bizimana explained how the link with Sudan came about.

The idea of Sudan came from Hyacinthe Rafiki<sup>18</sup>, former Minister of Public Works [in 1994]. He had contacts with Joseph Kony's Ugandan rebels, the LRA [Lord's Resistance Army], based in south Sudan. Through this connection, Rafiki put Renzaho and Ntiwirigabo in touch with the Sudanese embassy in Nairobi which provided them with travel documents and everything they needed to go to Juba in South Sudan. They arrived there as refugees, and they were given houses by the government.

There were two important factors in the choice of Sudan as a destination. Firstly, it was the enemy of the United States, which was seen as the principal backer of Rwanda and Uganda. Secondly, Sudan was already home to an anti-Museveni group, and there was a belief they would be willing to help a movement based in the DRC.

Despite the distance from Rwanda, Bizimana said that Ntiwirigabo and Renzaho kept in close touch with developments in the north of Rwanda where ALIR was waging a war.

They sent letters via the Embassy of Sudan in Nairobi which were collected by Rafiki and given to Col. Jean-Bosco Ruhorahoza, who died later in Kinshasa, and myself. So Ruhorahoza and I became the go-between between ALIR and Renzaho/Ntiwirigabo. Rafiki remained our political contact.

One of the suggestions put forward by Renzaho and Ntiwirigabo was to jettison the name of ALIR which had been placed on a US list of terrorist organizations after the murders of western tourists in Bwindi Park in Uganda.

### ***1998: A New Chance for ALIR as Rwanda Launches War in the DRC***

The retreat to Congo coincided with the fighting that began on 2 August 1998 when Rwanda, working with the Congolese Rally for Democracy (RCD) declared war on Congo. The war created a new and vital political opening for ALIR/PALIR. Within a few days, said Bizimana, a diplomat at the Congolese embassy in Nairobi made contact with him and Ruhorahoza and they met him at Ruhorahoza's house.

He told us: "The personal envoy of President Kabila in Brussels would like to speak to your chief of staff so we can work together." We asked him to give us two days, during which we contacted Major Emmanuel Neretse in Belgium to verify this request at the embassy of Congo

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<sup>17</sup> Col. Tharcisse Renzaho was the préfet of Kigali in 1994 and was the overall supervisor of the killings in the city. See *Col. Tharcisse Renzaho: A Soldier in the DRC?* October 2001, *African Rights*, Charge Sheet No. 6, 23 pages. He was arrested in the DRC on 29 September 2002 and was taken into the custody of the ICTR in Arusha on 30 September. His trial is in progress.

<sup>18</sup> According to some of the people we spoke with, Hyacinthe Rafiki is living either in Kinshasa or in Cameroon.



in Belgium. He confirmed the request, so we told the diplomat in Nairobi that we were ready to help Kabila, provided we got something in writing from Kabila himself.

On 10 August, Bizimana said he and Dr Casimir Bizimungu, the Minister of Health in 1994, met in Nairobi with a minister in Kabila's government, and one of his advisors.

We gave them the necessary assurances, pointing out that we were also in touch with our officers in Brazzaville, those fighting in Rwanda as well as with Renzaho and Ntiwirigabo in Sudan. Casimir Bizimungu became the political go-between with Congolese officials, and I became the military go-between.

A few hours after this exchange, Bizimana left for Lubumbashi with the two advisors. The next day, they reached Kinshasa where the discussions concentrated on Congo's urgent need for the ex-FAR soldiers living in the refugee camps in Congo-Brazzaville, "to come and protect Kinshasa." ALIR had other priorities, as Bizimana informed the Congolese.

We asked them to send military supplies to our soldiers in the east so we could begin large-scale assaults in Rwanda, thereby forcing Rwanda to withdraw its troops from Congo. But Kabila's envoys insisted on the security of Kinshasa, saying everything else can be taken care of later.

Bizimana was then told that President Denis Sassou-Nguesso of Congo-Brazzaville had given the green light for the ex-FAR in his country to cross the border into DRC, provided the move was "invisible and no one knew about it." Nguesso had his own reasons to be grateful to the ex-FAR, for they were instrumental in helping him topple the government of Pascal Lisuba, and in restoring him to power.

It was Bizimana who went to find and prepare the ex-FAR in the camps.

To find my way around, I first made contact with a man called Babona from Karago, Gisenyi, married to a certain Séraphine who was head of the Rwandese community. She had been installed in Brazzaville by Agathe Habyarimana. This Séraphine used to work for the RDR in camp Kibumba, North Kivu. I also met with Sub-Lt. Gatambiye from Bushiru, Gisenyi. I heard he had led a platoon of Rwandese which had enabled Sassou to take the airport of Mayamaya in the north of Brazzaville.

He learned the identities of some of the ex-FAR officers in Brazzaville, who are now almost all in the senior ranks of the FDLR.

- Captain [François-Xavier] Birikunzira;
- Major Mbarushimana<sup>19</sup>;
- Major Emmanuel Nyamuhimba, in camp Lukolela;
- Major Léodomir Mugaragu, in camp Kinkele;
- Captain [Anastase] Munyakayanza, in camp Lilanga.

He assembled some 800 ex-FAR, joined by about 1,400 young volunteers. The brigade was led by Major Mugaragu and crossed the border into the DRC on 5 October 1998, preceded by

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<sup>19</sup> Major Mbarushimana had been a personal assistant to Augustin Bizimana in Rwanda.

Angolan and Zimbabwean soldiers. Bizimana returned to Congo-Brazzaville to recruit additional soldiers.

We found 2200 men in camp Lukolela, under the leadership of Nyamuhimba. Two battalions which he commanded were sent to Gbadolite.

More fighters came from the Central African Republic.

Evariste Nyampame came with 380 men. Mudacumura was also in the CAR, but he was under arrest as the government there suspected him of involvement in a coup attempt.<sup>20</sup> He came later to the DRC, in March 1999.

The new arrivals were integrated into the Congolese Armed Forces (FAC). When referring to them, fighters in the east describe those who fought in the west as “ALIR 2.”

Ntiwirigabo and Renzaho returned from Sudan after the troops from Congo-Brazzaville, led by Mugaragu, had been sent to the front.

Renzaho and Ntiwirigabo took command of the troops out of the hands of Mugaragu which created tension between them.

Ntiwirigabo remained in Kinshasa, but Renzaho settled in Lubumbashi.

Murenzi gave figures for the strength of ALIR 2 at the time.

The manpower of the ex-FAR in western DRC was roughly the same as those fighting in the east, between 5000-6000. So in total, I would say there were about 11,000 ex-FAR soldiers in the DRC.

Most of the ex-FAR fought in Pweto, but two battalions were also dispatched to the Equateur region.

In the meantime, in the east, ALIR/PALIR, on 14 September, attacked Goma, the capital of North Kivu and a town that was then in the hands of Rwanda and its allies, “to show the government of Kinshasa that we were their natural allies”, as Rwakarabije, who ordered the raid while he was himself still in Rwanda, put it. The strategy was successful, as the discussion above shows. A certain Sebuyange, alias Nkota, was sent by Kabila to the east as a liaison officer. Still, commented Rwakarabije, they waited in vain in the east for tangible signs of the new friendship with Kabila’s government. What they wanted, above all else, were weapons. They were promised help, but one condition.

They told us we could have the weapons provided we worked together with the Mayi Mayi militia and the Congolese army. They wanted us to mix with the Congolese so the local population would have confidence in us, and not see us simply as Rwandese who wanted to return to their country.

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<sup>20</sup> According to Bizimana, Ntiwirigabo visited the Central African Republic to press for his release, but failed, and that he was only released after the intervention of senior officials from the DRC.

### ***1998: The Founding of the CCR***

The military defeat of ALIR and its inclusion on the US list of terrorist organizations weakened the hand of ALIR/PALIR in the negotiations with the DRC government. It became necessary to start up a new organization which could speak on behalf of the ex-FAR, and thereby strengthen their hand. Ruhorahoza, Dr Bizimungu and Bizimana came up with the name of the Committee of Co-ordination for the Resistance (CCR) with Bizimungu as president, Ruhorahoza as chief of operations and logistics and Bizimana in charge of administration and intelligence. Augustin Ngirabatware<sup>21</sup>, the Minister of Planning in the interim government, who lived in Libreville, Gabon, was given the portfolio for external relations. The Intercontinental Hotel in Kinshasa served as their headquarters.

On 4 October 1998, Hyacinthe Rafiki and Renzaho arrived in Kinshasa, and the steering committee of the CCR was broadened. Bizimungu remained president, but new appointments were made.

- Executive Secretary and Chief of the Armed Forces: Renzaho;
- Service for documentation and security: Rafiki;
- Overall military commander and head of logistics: Aloys Ntiwiragabo;
- Administration and personnel (G1): A captain whose identity we have not been able to establish;
- Intelligence (G2): Bizimana
- Training, recruitment and operations: (G3): Ruhorahoza

On 10 October, Rwakarabije ordered all ALIR fighters to leave Rwanda and to return to the DRC. In December 1998, Major Protais Mpiranya, commander of the Presidential Guard during the genocide, arrived in Kinshasa from Cameroon. He was named as the commanding officer of a unit fighting in Mbujimayi. Dr. Bizimungu returned to Nairobi to evacuate his family, but stayed longer than he planned and was arrested on 11 February 1999 on an arrest warrant from the ICTR.

### ***1999: The Emergence of the FDLR***

The FDLR was born out of an internal struggle for power and influence between the leaders of the CCR. Bizimana said that he first learned about the FDLR in a meeting that Renzaho called on 14 February 1999.

He told us that he, Ntiwirigabo and Rafiki had set up a new group, the Democratic Forces for the Liberation of Rwanda, FDLR. They had decided on this new initiative on the quiet, without involving anyone else. Rafiki did not get along with Bizimungu.

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<sup>21</sup> Augustin Ngirabatware was arrested in Frankfurt, Germany, in September 2007. See the statement issued by *African Rights* and Redress, “*The First Arrest of a Rwandese Genocide Suspect in Germany: Augustin Ngirabatware in Detention*”, 20 September 2007.

When Bizimana and Ruhorahoza voiced their objections, he said they in turn were accused of associating with the RDR which they said had turned its back on the army in the past.

They very quickly informed Kabila that the FDLR was the only legitimate link between the ex-FAR and the DRC. The only outstanding question was what to call the military branch. As they didn't know what the ex-FAR in the east thought, they decided to wait.

Ntiwirigabo became president of the FDLR, and an angry Ngirabatware resigned from the CCR and refused to become part of FDLR. Ignace Murwanashyaka replaced Ngirabatware as the commissioner for external affairs, this time in the framework of the FDLR. Murwanashyaka was, until then, known in ex-FAR circles as a representative of the RDR in Germany, and for the fact that he had challenged his colleagues when they wanted to distance themselves from the army. Célestin Harelimana, a protocol officer at the presidency during Habyarimana's time, who comes from Greater Kigali, became the commissioner for politics.

Murenzi gave details of the new FDLR-ALIR 2 structure:

- President and commander of ALIR 2: Ntiwiragabo in Kinshasa;
- Deputy Commander and in charge of operations; Renzaho in Lubumbashi;
- Chief of Staff: Sylvestre Mudacumura in Pweto;
- G1: Col. Bernard Uwizeyimana from Byumba;
- G2: Col. André Bizimana;
- G3: No one was appointed to this position as Renzaho was in charge of operations;
- G4: A lieutenant known as Saddam from Bugesera.

The negotiations to end the war in the DRC gained momentum with the signing of the Lusaka Accords on 10 July 1999, which threatened the political ties of the ex-FAR with the DRC. To bolster their position, Rwakarabije said they formalized their collaboration with the pro-Kinshasa Mayi Mayi. The convention was signed by Rwakarabije for the ex-FAR, and on behalf of the Mayi Mayi by their leader at the time, Kalendo Bulenda, alias Padiri<sup>22</sup>

The despatch of the arms to the ex-FAR was delayed, but the first plane carrying bullets and communication equipment arrived in North Kivu in September 1999, and they continued; in 2001 deliveries were also made to South Kivu.

The fall of Pweto in July 2000 was the beginning of the end of what was known as ALIR2. Mudacumura himself was evacuated to safety in Kabongo, and his troops fled to Kamina. Mudacumura relocated to Kamina, and ALIR2 was restructured. Mudacumura became the chief of staff, Major Sébastien Uwimbabazi, alias Nyembo<sup>23</sup>, who comes from Kibuye, took over G2, Murenzi was appointed to G3 and Fred Irakiza, alias Nsanzubukire, who now works with the FDLR in South Kivu, was given responsibility for G4.

Pweto was also a turning point in the relations between the ex-FAR and Kinshasa. Bizimana spoke of the multiple challenges that Kinshasa faced.

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<sup>22</sup> Kalendo Bulenda, Padiri, is now a senior officer in the DRC.

<sup>23</sup> Major Sébastien Uwimbabazi remains with the FDLR in Masisi.

After the unforgettable defeat at Pweto, the central government in Kinshasa realized that it was impossible to achieve its military objectives in their entirety: to get the RPA out of Congo first, then to help us take power back in Rwanda. In addition, they were under pressure from the international community, they were involved in negotiations with other rebel groups and the Zimbabweans were highly critical of the military performance of FAC soldiers at the front.

Kabila put an offer on the table that the ex-FAR did not like, but which they could not refuse.

He said he would continue to help us, but on the political level. He invited the Secretary-General of the UN to visit Kinshasa to show him that the DRC was serious about disarming the FDLR. He asked us to give him a brigade to be disarmed and confined, to show the world that this was the only ex-FAR unit in the country. We had no choice and proposed the 1780 brigade led by Col. Ndagijimana, alias Ndanda Vincent, from Gikongoro. They were confined in Kamina and some of their weapons were burnt in front of the cameras.

Kabila made another suggestion which would change the balance of power within the FDLR itself.

During the preparations for this event, Kabila insisted that the FDLR choose, as their spokesperson, someone who was not wanted for genocide. He felt he could not introduce the president, Ntiwirigabo, to a visiting UN delegation.

After discussions, Ignace Murwanashyaka's name was put forward.

Although he was young and lacked experience, he didn't have a history in Rwanda, and was known for being an eloquent speaker, as well as having other advantages. He was appointed as vice-president, but told to speak as if he was the president of the FDLR. However, it was made clear to him that Ntiwirigabo remained the real, and only, president.

The Secretary-General of the UN at the time, Kofi Annan, did not meet with the FDLR himself, but sent one of his senior officials.

### ***2000: Ignace Murwanashyaka Assumes the Presidency***

Murwanashyaka was confirmed as vice-president by the congress of October 2000. He came out of Ntiwirigabo's shadow in December 2001 when he became the official president, a position he retains until today. Aged 44, Murwanashyaka comes from commune Mugusa in Butare and graduated from the University of Bonn in 1998 with a PhD in economics.

The changeover was a difficult process, recalled Murenzi.

We asked Ntiwirigabo, in different meetings, to yield the presidency to somebody else for two reasons. As head of ALIR2, he was seen as a terrorist. And he was sought after by the Rwandese justice system for genocide. But he rejected the suggestion, and I remember that Alexis Nshimiyimana had to come from Austria to ask him to step aside and allow the FDLR to function. After putting up a lot of resistance, he finally gave in and Murwanashyaka took his place

Other appointments were made at the same time.

- 1<sup>st</sup> vice-president : Jean Marie-Vianney Higiroy;
- 2<sup>nd</sup> vice-president : Paul Rwarakabije ;
- Executive secretary: Alexis Nshimiyimana.

On 16 January 2001, Kabila was murdered and was succeeded by his son, Joseph Kabila, who had been his chief of staff of the army. It was an uncertain time for the ex-FAR from Rwanda, commented Rwarakabije, as they immediately perceived a change of tactics on the part of the new Kabila.

Joseph Kabila struck us as someone who put more emphasis on political negotiations with his opponents, and was less interested in a military approach. We began to think more about the political aspect of our fight, without giving up on the armed struggle.

Murwanashyaka returned in 2001, this time to undergo military training. Murenzi was one of officers who trained him.

He first came to Lubumbashi for an induction course intended for civil servants or future political leaders. I remember well that I gave him a course entitled “an initiation to the life of the military” which lasted less than a month and took place at the military camp at Kimbembe. After that, he went back to Germany. The other participants in the course included Dr Cyimana who lives in Zambia (see below).

### ***2002-2003: Regrouping in the East***

The period after Kabila’s death was, for ALIR2, a difficult time, especially coming so soon after Pweto. There were other setbacks. In July 2002, the US State Department included Rwanda on its Rewards for Justice Programme for the ICTR indictees still at large. Almost immediately afterwards, on 2 August, Major-General Augustin Bizimungu was arrested in Angola, and on 29 September Renzaho was picked up in the DRC.

In November, ALIR2, including Mudacumura, made preparations to go east. They arrived in Kilembwe, South Kivu, on 15 February 2003 and were welcomed by Rwakarabije and his officers.

### ***2004: RUD-URUNANA Comes Into Its Own***

On 12 September 2004, Jean Marie-Vianney Higiroy, who lived in the US, left the FDLR. Together with Félicien Kanyamibwa, also based in the US and who had been the treasurer of the FDLR, he founded the Rally for Unity and Democracy. The word “Urunana”, means a chain in Kinyarwanda. The rupture with Murwanashyaka seems to have occurred, at least in part, over disagreements about money. AN-Imboneza, whose creation is discussed below, subsequently became the armed wing of RUD/URUNANA.

### ***2005: The Announcement of CMC-FOCA, FDLR-CMC***

Most of the disagreements to date were between politicians, but in 2005 it was the armed wing of the FDLR—FOCA—which was marred by dissent. In June 2005, Séraphin Bizimungu, alias Amani Mahoro, challenged FOCA when he established a dissident wing, the Military Command for Change. He gave his reasons for “taking his distance.”

I supported the Sant’Egidio accords signed in Italy on 31 March 2005.<sup>24</sup> But Mudacumura and others around him had a different opinion, so I went my own way and put together what we called CMC-FOCA

Col. Nsabimana, alias Rubasha, who comes from Giciye in Gisenyi, became Bizimungu’s deputy, and an officer known by his nickname, Castro, but whose real name is Balthazar Ntakamarishavu (or Ntakarimaze), from Byumba, became his chief of staff.

Bizimungu himself returned to Rwanda in December 2005, and the other two officers are now in Zambia. But it was not the end of CMC, for FDLR-CMC, with Christophe Hakizabera as leader, soon emerged. Hakizabera lives in Belgium.

I didn’t use the name FDLR-FOCA. It’s rather politicians who were against Murwanashyaka, who decided to ally with this new military branch.

### ***2005-2006: Rasta Comes to Light***

Since 2005, a very small, but extremely brutal group calling itself Rasta, began to prey on civilians in South Kivu. Though estimated at perhaps less than 100 men, who have no identifiable political objective and who seem to operate essentially as bandits, they have made their mark. In an interview in August 2007, General Sylvain Tshikwey, FARDC commander of the 10<sup>th</sup> military region, told IRIN that Rasta includes deserters from the FDLR, adding: “These elements use Congolese as guides during the raids.”

Rwakarabije has no doubts about Rasta’s connections to the FDLR.

Rasta is made up of the Mayi Mayi group which used to be called Mudundu 40, who have merged with some FDLR elements.

Modibo Traore, head of the UN Office for the Coordination of Humanitarian Affairs (OCHA) in Bukavu, made similar observations.

I say Rasta is one with the FDLR because they operate untouched in areas that are controlled by the FDLR. How they operate is this: because FDLR cannot raid the people in the areas they control and are known to the people, they send a small group of their men to distant villages to loot and rob; they distance themselves from such groups, saying they are the Rasta, yet in

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<sup>24</sup> On 31 March 2005, Ignace Murwanashyaka read a statement in which the FDLR undertook to end their war, to disarm its fighters and to transform itself into a purely political organization. The negotiations were spearheaded by a Roman Catholic lay community, Sant’Egidio, who have been involved in peace endeavours elsewhere in the world.

reality they are the same. How come the loot the Rasta take often ends up in the hands of the FDLR or being shared in areas that are controlled by the FDLR”<sup>25</sup>

### ***2006: A Revolt in FOCA Leads to AN-Imboneza***

Another important development in 2005 was the decision by Col. Jean-Damascène Ndibabaje, alias Musare, head of a brigade in Walikale, to form a splinter group. An argument between Mudacumura and Musare appears to have been the spark. A corporal in one of Musare’s companies shed light on the incident, and its consequences.

Even before Musare arrived back at base, we heard about the fight between him and Mudacumura. We heard there was a discussion about money, and that Musare had suggested giving each fighter more than Mudacumura had proposed. When he got back, he was asked about it at a meeting. He avoided the question, no doubt because he didn’t want to tarnish the image of FDLR-FOCA in the eyes of us, the simple soldiers. Musare is someone who believes profoundly in the legitimacy of the war against the government in Rwanda. He has no quarrel with what the FDLR stands for as such. He’s simply against what he sees as bad policies on the part of certain leaders which might bring about the defeat of the FDLR.

Within a few days, Musare was demoted. From commander of a brigade, he was appointed as a liaison officer with the local civilian population, a position normally given to someone much more junior. This corporal said that the announcement was greeted with anger within the brigade which, after a meeting, issued a statement.

There were three main aspects to our declaration:

- We criticized and rejected the changes imposed on our brigade;
- We denounced the dictatorship within the leadership of FOCA;
- We spoke about the lack of consideration for ordinary soldiers.

There were various attempts at mediation by the senior echelon, including Emmanuel Kanyandekwe<sup>26</sup>, Léodomir Mugaragu and Gaston Iyamuremye, but Musare rejected their overtures. Finally, Murwanashyaka himself came from Germany. But Musare would not budge, and in June 2006 Mudacumura’s soldiers attacked Musare’s brigade on 5-6 occasions. Musare then established AN-Imboneza and allied himself with RUD/URUNANA.

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<sup>25</sup> “Behind the violence in South Kivu”, IRIN, 3 August 2007.

<sup>26</sup> Emmanuel Kanyandekwe, who became a brigadier-general in the FDLR and was the deputy commander of FOCA, died at the end of 2006.



## THE POLITICAL AND MILITARY STRUCTURE OF THE FDLR/RUD TODAY

In analysing the top echelons of the FDLR/RUD, as well as the background of their representatives and supporters, there are few surprises. For the most part, they come from the préfectures in the north of the country, Gisenyi, Ruhengeri, Byumba and Greater Kigali, especially the communes of Rushashi and Tare in the north of Greater Kigali. During the time of President Habyarimana, power, privilege and wealth were concentrated in the hands of people from these préfectures, in particular Gisenyi, Habyarimana's home region. The politicians were almost all loyal and long-term members of the ruling party, the National Republican Movement for Democracy and Development (MRND), or they belonged to the hard-line faction of the Republican Democratic Movement, MDR-Power, or to the most extreme of the political parties in existence, the Committee for the Defence of the Republic (CDR). Many of them were also shareholders in the RTL, which came to be known as radio machete.

### The Political Leadership of the FDLR

The political branch of the FDLR has its seat in *localité* Mbeshimbeshi, *groupement* Ufamando 2, *collectivité* Katoyi in zone Masisi. But some of the men at the helm are based in Europe. The men who make the political decisions are:

- President: Ignace Murwanashyaka, Germany;
- 1<sup>st</sup> Vice-President: Straton Musoni, Germany;<sup>27</sup>
- 2<sup>nd</sup> Vice-President: Brigadier-General Gaston Iyamuremye, alias Rumuli Michel, in Masisi;
- Executive Secretary: Callixte Mbarushimana, France;
- Deputy Executive Secretary: Col. Rumbago (a codename) from Gitarama; Masisi;
- Principal private secretary and director of Murwanashyaka's office in Masisi, Jean Marie-Vianney Nyawenda<sup>28</sup> from Nyanza, Butare.

The Executive Secretary is responsible for the different commissions of the FDLR. The commissioners who run them are based in the DRC.

- Commissioner for Defence and Security, Brigadier-General Appolinaire Hakizimana, alias Poète; Commissioner for Finance and Patrimony, Gilbert Rucira from Kibungo, a graduate in economics who used to work at the National Bank of Rwanda;

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<sup>27</sup> There are reports that Straton Musoni may have moved to France.

<sup>28</sup> Nyawenda's older brother, Major Guerchome Ngayaberura, is with the FDLR in Zambia; see later discussion on the strength of the FDLR in Zambia.

- Commissioner for Politics: A civil engineer from Kibuye who used to have a construction company called SOCOFI;
- Commissioner for Social Affairs and Education: Gabriel Kabanda, alias Mikekemo, from Gatonde in Ruhengeri. A former monk, he was the prefect of studies in the secondary section of APE Rugunga, a private school in Rugunga, Kigali;
- Commission for Information: Ignace Nkaka, alias Laforge,<sup>29</sup> from Karago in Gisenyi. He studied literature at the University of Nyakinama;
- Commissioner for Mobilization and Propaganda, Enoch Dusabe from Butaro in Ruhengeri. He was a teacher at Group Scolaire in the town of Butare;
- Commission for Gender: Eugénie Niyonizigiye from Byumba. In 1994 she was studying in Russia and is said to have been in Rwanda for holidays when the genocide began;
- Commissioner for Documentation: A civilian with the nickname of Maboko from Kibuye who used to be a lecturer at Nyakinama University;
- Commissioner for External Relations: Juma Nginshuti;
- Commissioner for Human Rights, Basabose Testament from Karago in Gisenyi. A student in Rwanda in 1994, he subsequently studied law in the DRC;<sup>30</sup>

The FDLR has three regional committees to oversee its activities in the Kivus. The mission of the regional committees is to sensitize the Rwandese living in the DRC and to take a census as to their numbers.

- Regional Committee One runs Rutchuru, Rubero and a part of Walikale in North Kivu, under the direction of someone with the nickname of Santa Maria Haridi, a technician from Musasa or Shyorongi, Greater Kigali, who was working for the government's telecommunications company;
- Regional Committee Two is responsible for Masisi, south Walikale and Kalehe. Its director is a certain Baptiste from Cyangugu who was a student in his first year of medicine at Butare University;
- Regional Committee Three runs South Kivu. We were not able to find out who is in charge of this committee.

### *Some of the Active Civilian Supporters*

- Callixte Nzabonimana, Minister of Youth in the interim government of 1994 has long been an important advisor to the FDLR, though he appears to have been somewhat sidelined of late. He apparently lives in Kibua, but spends much of his time in Nyabyondo where he owns a carpentry centre. Nzabonimana comes from commune Nyabikenke, Gitarama;

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<sup>29</sup> Ignace Nkaka is the younger brother of Lt.Col. Léonard Nkundiye, the deputy chief of staff of ALIR until his death in July 1998.

<sup>30</sup> His predecessor as the Commissioner for Human Rights is Charles Rwanga who has lived in Zambia for at least three years and is now said to be a member of RUD. A lawyer from Butaro, Ruhengeri, Rwanga was working for Electrogaz

- Damien Biniga, a deputy préfet in Gikongoro in charge of the sous-préfecture of Munini. He has been a member of the political commission;
- Cyrille Nsanzimihigo, alias Bahati, bourgmestre of Satinsyi, Gisenyi. In 1994, Nsanzimihigo instigated and co-ordinated the genocide in his commune;
- Charles Modeste, a former judge from Kibuye, a member of the Judicial Commission.

## FOCA: The Military Wing of the FDLR

Since most combatants, and many of the members, are known by a nickname, or by their *nom de guerre*, it is not always easy to establish their full identity. Sometimes, the interviewee may know only the first name, the place of origin or prior occupation in Rwanda. But by interviewing a broad section of people, we have been able to put together a fairly comprehensive picture of the structure of the FDLR and RUD which we present below.

In North Kivu, the headquarters of the FDLR-FOCA is in the *localité* of Kalonge, *groupement* Ufamando 2, *collectivité* of Katoyi in the zone of Masisi.



**General Sylvestre Mudacumura**

- Overall commander: General Sylvestre Mudacumura, alias Mupenzi Bernard, from Kibilira, Gisenyi;
- Deputy Commander: Stanislas Nzeyimana, alias Bigaruka or Izabayo Déo, from Butare. During the PALIR/ALIR insurgency in the northwest, he was responsible for the operational sector which covered the sous-préfecture of Ngororero and certain communes of Kibuye and Gitarama;<sup>31</sup>
- Chief of Staff: Brigadier-General Léodomir Mugaragu, alias Manzi Léon, from Rushashi, Greater Kigali. Before leaving Rwanda, he was deployed at military headquarters;
- G1, administration and Personnel: Col. Donath Habimana from Byumba, who used to be in charge of personnel in Umutara;
- G2, military intelligence: Lt.Col. Bizumuremyi from Butare, a former sub-lieutenant;

<sup>31</sup> One of the communes was Kivumu, Kibuye. On 18 March 1997, insurgents killed six students and a security guard at a school in Nyange and injured 20 others. They sought to separate the children into Hutus and Tutsis, so they could more easily target the Tutsi children. But the Hutu students refused, and the attack was indiscriminate.

- G3, training, recruitment and operations: Col. Cyprien Uzabakiriho, alias Tedeum, from Murambi in Byumba. He was a sub-lieutenant in Rwanda;
- G4, logistics: Lt.Col. Samuel Rucogoza;
- G5, political department responsible for relations with civilians, Lt.Col. Amri Bizimana, alias Idrissa.



**Col. Donath Habimana**

There are two divisions in North and South Kivu.

***The First Division, North Kivu***

- Commander: Col. Pacifique Ntawunguka, 43, alias Omega, from Gaseke in Gisenyi. He was a lieutenant in charge of the 4<sup>th</sup> battalion in Rwanda. During the insurgency, he was head of sector Kingogo which grouped together communes from Gisenyi and Gitarama;
- Deputy Commander: Lt.Col. Ezéchiel Gakwerere<sup>32</sup>, alias Mokoko/Sibo Stany, is from Rukara, Kibungo, and was serving at the Academy for Non-Commissioned Officers;
- Chief of Staff: This position has not been filled;
- G1 : Lt.Col.Sébastien Uwimbabazi, alias Manzi Christian, from commune Mukingo, Ruhengeri;
- G2 : The position is occupied by a lieutenant colonel, but we were unable to find out his name;
- G3: Lt.Col. Marc Habimana, alias Ndinzimihigo from Nyamutera, Ruhengeri;
- G4: Lt. Col. Ephrem Manirabaruta, alias Furaha Honoré;
- G5: The officer in charge, Lt.Col. Appolinaire Kwitonda, alias Mandela, died recently;

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<sup>32</sup> Some commentators also refer to his first name as Jean-Baptiste.

The four battalions that make up the division are:

- 1<sup>st</sup> battalion: Lt.Col. Elie (a nickname), from Greater Kigali;
- 2<sup>nd</sup> battalion: Lt.Col. Jean Marie-Vianney Kanzeguhera, (the surname could also be Bizumuremyi) alias Sadiki Citadin from Karago, Gisenyi;
- 3<sup>rd</sup> battalion: The previous commander, Ndinzimihigo, has been transferred to G3 and he has yet to be replaced;
- 4<sup>th</sup> battalion: Lt.Col. Tharcisse Nditirende, alias Hussein or Walen, from Butare.

### ***The Second Division, South Kivu***

- Commander: Col. Léopold Mujyambere, 45, alias Musenyeri Achille from Tare, Greater Kigali. He was the head of a company within the Presidential Guard and had gone to Arusha as part of the advance security team on 6 April 1994. He was still in Arusha when Habyarimana's plane crashed;
- Deputy commander: Col. Félicien Mureramanzi, alias Kanze Kabobo from Nkuli, Ruhengeri;
- Chief of Staff: The division does not have one;
- G1: Lt.Col. Nkundabakura, alias Taylor. Since he is said to be mentally unstable, his place has been taken by LT.Col. Esthère Mukakinanira, alias Aminata or Tiger, from Kibuye;
- G2: Lt.Col. Uwimana, alias Sharafu from Kayove, Gisenyi;
- G3: Lt. Col. Josué Hagenimana, alias Boniface, from Nyamutera, Ruhengeri;
- G4: Lt.Col. Ferdinand Nsengiyumva, alias Bemba Bahizi;
- G5: Lt.Col. Jean Marie-Vianney Ntahomvukiye, alias Igiraneza or Mirano from Kibuye.

The four battalions that make up the division are:

1<sup>st</sup> battalion which covers the zone of Uvira-Sange and its environs: Lt.Col. Félicien Nsanzubukire, alias Fred Irakiza. He is from Kinyinya in Kigali city.

2<sup>nd</sup> battalion which is responsible for the zone of Walungu-Mpesi and the areas close to it: Major Abraham Bisengimana, alias Mutima, from Kibuye.

3<sup>rd</sup> battalion, in charge of the zone of Kilembwe and the surrounding area: Major Magambo, alias Rugina.

4<sup>th</sup> battalion, which stretches across the zone of Mwenga and the surrounding area: Lt.Col. Anastase Munyaneza, alias Job Kulamba, from Gitarama.

### ***The Reserve Brigade***

The leaders of FOCA-FDLR have the right to use the reserve brigade, consisting of three battalions, to intervene wherever they see fit.

- Commander: Lt.Col. Félicien Nzabamwita, alias Kalume André from Byumba. He is alleged to have taken part in the genocide in Kizukiro, Kigali;

- Deputy Commander; Lt.Col. Anaclet Hitimana, alias Kabuyoya Gasarasi from Cyangugu;
- 1<sup>st</sup> battalion: Lt. Col. Wellars Nsengiyumva, alias Cirus from Kanama, Gisenyi;
- 2<sup>nd</sup> battalion: Lt.Col. Augustin Nsengimana, alias Kadanse, from Cyangugu served in the 71<sup>st</sup> battalion (Huye battalion) based on Mont Kigali during the genocide under Major Faustin Ntirikina, now a brigadier-general in FDLR (see below). Kadanse has been particularly implicated in the massacres at the Parish of Ste. Famille as discussed later in this report;
- 3<sup>rd</sup> battalion: Lt.Col. Noël Habiyaemye (or the name might be Habiyaembere) alias Frank, from Musha, commune Gikomero, Greater Kigali. He left for Zambia at the end of Septembre 2007.

Other key figures in the military structure include:

- Col. Sylvestre Sebahinzi, alias Zinga Zinga/Double Z, from Karago, Gisenyi, is the military prosecutor;
- Col. Faustin Sebhura, alias Minani Marius, is the overall co-ordinator of military training, for both senior officers and non-commissioned officers;
- Major Hamad Harelimana, alias Bora Aziz, works in Murwanashyaka's office in Masisi, together with Jean Marie-Vianney Nyawenda.

Other officers affiliated with the FDLR include;

- Lt. Col. David Mberabahizi, alias Mbezi, who used to be a paracomando;
- Major Jean de Dieu Nzabanita, alias Romel, from Gikongoro. He was studying at the Ecole supérieure militaire (ESM) in 1994, North Kivu;
- Major Rugina, South Kivu
- Warrant Officer Sendegeya, alias Shamamba, a former member of the Presidential Guard.

## **The Political Leadership of RUD/URUNANA**

Being a newer organization, RUD/URUNANA has a much smaller structure. However, as is apparent from this report, it is gradually gaining more members as political alliances shift, and those who are dissatisfied with the FDLR, for whatever reason, find a political home in RUD/URUNANA.

- President: Jean Marie Vianney Higiyo, 58, based in the US where he is a professor in the Department of Communications in Western New England College in Springfield, MA. He left Rwanda shortly before the genocide and had been the head of Radio Rwanda. He comes from Mukarange, Byumba.
- Executive Secretary: Félicien Kanyamibwa, 46, works for the pharmaceutical company, Hoffman-La-Roche in Nutley, New Jersey. He comes from Nkuli, Ruhengeri. He was previously treasurer of the FDLR.

## The Military Leadership of RUD/URUNANA

RUD/URUNANA has a separate military organization known as AN-Imboneza, based in North Kivu, in *localité* Mashuta, *groupement* Kalehe, *collectivité* Banyanga, in zone Walikale (The AN stands for National Army). It encompasses the Roquette brigade, with about 300 fighters, and Inkeragutabara based in Uganda, which was established by former soldiers of the RPA, which is also known as Ingabo z'Umwami, the Army of the King.

The structure of AN-Imboneza is as follows:

- Overall commander: Col. Jean-Damascène Ndibabaje, alias Musare, from Mutura in Gisenyi. He was a sous-lieutenant in Rwanda, part of the 64<sup>th</sup> battalion, where he is said to have been the head of a company. This battalion, based between the communes of Mbogo and Mugambazi during the genocide where its members committed numerous atrocities. Musare was part of the operational sector Nazareth during the insurgency, working in Ruhengeri, western Byumba and Greater Kigali. By the time the insurgents were ordered to retreat to the DRC, he had become head of training, recruitment and operations for a battalion named 001. When he reached Congo, he became deputy commander of the Thorax brigade. And in 2001, he became the head of this brigade which had changed its name to Roquette;
- Deputy commander: Lt.Col. Martin Nzitonda, alias Rizinjirabake Roshidi from Gatovu, Nkuli in Ruhengeri. He was a sub-lieutenant in the 31<sup>st</sup> battalion in Mukarange/Byumba in Rwanda;
- S1, administration and personnel: Lt. Colonel Bernard Hitimana, alias Africa Michel;
- S2, military intelligence: Lt.Col. Nteziyaremye alias Makoto, from Kinigi in Ruhengeri. He is said to have been in the Paracommando battalion in Rwanda;
- S3, training, recruitment and operations: Lt.Col, Nzitonda, the deputy head, is also responsible for S3;
- S4, logistics: Sub-Lt. Samuel Bahembera, alias Fungaroho, from Kinigi who, before going into exile, was a sergeant in the 64<sup>th</sup> battalion;
- S5, political department responsible for relations with civilians: Major Victor (codename) from Cyabingo, Ruhengeri, who became a teacher in Cyabingo after he had been dismissed from military school (ESM).

Because of the limited number of combatants, the brigade has not been divided into battalions, but rather into the following companies, each with about three platoons:

- First Company, known as Prague: Captain Théophile Nsengiyumva, alias Kennedy, from Kinigi. He was a civilian when he left Rwanda in 1994, and is thought to have been a teacher at the Ecole des sciences of Musanze, Ruhengeri;
- Second Company, Belgrade: Captain Thierry from Mutura, Gisenyi; he too was a civilian when he fled;
- Third Company, Manila: Captain Gaheza from Gisenyi, previously a civilian;
- Fourth Company, which is based within the headquarters, Captain Ndimukaga.

## **REPRESENTATIVES AND LOBBYISTS IN AFRICA, EUROPE AND NORTH AMERICA**

“If the international community is serious about destroying the FDLR, and ending the terrible impact they have on the sub-region,” argued Major-General Paul Rwarakabije, then it should first deal with its leaders who live free and tranquil lives in their countries, for example in Europe, the US etc...” Speaking from his long experience in the bush as a commander of ALIR and of FDLR, he pointed out how the link with the outside world sustains the FDLR, and also distorts reality.

Do you have any idea about the value of programmes transmitted by radios like the BBC-Gahuzamiryango [the BBC Kinyarwanda/Kirundi service]? The day we heard the spokesperson of the FDLR speaking on our behalf in Brussels, followed perhaps the next day by someone else setting out our position from France, it really used to lift the soldiers’ morale. And sometimes I would hear them say: “It’s great, we are represented everywhere in Europe.!” A simple soldier, who is perhaps become sick and tired of that life, feels motivated again because he thinks that he is about to achieve what he is fighting for. However, all these people who are speaking from these foreign countries know that attaining the goal is far more difficult than they dare admit to the international media. They are far away from the bullets and the harsh life in the forests of Congo. And they are not the ones who are going to die, but the ones who live under these tough conditions.

The FDLR is especially well represented in Africa and Europe. In Africa, apart from its substantial presence in the DRC, it has cells in Zambia, Mozambique, Malawi, South Africa, Congo-Brazzaville, Tanzania (in both Kigoma and Dar es Salaam), Zimbabwe, Uganda, Sudan and Cameroon. Its president, 2<sup>nd</sup> vice-president and executive president all live in Europe, and it has cells in Germany, Belgium, France, Norway, Sweden, Denmark, the Netherlands and Austria.

RUD is doing well in the US, home to its president and executive secretary. The FDLR also has representatives in Canada. The strong presence abroad has helped both groups nurture contacts, to lobby governments, inter-governmental agencies, Churches, academic institutions and NGOs, maintain diplomatic visibility, raise funds, recruit Rwandese and foreign supporters, facilitate travel documents for their leaders, to win over public opinion, especially through contacts with the media, to spread the propaganda of their groups and to mislead the world. The access to the media in Europe has been a source of political oxygen for these groups. They also travel to the DRC to help settle internal disputes to maintain the cohesion and effectiveness of their armed forces. In 2006, Murwanashyaka visited the eastern region on a mission to broker peace between Mudacumura and Col. Musare, detailed earlier, and Alexis Nshimiyimana travelled from Austria to the western part of the country in 2001 to convince Ntiwirigabo to cede the presidency to Murwanashyaka.

The money that arrived from abroad while he was in charge, said Rwarakabije, came essentially from well-wishers in Europe.



Members of the FDLR, and their sympathisers sometimes collect funds on its behalf, primarily in Europe. We were aware of several fund-raising events where the money that was raised did not reach us. Off the top of my head, I remember we were once sent \$5000 to invest in exploiting minerals, but we thought it wiser to simply share the money out among the soldiers.

He also recalled a visit from Murwanashyaka during which he bought them bullets.

He passed through Uganda and came to see us. He brought money with him, but we didn't know exactly how much of it he had used to buy the bullets from the Congolese. He gave us the bullets and a small amount of cash. I think this visit was one of the sources of conflict between Murwanashyaka and Félicien Kanyamibwa who was the treasurer of the FDLR at the time and who argued that we got less money than we should have.

There were other promises of money from representatives in Europe.

Alexis Nshimiimana [in Austria] said he would send us \$4000 which had been collected after our successful attack on Uvira in South Kivu. But we didn't get anything.

A sub-lieutenant who was repatriated by MONUC in September 2007 said FDLR representatives abroad act as conduits through which relatives send money to the commanders. The commanders use this money for private business deals.

To enable commanders to live well, the FDLR allows them to go into business. He has to find the capital himself, but he's free to ask some of his escorts to devote themselves to look after his business. If a commander doesn't have the money for this basic capital, he can borrow from the central command of FOCA. But those who have wives and other close relatives or friends who can send money from abroad find it much easier to accumulate the necessary capital.

The way the money is transferred from the relatives in Europe to the FDLR go-between, and from him or her to the commanders in eastern DRC, is similar to a Western Union transaction.

The relative or friend in Europe gets in touch with the local FDLR person, who telephones the commander in Masisi and asks him to advance the money to the relevant person, minus 10% which is put in the kitty. The rest goes to the person it was intended for. The money is brought to the DRC when Murwanashyaka or another delegate comes.

Even more important than money, at least for those who are successful, is that a well-connected cadre can facilitate visa and travel arrangements for FDLR commanders and their families. In 2003, Rwakarabije said that Mudacumura intervened with Murwanashyaka to enable Mudacumura's wife, who was then working for an NGO in Rwanda, to leave for Europe and accompany Murwanashyaka's mother who he had arranged to travel to Europe.

Another important lifeline for fighters in Masisi which Rwakarabije pointed out, and even for those manning FDLR offices in other African countries, is their wives who live in Europe, South Africa, Zambia etc...

The wives of FDLR fighters and leaders, and especially the wives of officers, make a significant contribution. To give a few concrete examples, my former ADC, Isaac Mpozayo, was able to reach South Africa thanks to the intervention of his wife. Col. Aloys Mubiligi left the front and went to France because his family was already living there. The same goes for Major Aimable Ndayambaje who went to Malawi.

## **Africa**

Within Africa, and outside of the DRC, the FDLR is particularly strong in southern Africa, with the largest concentration in Zambia, followed by Malawi, South Africa, Mozambique and Zimbabwe. Many of them came there from the DRC. There are also strong ties between the groups in southern Africa, and a number of the FDLR people listed below shuttle between the different countries, especially between Zambia and Malawi.

### ***Zambia***

With more than 6,000 refugees, Zambia has the largest concentration of Rwandese in Africa outside of the DRC, including hundreds of genocide suspects, as well as FDLR activists, both military officers as well as civilians. It is, therefore, not surprising that it is where the FDLR is particularly strong there. Zambia and Rwanda, working with the United Nations High Commission for Refugees (UNHCR), have sought to genuine refugees to return home. But their efforts have not borne fruit because the FDLR, which is well-represented in Zambia, and the fugitives at large there, regard the existence of a large refugee population as a shield.

Members of the FDLR in Zambia travel regularly between the DRC and Zambia, and also move with ease to Malawi, Mozambique and South Africa. Zambia is also home to the wives of many FDLR officers serving in the Kivus. The presence of so many Rwandese, many of whom have done extremely in business and in the professions, has made Zambia extremely important to the FDLR, politically and economically.

The chapter below, which looks more closely at the genocide, will also examine the allegations against a number of FDLR officials and members in Zambia. But here we provide the names of individuals who serve in the secretariat of the FDLR in Zambia, or have done so in the recent past.

A number of the former FDLR fighters interviewed for this report spoke about a woman by the name of Louise, who has been sent by the leadership in Masisi with the specific goal of establishing closer ties between the FDLR in the DRC and the Rwandese community in Zambia, and to raise funds for the war effort. She was a third year medical student at Butare University in 1994 and comes from Kibungo.

The wives and partners of many FDLR-RUD soldiers live in the Zambia, including the wife of the military prosecutor, Zinga Zinga. Sometimes, these women work for the FDLR in their personal capacity, for example Marie-Claire Nyirakamanzi, married to Major Déo Niyitegeka, a battallion commander in South Kivu. She had first gone to Congo Brazzaville before going to the DRC.

Zambia is also a point of departure for genocide fugitives who wish to settle in Europe and the US. This may help to explain the persistent allegations that some of the Rwandese refugees are engaged in selling fraudulent passports and documents. Whatever the reasons, a substantial number of those who have been arrested in western countries on genocide related charges, or who are living there and have been accused in Rwanda, were living in Zambia before they moved there.<sup>33</sup>

### *Military Officials*

- Col. Laurent Rwagakinga, alias Kabore, is from Rushashi, Greater Kigali. At the time of the insurgency, he was head of the operational sector named Quebec, which had earlier been known as sector Charlie. He was a commander in the 214<sup>th</sup> battalion.
- Major Guerchome Ngayaberura from Nyanza, Butare. He is said to be in charge of recruitment in Zambia;
- Major Dushimimana;
- Major Mukiga;
- Major Murasandonyi;
- Balthazar Ntakarimaze (the surname may also be Ntakamarishavu), known as Castro, from Byumba;
- Lt. Innocent Sekimonyo from Ndora, Butare;
- Sgt. Janvier Twagirumukiza from Kayenzi, Gitarama.

### *Civilian Officials and Members*

- Dr Augustin Cyimana from Ntongwe, Gitarama, a medical doctor who worked at Kigali's main public hospital, CHK, and now works at the University Teaching Hospital in Lusaka. He was, and may still be, the chair of the FDLR in Zambia;
- Chrisostom Budengeri, a medical assistant in Mugina, Gitarama, who has been a vice chair;
- Bantari Rypa, an agricultural officer in Cyangugu, who has also been a vice-chair;
- Cyprien Ngirabatware, a businessman in Gitarama; he was the treasurer;
- Aurelia Mukakayumba, a lawyer, works in the secretariat. She comes from Bugarama, Cyangugu;
- Marcel Munyabarenzi, an agricultural officer in Gashora, Bugesera;
- Jean Marie-Vianney Mulindahabi from Rusumo, Kibungo, is a veterinarian;

### *Congo-Brazzaville*

After the camps in the DRC were forcibly dismantled in 1996, thousands made their way to Congo Brazzaville, including large numbers of ex-FAR and interahamwe, and they were settled in different camps, for example at Lukolela, Kinkele and Lilanga. The ex-FAR in Congo Brazzaville included several of the men who are now on the FDLR committee there, Birikunzira, Nyamuhimba and Munyakayanza (see below). The ex-FAR were instrumental in

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<sup>33</sup> These men include Jean Marie-Vianney Mudahinyuka, detained in the US; Emmanuel Nteziryayo, detained in the UK and awaiting extradition hearings to Rwanda.

toppling the government of After President Pascal Lisuba threatened to send Rwandese refugees back to Rwanda, the ex-FAR living in refugee camps helped his rival, the former president, Denis Sassou-Nguesso, return to power and consolidate their presence in the country.

The FDLR cell in Congo-Brazzaville includes:

- Col. Emmanuel Nyamuhimba, as head of the committee. He was chief of the police force in Kigali. He comes from Byumba;
- Col. François-Xavier Birikunzira from Gitarama, head of the gendarmerie in Nyanza, Butare;
- Col. Augustin Munyakayanza, a former gendarme from Gikongoro;
- Col. Bernard Uwizeyimana from Byumba;
- Major Gatambiye from Nyabihu, Gisenyi;
- Major Makuza from Byumba.

Major-General Evariste Nyampame was the representative in Congo-Brazzaville, but he is now living in Sweden. See below.

### *Malawi*

Malawi has become home to an increasing number of major genocide suspects, enabling the FDLR to flourish there, especially given the close ties between the Rwandese communities in Malawi and Zambia. Indeed, the secretary general of the FDLR in Malawi, Frodouald Ntawulikura, lived for a long time in Zambia. He was a journalist at Radio Rwanda throughout the genocide, where he made incendiary speeches. He comes from Mudasomwa in Gikongoro.

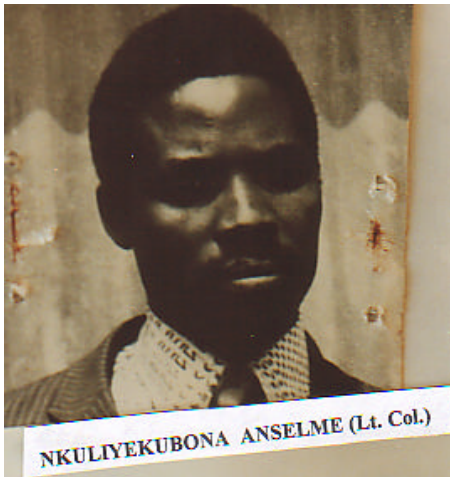
### *South Africa*

Though he travels a great deal, Kambanda Vérité (which may or may not be his real name), is the representative in South Africa.

## ***Cameroon***

In Cameroon, the FDLR committee has been entrusted to two ex-FAR soldiers. They are:

- Col. Félicien Muberuka from Rushashi, Greater Kigali
- Lt. Col. Anselme Nkuriyekubona from Tumba in Byumba who commanded the operational sector of Kibungo.

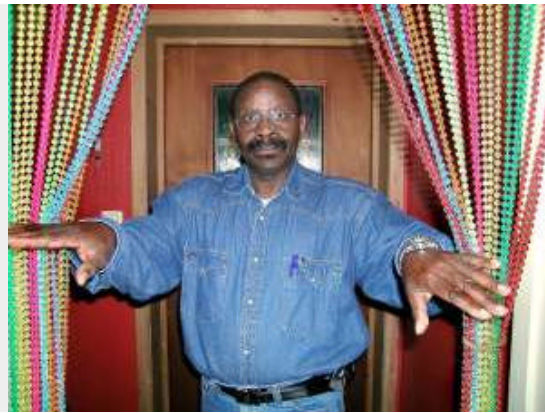


## **Europe and North America**

The regional committees of the FDLR are led by:

- Europe as a whole: Dr. Déo Twagirayezu, based in The Netherlands. He comes from Nyabihu, Gisenyi;
- France: Callixte Mbarushimana, the Executive Secretary, a former employee of the UNDP in Kigali from Ndusu, Ruhengeri. See below for details about his role in the genocide.

- Norway: François Burasa, a former military officer, was in charge of imports at a government owned company, Rwandex, in 1994. He is on the November 2007 Interpol wanted list in connection with the genocide in Rwanda. He has been dogged by allegations that he and his wife then, Marie-Goretti Burasa, who is also now living in Norway,<sup>34</sup> were deeply involved in the killings in Kigali. A cousin of Jean-Bosco Barayagwiza, a leading figure in the CDR, Burasa also helped to establish the CDR. In the years before the genocide, Burasa and his wife were closely associated with efforts to support the interahamwe militia and the militia of the CDR, the *impuzamugambi*. And both are charged with helping Barayagwiza to distribute weapons in Kigali during the genocide.



▪ **François Burasa in Norway**

- Belgium: Dominique Munyampeta from Musumba, commune Nkuli in Ruhengeri, was an employee of the Rwandese Bank of Development;
- Canada: Augustin Dukuze, from Birambo, Kibuye. He was a lawyer with Electrogaz. Someone with the first name of Marie-Goretti, who used to be based in Brussels, has apparently been seconded to Canada.

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<sup>34</sup> According to a Norwegian newspaper article of 21 March 2007, Marie-Goretti Burasa was No.5 on the party list of the Red Election Alliance (RV) for local elections.

### *Other Key Figures in Europe*

- Anastase Munyandekwe, spokesperson of the FDLR, Belgium. An official in the Ministry of Transport and Communications, Munyandekwe, 57, was one of the founders of MDR-Power, and was the president of MDR-Power in Gikongoro. He comes from Kinyamakara in Gikongoro. Munyandekwe, who was on a course in Senegal in early April, insists that he never went back to Rwanda, but many people in Rwanda argue that he returned during the genocide, but *African Rights* has not had the opportunity to investigate these conflicting claims;
- Balthazar Iyamuremye, an ex-FAR who was in the FDLR committee in Congo-Brazzaville, where he covered legal issues, is now based in Belgium;
- Alexis Nshimiyimana, Austria: Nshimiyimana was a journalist at the Rwanda Office of Information (ORINFOR), and was the producer of a popular programme aimed at the young, *Ejo Nzamerante [What Will I Become Tomorrow?]* He had left Rwanda prior to the genocide.
- Major-General Evariste Nyampame, Sweden: Nyampame was a liaison officer for the FDLR in Congo-Brazzaville before joining his wife in Sweden. He comes from Kibali, Byumba. After falling out with President Habyarimana, he was sidelined and went to work with ORTPN, the government agency in charge of tourism and national parks. However, as soon as the genocide began, he was quickly reintegrated back into the army.
- Major Emmanuel Munyaruguru, Norway. Munyaruguru was a member of the FDLR in Norway, but as his brother, Félicien Kanyamibwa, is now the executive secretary of RUD/URUNANA, it is most likely that Munyaruguru has also switched alliances. A civil engineer, he studied at the Royal Military Academy in Belgium. In 1994 he was a member of one of the battalions. He now works as an Executive officer of Tromsø Municipality in Norway and was No.35 on the Labour Party's list for the 2007 local elections in Tromsø;
- Jean-Pierre Kamanzi, Norway. Kamanzi used to be the representative of the FDLR for Scandinavia, but is now the spokesperson for RUD in Norway.

- Evariste Nshimiyimana, a member of FDLR in Norway. He lives in Tromso where he is the editor in chief of InterInfo Tromso's web page. InterInfo is owned and run by Tromso city. It is an intercultural service and an information centre.



**Evariste Nshimiyimana in Norway**



## **THE TARGETS OF THE AGREEMENT & THE GENOCIDE**

### **Preliminary Details on Some Individuals**

One of the key aspects of the Nairobi agreement is the explicit reference to the “ex-FAR/interahamwe as a genocidal military organization operating in the territory of the DRC.” Many of the recent reports on the troubles in the Kivus have also emphasized the links with the architects and foot soldiers of the 1994 genocide, especially with regard to the FDLR. What is significant about the most recent agreement, however, is the recognition that *all* the armed groups from Rwanda in the DRC share this same history rooted in the genocide. They have come out of the same organizations which were founded in the camps immediately after the genocide and essentially share a similar mindset and the same broad goals. It is also important in that the DRC government has committed itself to this framework, so that it can take action against individuals on the basis of evidence about their involvement in the genocide.

Rwanda has publicly argued, in the past, that it will not engage in identifying individual suspects because it regards the FDLR and its splinter groups as a genocidal project, and that there is little difference, in terms of the destructive impact of their activities, whether or not the men and women who are responsible for these deeds are also genocide suspects. At the other extreme, some commentators have sought to minimize the connection by arguing that only a handful are likely to have been involved, and that the majority of the combatants in the DRC are too young to have a history in the genocide.

What all agree on, which provides a common platform for action, is that the military and political leadership of the FDLR in the DRC is largely in the hands of former soldiers and politicians who helped to design, incite and implement the 1994 genocide, and that these men have a personal interest in discouraging the peaceful return of Rwandese, and in a stable region where governments co-operate across borders. In order to devise realistic and effective strategies that will distance the rank and file among the combatants, and the civilian supporters, from the leaders, it is necessary, especially for the Government of the DRC, and for international institutions and agencies, to know who these individuals are, and what their history is. And the task is not as daunting as it may seem, provided the will is there, because former combatants are a rich source of information.

In this short report, we have included some cases where we have reliable information about the person’s whereabouts and their affiliation. The details below merely summarise our main findings, and are not intended as a comprehensive account. Where appropriate, we have also indicated where additional information may be obtained.

## **FDLR MILITARY COMMANDERS IN NORTH AND SOUTH KIVU**

- **Major-General Aloys Ntiwiragabo, alias Vita/Omaar/Agakatsi**



**Major-General Aloys Ntiwiragabo**

Before he went into exile in July 1994, Major-General Aloys Ntiwiragabo was a colonel and worked in military intelligence (G2) at military headquarters, after a long stint in the gendarmerie as head of the groupement de Kigali, which later became the operational sector of Kigali. One of the code names he uses, Agakatsi, was his nickname when he was in Rwanda. He comes from Hindiro, commune Satinsyi in Gisenyi. He was based in Sudan for sometime, but is now said to move between Congo-Brazzaville, Cameroon and France where his wife lives.

Ntiwiragabo's name comes up repeatedly in this report. Together with Brigadier-General Gratien Kabiligi, who was responsible for security in Kigali, Ntiwiragabo was one of the key officers who supervised the genocide in Kigali. Both men met regularly with the préfet, Col. Tharcisse Renzaho, whose office was the nerve centre for the planning of the genocide in the city. It was here that the broad outlines and the details of the policy of genocide were debated and decided, priorities drawn up and instructions delivered to local government officials and militia leaders. One of the officials who attended these meetings is Grégoire Nyirimanzi, the councillor of sector Nyakabanda, who accepts that he himself made a substantial contribution to the killings in Kigali.

Aloys Ntiwiragabo did a great deal to incite the genocide. He asked all the leaders of the sectors in Kigali to tell Hutus that they must consider Tutsis as their common enemy. Whenever I went to meetings at the office of the préfecture, he was always there and sat next to Col. Renzaho.

Ntiwiragabo gave permission to the heads of the interahamwe to use the police station in Nyamirambo for the execution of Tutsis. It was also used to torture the men that were brought there and to violate women sexually. This centre was under the authority of Phéneas [Ruhumuliza, a vice president of the interahamwe] and Mucacu [François Nambajimana, a leading interahamwe].

One of the recurrent charges against Ntiwiragabo was his extreme concern about the reliability of certain serving officers, and the extreme measures he insisted upon to ensure the loyalty of Hutus to the government's programme of genocide.

Ntiwiragabo did not try to hide his distaste for soldiers he described as accomplices of the Tutsis. He used to speak at length about Marcel Gatsinzi.<sup>35</sup> He ordered us to supervise the soldiers in our districts, to make sure that they were not accomplices of the RPF. He also ordered us to kill those who did not want to co-operate with the militia and those who demonstrated a willingness to intervene in order to save Tutsis.<sup>36</sup>

Valérie Bemeriki was such an effective proponent of the genocide on RTLM radio that she was looked upon by the country's military and civilian leaders as an important asset. She spoke of her contacts with Ntiwiragabo in 1994.

Ntiwiragabo and Kabiligi were considered to be at the head of all the operations which took place in Kigali. He contacted me on several occasions to ask me to announce, on RTLM, that some Rwandese soldiers were working with the *inkotanyi* [RPF]. His messages were for me to tell the interahamwe to be on the lookout for soldiers who were not cooperating with the others in slaughtering the Tutsis. He also wanted me to tell all the interahamwe to verify all the identity cards of the military, in order to pick out the Tutsis and execute them on the spot. This is how soldiers were captured and killed by the interahamwe across the whole country.

Ntiwiragabo was, in particular, concerned about Marcel Gatsinzi, whom he looked upon as a senior officer in contact with the enemy.

There are reports, which need to be verified, Ntiwiragabo is no longer with the FDLR, but has joined RUD/URUNANA.

### ▪ **Brigadier-General Appolinaire Hakizimana, alias Poète**

Brigadier-General Appolinaire Hakizimana, known as Poète, is the FDLR's Commissioner for Defence, and was previously head of ALIR's department of military intelligence (G2), and prior to that, a commander in Goma. Before leaving Rwanda in July 1994, he worked in intelligence in the Ministry of Defence in Kigali. He was also a shareholder in RTLM. While in the camps, he was a commander in Goma. Aged 46, he comes from Mwiyanike sector in Karago, Gisenyi, the son of Karimunda and Nyirampozembizi.

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<sup>35</sup> General Marcel Gatsinzi, Rwanda's Minister of Defence, was briefly named chief of staff at the beginning of the genocide.

<sup>36</sup> Interviewed in Kigali, 12 November 2007.

In 1994, one of his roles was to ensure uniformity of purpose amongst the different militia in Kigali. He did this by travelling to the different posts to motivate them and encourage them to perform acts of genocide against the Tutsis. He became a highly visible figure in the capital, as he travelled to the different roadblocks to hand out weapons, to maintain the militia's commitment to the killings and reward them for their loyalty. He was also a frequent visitor to the offices of RTLM to encourage its journalists to support the government's policy. According to Valérie Bemeriki, who was one of the best known and most effective broadcasters on RTLM, Hakizimana brought them "guns, rations and military uniforms", telling them that they should think of themselves as "soldiers attached to military headquarters."

He told us: "You deserve this honour because you are helping us destroy the enemy. Continue to do what you've been doing."

From 13 April onwards, I was well-regarded by Hakizimana because I was in a good position to turn the Hutus against the Tutsis. Along with other genocide supporters, he passed messages on to me intended for Hutus. He was especially keen for me to reassure the youth that they had the backing in their mission to kill the Tutsis.

Bemeriki said she often accompanied Hakizimana on his rounds to places close to his office and beyond.

We went to areas close to his office, and I watched the distribution of guns, grenades and ammunition. He also liked to drop these off at Hotel Isimbi, which served as the headquarters of the interahamwe. It was here that he met with the leaders of the interahamwe, men like Robert Kajuga, Phenias, Mucacu and Georges Rutaganda.<sup>37</sup>

One evening in mid-April, Bemeriki said she and Hakizimana visited the home of Col. Ephrem Setako<sup>38</sup> in Kiyovu, to confirm the details of a massacre which had just taken place there, after which the three of them

We toured the roadblocks in Kiyovu to meet with the militia and to urge them to continue being vigilant. We went to the checkpoint near the Mille Collines Hotel and also near the area known as the Quai d'Orsay [downtown near the Belgian school] where we met Bonaventure Habimana<sup>39</sup> and his son in military uniform. Mucacu and Phenias were also there, and they made an appointment to meet the next day, with Habimana and his son, at the office of the préfecture in Kigali, in order to evaluate the massacres. I left them close to the RTLM studio.

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<sup>37</sup> Robert Kajuga was the president of the interahamwe and died in Kinshasa shortly after the genocide. Phénias Ruhumuliza was the first vice president of the interahamwe and is reported to have died in Nairobi. Mucacu, François Nambajimana, was a close ally and is in exile. Georges Rutaganda, a businessman, was Kajuga's second vice president; he was extradited from Zambia to the custody of the ICTR in 1995 and on 6 December 1999 was sentenced to life imprisonment for genocide, crimes against humanity and extermination. They worked together during the genocide and inspired terror among Tutsis in Kigali.

<sup>38</sup> Col. Ephrem Setako was arrested in The Netherlands on 25 February 2004 at the request of the ICTR and is awaiting trial in Arusha.

<sup>39</sup> Bonaventure Habimana had been secretary-general of the MRND prior to 1994. He was one of the pillars of the genocide in Shyorongi, Greater Kigali.

## **Col. Faustin Sebhura, alias Minani Marius**



Before the most reshuffle in June or July, Col. Faustin Sebhura was head of the military academy run by the FDLR in Kiluluma. He was promoted and is now the overall co-ordinator of military training in Masisi, for both senior and non-commissioned officers, as well as a programme that provides for continuous training.

Sebhura was the deputy head of the gendarmerie for the préfecture of Gikongoro, and was based in Gikongoro town, in the commune of Nyamagabe. Murambi, designated as a national genocide memorial site, stands as a testament to the inhumanity and efficiency of Captain Sebhura. He worked closely with a number of men to plan and carry out the killings in Murambi, and elsewhere. They include Col. Aloys Simba, retired from the army and currently on trial at the ICTR in Arusha; Laurent Bucyibaruta, the préfet (governor) of Gikongoro, who lives in France; Frodouald Havugimana, a deputy préfet who is in the DRC; and Félicien Semakwavu, the bourgmestre of Nyamagabe, who is also in the DRC.

About 50,000 Tutsis are estimated to have died at a technical school under construction in Murambi, in the early hours of 21 April. Many of them had first sought refuge at the Catholic Parish of Gikongoro, but Sebhura and his colleagues encouraged them, and other Tutsis, to gather at the school. The refugees' ability to fight back against the militia who had encircled the school was undermined by lack of food and water, and by fear. In the meantime, preparations for the massacre were intensified. At 3:00 a.m. heavily-armed soldiers and gendarmes took up positions around Murambi, using their guns and grenades. The interahamwe guarded the school to prevent any escape and to finish off the wounded. Sebhura, Bucyibaruta and Simba were among the officials who personally supervised the killings. When the ammunition ran out at about 6:00 a.m., Sebhura arranged for more

ammunition and weapons to be sent over from the gendarmerie camp. With the fresh ammunition, the refugees were virtually annihilated.

Sebuhura and his companions asked the same militiamen to proceed immediately to the nearby Parish of Cyanika in commune Karama and to wipe out the thousands of refugees gathered there, which included a few survivors of Murambi. To make the evidence disappear, bulldozers were used to remove the corpses at both Murambi and Cyanika and to dump them in different mass graves;

At the end of April 1994, Captain Sebuhura also provided the weapons, ammunition and gendarmes which killed thousands of Tutsi refugees from Gikongoro, Butare and Gitarama who had taken shelter on hilltops in commune Ruhashya in Butare. Sebuhura's ally in the killings in Ruhashya was Charles Munyaneza, the bourgmestre of commune Kinyamakara in Gikongoro.

▪ **Lt.Col. Ildephonse Nizeyimana, alias Sebisogo**



Lt.Col. Ildephonse Nizeyimana works in the office of Brigadier-General Gaston Iyamuremye, the 2<sup>nd</sup> vice-president of the FDLR, in charge of military intelligence and operations. He had previously worked, as a trainer, in the training college for officers established by ALIR in Gikoma, Masisi.

Nizeyimana is a native of cellule Kijote, sector Kora, commune Mutura in Gisenyi, the son of Masiha and Madeleine. He was the deputy head of ESO in Butare, in charge of intelligence and operations; he worked under Lt. Col. Tharcisse Muvunyi. Nizeyimana's name is synonymous with the genocide in the town of Butare and beyond. The ESO soldiers whose names appear below took their orders and their assignments from him.

Nizeyimana formed special units of soldiers who carried out massacres throughout the préfecture of Butare. One unit, known as the Military Police, targeted, in particular, Tutsi soldiers, including those at ESO. He also brought new recruits into ESO who came to be known as "new formula soldiers", and who ravaged the town of Butare. Soldiers despatched by Nizeyimana were responsible for massacres at the University, the University Hospital, the Groupe Scolaire and the commercial centre.

The hospital is within a short walking distance of ESO and a contingent of soldiers was sent from the army base to guard it. Tutsis initially thought that the proximity of ESO would be an advantage, and flocked there as refugees. Instead, the soldiers killed the refugees, as well as Tutsi patients and staff, and raped women. Afterwards, prisoners were brought in to dispose of the bodies. Some refugees were taken to ESO or elsewhere and murdered. One of the killing sites was located between ESO and the Electrogaz sub-station and was named "Kinihira", a reference to a place where Habyarimana and the RPF signed a peace treaty. Nizeyimana and Sub-Lt. Pierre Bizimana—oversaw the killings and visited the hospital on a regular basis.

Nizeyimana was responsible for the patrols which manned roadblocks at night, and was identified as the most high-ranking soldier present at the night-time slaughter of Tutsis in Buye where many university lecturers and doctors lived. He also helped to train civilians in Mata, Gikongoro, to be sent to the battlefield and as a back up genocide force.



About 1,300 children and adults were sheltering at the Groupe Scolaire, a secondary school in Ngoma. On 29 April, Nizeyimana and Lt. Ildephonse Hategekimana, the commander of Camp Ngoma, authorized their soldiers to surround the school, enabling the interahamwe to kill the refugees. The ESO teams sent by Nizeyimana were also involved in massacres in the business district of Ngoma and in other communes in Butare, including Gishamvu, Huye, Nyakizu, Runyinya, Muyaga, Ntyazo, Rusatira and Mugusa.

Two people were particularly sought after by Nizeyimana, namely the former queen and the préfet of Butare. He entrusted the mission to Lt. Ezéchiel Gakwerere.

***Nizeyimana is on the wanted list of the US Rewards for Justice Programme.***



- Lt. Col. Ezéchiel Gakwerere, alias Sibó Stany/Makolo

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IBIMURANGA — IDENTITE — IDENTITY	
Umwuga we Profession Occupation	<b>FONCTIONNAIRE (MINADEP)</b>
Aho yavukiye Lieu de naissance Place of birth	<b>RUKAYA (KIBUNGO)</b>
Igihe yavukiye Date de naissance Date of birth	<b>1964</b>
Aho atuye Domicile Address	<b>RUKAYA - KIBUNGO</b>
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Ntarashyirwa Célibataire Bachelor	
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Ibimuranga yihariye Signes particuliers Distinguishing marks	<b>voir photo</b>

One of the men Nizeyimana most relied upon is Lt.Col. Ezéchiel Gakwerere, which is why he sent him to kill Rosalie Gicanda, the queen of Rwanda until the abolition of the monarchy in September 1961. She is believed to have been the first person killed in the town of Butare once the genocide received official blessing.

Gakwerere is the deputy commander of the First Division (D1) of the FOCA.

For the first two weeks of the genocide, Butare was, for the most part, calm, due largely to the efforts of the préfet, Jean-Baptiste Habyarimana, to preserve unity and security. On 19 April, the president of the interim government, Dr Théodore Sindikubwabo, toured Butare to warn residents about the dangers of acting as if they were not concerned. The killings began almost immediately. And Habyarimana was arrested and taken to Gitarama, the seat of the interim government. According to former colleagues, it was Gakwerere who arrested him and who had a hand in his assassination.

On the afternoon of 17 May, about 15 soldiers, led by Lt. Gakwerere, descended on the bursary of the Catholic Diocese of Butare. They then ran into the neighbouring convent of the Petites Soeurs de Jésus. A young employee of the bursary, who had tried to escape by jumping over the wall into the convent, was the first to die. The young man was captured and he was killed by three soldiers, including Gakwerere. They killed six people that day, including young girls who were stoned to death.



- **Lt. Paul Kanyeshyamba**

Paul Kanyeshyamba, a lieutenant in FOCA in North Kivu, is said to be working in intelligence. In 1994, he was a warrant officer at ESO. He is a Kinyarwanda-speaking Congolese.

One of the first rural communes to experience the full impact of the genocide was Kigembe; most of the Tutsis in this commune were murdered within hours of Sindikubwabo's visit. They, and refugees from Gikongoro and from commune Runyinya, Butare, died at the commune office and at a nearby school known as CERAI in sector Nyaruteja, when soldiers led by Warrant Officer Kanyeshyamba reinforced some of the most feared killers in the area, including Burundian refugees from a local camp. During the four days that the massacre and the search for survivors continued, from 19-22 April, Kanyeshyamba was physically present and in charge. He himself lived in Kigembe, cellule Nyamihatsi, sector Nyanza.

Afterwards, the bodies were thrown into the Akanyaru river, in ditches and latrines.

Local officials throughout the préfecture of Butare appealed to ESO for assistance in implementing the genocide, requesting help in the form of soldiers and weapons, including Ladislas Ntaganzwa<sup>40</sup>, the bourgmestre of commune Nyakizu, on the border with Burundi. He asked for reinforcements to deal with the large number of Tutsis at the Catholic Parish of Cyahinda. Muvunyi and Nizeyimana sent a team led by Kanyeshyamba, whose guns and grenades left most of the refugees dead. See below under Damien Biniga

To find out more about Nizeyimana, Gakwerere and Kanyeshyamba, see *Lt.Col. Tharcisse Muvunyi, A Rwandese Genocide Commander in Britain*, Witness to Genocide Issue 12, April 2000, *African Rights*

- **Col. Anaclet Hitimana, alias Kabuyoya Gasarasi**

The section below on Damien Biniga speaks about the build up to the devastating massacres at the Parish of Kibeho, commune Mubuga, in the sous-préfecture of Munini, Gikongoro. Col. Anaclet Hitimana, in the reserve brigade of FOCA, was then the sub-lieutenant in command of the military units based in Munini, where Kibeho is located. He was Biniga's military counterpart.

Hitimana was instrumental, from the outset, in the plan to exterminate the Tutsis at Kibeho. He selected a group of officials and private individuals to prepare the Hutu community. By 14 April everything was in place. Militiamen had come from all corners of Gikongoro, many of them transported in vehicles provided by the directors of the tea factories in Kitabi—Dénys Kamodoka—and in Mata, Juvénal Ndabarinze. With the arrival of four soldiers led by Hitimana, who were all armed with guns and grenades, the killing was ready to begin, but not

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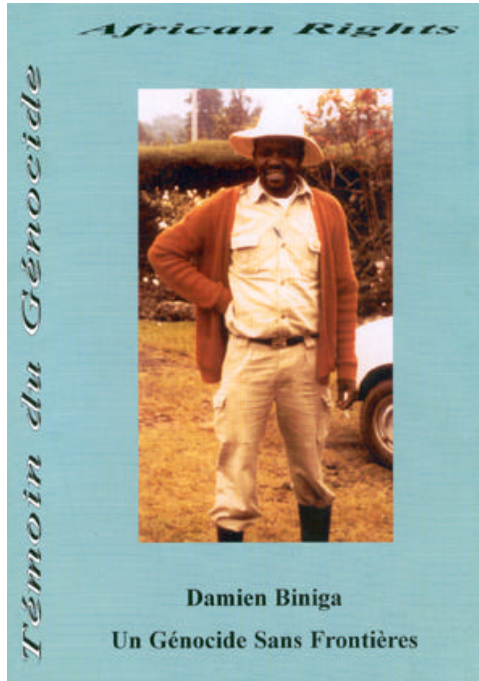
<sup>40</sup> Ladislas Ntaganzwa is still at large. His name appears on the November 2007 Interpol wanted list.

before Hitimana gave the signal. A policeman who admits that he shot into the refugees had this to say

We began marching towards the church, under the instructions of Anaclet. The militia had already surrounded the area around Kibeho parish. Anaclet and his group then gave us the order to begin slaughtering them. We shot into the church. Some Tutsis came out to try and defend themselves, but they fell into the hands of our militiamen. The massacre continued until we had made holes in the walls of the church, which made it easier for us to burn the remaining refugees huddled close to the altar of the church.

## **FDLR CIVILIAN ADVISORS IN THE KIVUS**

- **Damien Biniga**



Damien Biniga has been a member of the Political Commission of the FDLR. There are reports that Murwanashyaka has asked him to leave the Commission, possibly because of Biniga's notoriety as a genocide suspect. He remains an active member of the organization, however, and according to recent returnees, was sent on a political mission to Mozambique in July 2007.

Biniga was a member of parliament for Gikongoro, before he was appointed sous-préfet (deputy governor) of its sub-region, Munini—which comprises the communes of Mubuga, Rwamiko, Nshili and Kivu—in October 1990. He immediately devoted himself to the task of building support for the ruling party, the MRND, and to forge alliances with local government officials, employers, priests and other influential figures in Munini. He also recruited young

men to train as interahamwe, sending some of them to Kigali; on their return to Munini, they passed on their new skills to others. Long before the death of Habyarimana, Biniga had divided the Hutus and Tutsis of Munini, and created a loyal fighting force. When the time came, the interahamwe were well-prepared and proved themselves capable of the most extreme brutality.

At 8:00 a.m. on 7 April, only two hours after the announcement of Habyarimana's death, Biniga arrived with his gendarmes at the Mata tea factory in Rwamiko commune, for a meeting attended by many of the men who would prove loyal allies for the next three months. The participants included the director of the tea factory at Rwamiko, Juvénal Ndabalinze, and his counterpart at the tea factory in Kitabi, Dénys Kamodoka. The meeting finished at 10:00 a.m. and almost immediately the burning of Tutsis' houses began. Several of the men in Biniga's meeting took part in the violence.

At 11:00 a.m., Biniga called a public meeting in Ruramba, Rwamiko where he asked the Hutus: "What they were waiting for?" He chastised them, saying: "They have killed your President and you are standing there with your arms folded! Start working. Burn the Tutsis' houses and kill them." The awareness campaigns which Biniga conducted in Munini were critical to the speed and ferocity of the massacres which unfolded in the region.

As the tension and fear increased, so Tutsis from all over Munini left their homes to seek sanctuary in churches and public buildings. Biniga used the resources, the vehicles and the security forces of the sous-préfecture against the refugees. He used the authority of his position to persuade the local people to take part in the killing.

Thousands headed towards the Parish of Kibeho in Mubuga, filling the church, the schools, the houses the courtyards. They were welcomed and assisted by Fr. Pierre Ngoga<sup>41</sup>, who refused to leave even though he was himself a Tutsi and much sought after as an educated male.

There were an estimated 30,000 refugees at the parish by 11 April. Biniga first disarmed them, and then, on 12 April, he gave a speech threatening them. He left six gendarmes behind, whose main function was to prevent the refugees from escaping. Armed militiamen launched an attack on the parish as soon as Biniga had gone. The refugees used sticks and stones to fight off their assailants, but the next day they faced another assault. When Biniga came back to Kibeho on 13 April, he brought more gendarmes and assured the refugees that they would be secure. At dawn the following morning, 14 April, Biniga and his soldiers arrived with thousands of interahamwe and surrounded Kibeho town. They were armed with guns, grenades and traditional weapons. At around 11:00 a.m., the parish came under siege. Biniga, the bourgmestre of commune Rwamiko, Silas Mugerangabo, soldiers, communal policemen and militiamen who had guns and grenades shot and lobbed grenades, after which villagers went inside with machetes, swords, axes and knives. The following day, at Biniga's insistence, the militia returned to Kibeho to set the church on fire, burning the survivors who were still alive.

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<sup>41</sup> Fr. Pierre Ngoga was imprisoned and murdered in May 1994.

And even before he had finished with Kibeho, Biniga was preparing for another huge assault, this time at the Parish of Muganza in commune Kivu, where there were around 11,000 refugees. On 15 April he led an attack which left most of them dead.

Many Tutsis were encouraged or forced to assemble in Mubuga at Biniga's office—Biniga transported some there himself, promising to protect them, while others were brought by the militia. Once there, the refugees were prevented from leaving by gendarmes who patrolled the office. On 16 April, gendarmes and the militia massacred the refugees at the office, with the help of local residents. .

Biniga's pursuit of Tutsis to kill took him across the border to the neighbouring préfecture of Butare. On 15 April, he turned up at the Parish of Cyahinda in commune Nyakizu, with his car full of gendarmes, and the shooting began. Defenceless men, women and children were killed in their hundreds. But there were tens of thousands at the parish, and it took four days of unimaginable brutality before Biniga, the gendarmes and militiamen were satisfied. The worst violence at the parish took place on 18 April, and the killers included soldiers, gendarmes, military reservists, interahamwe, Burundian refugees and villagers from the surrounding areas and beyond.

Most of the refugees at the Parish of Karama had fled from massacres elsewhere in Butare and Gikongoro and had barely been there a week when, on 21 April, Damien Biniga came in pursuit of them. Once again regional borders were not a deterrent; Biniga joined forces with the bourgmestre of Runyinya, Déo Hategekimana. Killers from the four communes of Munini lent their support and expertise to the local assassins. The assault on the Parish of Karama was one of the most devastating massacres which took place in Rwanda in 1994; 65,000 remains were reburied in 1995.

On the way to Burundi, the survivors of the violence in Gikongoro and Butare were ambushed by local militia, who killed many with their machetes. But some 4,000 did manage to reach the border on 22 April. There they had their final encounter with Biniga. As they were crossing into Burundi, he arrived and ordered the Burundian soldiers to send the refugees back, arguing that they were "fleeing from famine" and that he now had food for them. However, the soldiers had seen the consequences of the violence in Rwanda and refused to do so.

See "*Damien Biniga: A Genocide Without Borders: A Free Man in Brussels?*" June 2006, Witness to Genocide Issue 16, 41 pages, *African Rights*

▪ **Callixte Nzabonimana**



**Callixte Nzabonimana**

Callixte Nzabonimana, the Minister of Youth in the interim government of 1994, is one of the subjects of the US Rewards for Justice Programme. He is accused of inciting, organizing and supervising the killings in his native commune of Nyabikenke in Gitarama, and in Kayenzi, also in Gitarama. He had created, trained and armed a militia force in Nyabikenke long before 1994. He arrived in Gitarama in mid-April and immediately called meetings, addressed public gatherings and visited roadblocks to urge Hutus to begin killing Tutsis in Nyabikenke and neighbouring areas. There is solid evidence that he distributed arms at massacres, at roadblocks and at the commune office in Nyabikenke, and also provided the interahamwe with food and beer to sustain their enthusiasm for killing.

Apprehensive about the security situation, many Tutsis headed for the commune office early on, hoping for protection. But on the night of 14 April, militiamen, using Nzabonimana's vehicles, and those of his allies, launched their first attack on the commune office. On the morning of 15 April, Nzabonimana returned to the commune office, along with the interahamwe and the bourgmestre, Anatole Karuganga. Nzabonimana was the man at the centre of the massacre which then unfolded, commanding the killers and providing the arms which the militia used to wipe out the refugees.

Most of the survivors of Nyabikenke made their way to the Bishopric of Kabgayi, also in Gitarama. But Nzabonimana came after them. As the refugees in Kabgayi had to write down their names and their commune of origin, it was easy for Nzabonimana to identify the survivors from Nyabikenke. He organized transport for about 100 men and boys who were taken away and never seen again. The interim government fell before he had a chance to abduct the women and girls.

See "*Callixte Nzabonimana*", Charge Sheet No.1, March 1999, 6 pages, *African Rights*.

***Nzabonimana is on the wanted list of the US Rewards for Justice Programme.***

## Congo-Brazzaville

- **Col. François-Xavier Birikunzira**, alias Masumbuko

Captain François-Xavier Birikunzira was head of the gendarmerie for the sous-préfecture of Nyabisindu in Butare in 1994. He was head of the gendarmerie post in Nyanza, commune Nyabisindu. During the genocide, he was also given responsibility for policing certain areas in the préfecture of Gitarama, namely the communes of Tambwe, Ntongwe, Kigoma and Murama. Many large-scale massacres took place in all the areas under his supervision, and with his direct complicity.

The bourgmestre of commune Nyabisindu, Jean Marie-Vianney Gisagara<sup>42</sup>, shared the resolve of the préfet of Butare to keep the genocide out of Butare. But other powerful forces, led and organized by Birikunzira, who were just as determined, did all they could to cripple his every move. They also had more human and financial resources at their disposal. Birikunzira worked closely with a number of men to undermine Gisagara's campaign of peace, and to turn Hutus against Tutsis. These men included Gaëtan Kayitana, a deputy-préfet; Fr. Hormisdas Nsengimana, a Catholic priest and the headmaster of Christ Roi secondary school in Nyanza, the main town in Nyabisindu; Dr. Callixte Mirasano, director of the government-owned dairy in Nyabisindu; Dr. Célestin Higiroy, director of Nyanza hospital and amongst others, Vincent Nzigiyumfura, a businessman in Nyanza. They used their considerable resources, authority and influence to establish a strong force that consisted of soldiers, gendarmes, interahamwe, local government officials, professionals, businessmen, students from Byumba displaced by the 1990 war and Burundian refugees, and incited hatred and fear of Tutsis.

To unleash the genocide in Nyabisindu, their first priority was to get rid of Gisagara who was forced to hide as the threats increased. Birikunzira discovered his hideout. On Thursday, 21 April, he drove in a car behind the van which dragged Gisagara's body all around Nyanza, both as punishment for his stand, and as a warning to Hutus who opposed the killing of Tutsis. Eleven members of his family, including his parents, siblings and wife, were also murdered. The next day, Friday 22 April, roadblocks were set up everywhere and the massacres began throughout Nyabisindu and, unopposed, claimed the lives of thousands of men, women and children.

To facilitate the killings, Birikunzira personally visited the roadblocks to give encourage the militia and to give them instructions to the militia, and also to receive reports about the number of Tutsis who were executed at the checkpoints. He also gave the interahamwe permission to seek guns, grenades and fuel from the gendarmerie camp in Nyanza.

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<sup>42</sup> For more details, see the chapter on Jean Marie-Vianney Gisagara in *Tribute to Courage*, December 2002, *African Rights*, 299 pages.

Birikunzira also left his signature in Ntyazo, Butare where thousands of Tutsis from Gikongoro, from the communes of Ntongwe, Tambwe and Kigoma in Gitarama and from other communes in Butare—Muyira, Rusatira and Nyabisindu—had congregated in search of safety. To ensure an early start to the massacres there, Birikunzira sent gendarmes from Nyanza to arrest the Tutsi bourgmestre of Ntyazo, Narcisse Nyagasaza, who was then killed. He then turned his attention to the Tutsis who had settled on hilltops in Nyamure, Karama and Rwezamenyo and who had organized themselves to fight their tormentors, using stones, bows and arrows. The militiamen and civilians from Muyira and Bugesera, and the gendarmes in the area who were guarding a nearby camp for Burundian refugees, were forced to withdraw. Birikunzira sent reinforcements on two separate occasions, but they too failed to quell the resistance.

Birikunzira then sought help from the soldiers at ESO. The commander of ESO, Muvunyi, provided men as well as heavy weapons and ammunition, and Birikunzira sent an additional 15-20 gendarmes from Nyanza. With the help of Burundian refugees who had been trained by the interahamwe militia, as well as the militiamen themselves, the killings went on for several days, and by the end of April, had virtually wiped out all the Tutsis in Ntyazo.

To spark the genocide in commune Rusatira, Butare, Birikunzira's gendarmes killed a number of Tutsis on 22 April at the commercial centre of Gahana, known locally as the Arrêté, which achieved its goal of turning Hutus against Tutsis. Most of the Tutsis living in Rusatira, along with thousands from other communes and even préfectures, made their way to ISAR/Songa, an agricultural research station in Rusatira. The attacks by the militia began on Monday, 25 April, but the refugees held their own, relying on their numbers as strength, and using traditional weapons. But on Thursday the 28<sup>th</sup>, the refugees were encircled by gendarmes sent from Nyanza by Birikunzira. The guns pounded the refugees who died *en masse*. The survivors were killed in turn as they tried to make a getaway to Burundi. More than 5,000 died between 24-28 April.

The huge number of Tutsis who assembled on the hills in the neighbouring commune of Ruhashya, Butare, also put up a spirited defence. As well as natives of Ruhashya, they included a substantial number from the commune of Kinyamakara, Gikongoro, fleeing the single-minded determination of their bourgmestre, Charles Munyaneza<sup>43</sup>, to eliminate the Tutsis of his commune. Munyaneza, backed by a large crowd of interahamwe, had tried to *dislodge* them, but in vain. But the women, children and men at the summit of the hills in sectors Rwaniro and Gashoba “tumbled down like grasshoppers”, in the words of one survivor, after Birikunzira intervened, sending gendarmes, weapons and ammunition.

In May, Birikunzira turned his attention to the préfecture of Gitarama. On 20 May, his gendarmes helped the bourgmestre of Murama, Jean-Damascène Rutiganda (see below) and his militia carry out three massacres in a single day. The first to die were several hundred women and children in the commercial centre of Bweramana, known as the “Douane.” The next victims were 50 Tutsis cut down near a market in Buhanda. The gendarmes and Rutiganda then left Buhanda for the headquarters of the Adventist Church in Gitwe, to

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<sup>43</sup> Charles Munyaneza was arrested in the UK, where he had sought asylum, in December 2006; he and three other Rwandese genocide suspects are the subject of on-going extradition hearings.

organize the slaughter of Adventist pastors and their families, numbering about 80 people. They were transported to Gitovu where they perished.

A number of the massacres which Birikunzira orchestrated also implicate the bourgmestre of Murama, Jean-Baptiste Rutiganda; see below.

- **Col. Emmanuel Nyamuhimba**



**Col. Emmanuel Nyamuhimba**

Col. Emmanuel Nyamuhimba, an FDLR liaison officer in Brazzaville, was chief of the urban police force in the city of Kigali before and during the genocide, when he was a major. In 1992-93, after the creation of the interahamwe militia force, he was active in the recruitment of militiamen and their military training at Gabiro in Umutara.

In 1994, he served as the chief logistician for the interahamwe and soldiers who operated in Kigali. He was a close ally of the préfet of Kigali, Lt.Col. Tharcisse Renzaho and, in the words of a local government official who worked alongside them, “helped Renzaho put in place the machinery of genocide in Kigali.”

Nyamuhimba regularly took part in the meetings to plan the genocide which took place at the office of the préfecture. One of his first initiatives was to dismiss Tutsis from the police force; most of them were subsequently killed.

Ensuring a steady flow of arms to militiamen and local officials was a critical element in the success of the genocide. Some of the firearms used in Kigali were stockpiled in Renzaho’s office, and it was Nyamuhimba who distributed them to the heads of the interahamwe, to sector councillors and representatives of the MRND, MDR and CDR. They in turn put them in the hands of those whose job was to guard roadblocks and to patrol the city in search of



Tutsis to kill. Amri Karekezi, one of the councillors who had ... also remembered this about Nyamuhimba.

He used to bring alcoholic drinks to the militia in order to make it easier for them to kill Tutsis.

One of the best-known militiamen in Kigali acknowledges the crimes he has been charged with, particularly with regard to the successive massacres at the Catholic Parish of Sainte Famille in sector Rugenge, in the heart of Kigali in which Renzaho played a central role.

Nyamuhimba was one of the officers who worked closely with Renzaho. He always used to come with the militia who abducted Tutsis from Sainte Famille. He used to come in a pick up full of boxes of beer.

It was also part of Nyamuhimba's responsibility to increase the number of militiamen familiar with guns and grenades. He converted the premises of JOC, an organization of Young Catholic Workers, near Sainte Famille, to a training ground, and appointed policemen under his command as instructors. Some of them went on to become prominent killers in Kigali, using weapons they received from Nyamuhimba.

Bemeriki recalled the imprint Nyamuhimba left behind in the commercial centre and in the area downtown known as Matheus.

He had a group of soldiers working in tandem with the militia leaders to organize the massacres in these areas, and to loot merchandise as well as vehicles. Some of these cars were given to the interahamwe to hunt Tutsis.

## **Zambia**

Zambia, as noted earlier, has the largest concentration of Rwandese in Africa outside of the DRC, including hundreds of genocide suspects, as well as FDLR activists, both military officers as well as civilians. Members of the FDLR in Zambia travel regularly between the DRC and Zambia, and also move with ease to Malawi, Mozambique and South Africa. Zambia is also home to the wives of many FDLR officers serving in the Kivus. The presence of so many Rwandese, many of whom have done extremely in business and in the professions, has made Zambia an extremely important source of political and financial support.

The military officers who are part of the official structure of the FDLR in Zambia include Col. Laurent Rwagakinga and Major Guerchome Ngayaberura, who is said to be in charge of recruitment in Zambia. The civilians who are part of the same structure, or who are actively engaged with the FDLR in Zambia, include many prominent génocidaires.

## **Dr. Augustin Cyimana, Charles Kagabo, François Twagiramungu and Chrisostom Budengeri**

Some of the men at the helm of the FDLR in Zambia helped to plan and carry out a highly successful genocide in the commune of Mugina, in the préfecture of Gitarama. They were themselves either from Mugina, or from the neighbouring commune of Ntongwe. They include:

- Dr. Augustin Cyimana, a doctor at Kigali's main public hospital, the Centre Hospitalier de Kigali (CHK), who comes from Ntongwe. He is now a doctor at the University Teaching Hospital in Lusaka and was, and may still be, the chairman of the FDLR in Zambia;
- Chrisostom Budengeri, a medical assistant at Mugina health centre. He was responsible for a program of vaccinations in both Mugina and Ntongwe and was therefore also well-known in Ntongwe. He was, and may still be, the 1<sup>st</sup> vice chairman of the FDLR in Zambia. He is said to own two shops in Zambia as well as a minibus;
- Charles Kagabo, the bourgmestre of Ntongwe, is said to shuttle between Zambia and the DRC where he apparently operates a business to provide medical supplies to the FDLR, travelling regularly to the zone of Busurunge in South Kivu;
- François Twagiramungu, he had been bourgmestre of Mugina from 1986-90.

They, along with others, worked closely with Major Pierre-Claver Karangwa, a military officer based in Kigali,<sup>44</sup> but who comes from Mugina. Together, these men incited and led the genocide in Mugina by encouraging Hutus to turn against Tutsis, establishing the militia which operated in the area, distributing guns, grenades and ammunition to them, organizing and leading them during a series of massacres at the Parish of Mugina between 21-25 April and in tracking down survivors until the very end.

Initially, their resolve to begin the killings in Mugina came up against a determined obstacle: Callixte Ndagijimana, the bourgmestre of Mugina. Drawn by news that the bourgmestre of Mugina was able to contain the genocide in his area, Tutsis poured into Mugina from Kigali city, Bugesera, Musambira and Nyamabuye in Gitarama, and in particular from the two neighbouring communes of Runda and Ntongwe. The fact that Ndagijimana welcomed Tutsis and was attentive to their need for security, material assistance and moral encouragement only increased the influx. Some stayed at the commune office, and others set up camp at the local Catholic parish.

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<sup>44</sup> Major Pierre-Claver Karangwa was a liaison officer between the gendarmerie and the United Nations Assistance Mission to Rwanda (UNAMIR) which had arrived in Rwanda in December 1993 to monitor the Arusha Accords which were signed in August 1993 to end the war between the government and the RPF. However, after the departure of most of the UNAMIR troops shortly after the genocide, Karangwa became an officer who could be deployed anywhere by the head of the gendarmerie.

On 21 April, Ndagijimana was ambushed and murdered. From the testimonies of militiamen who have confessed, he was killed with the complicity of Dr. Augustin Cyimana, Charles Kagabo and Chrisostom Budengeri. Although he was caught near a camp for Burundian refugees, he was murdered close to the residence of the parents of Dr. Cyimana. Even today, the remains of the body of his car are still in the same spot, the cellule where Cyimana's parents had been living.

The death of Ndagijimana was a double blow for the refugees at the parish. It exposed them to danger and redoubled the ferocity of the killers. Some of them escaped in time, right after they learned of his death. But stunned and disoriented by the news, the overwhelming majority remained put. With the whole area under siege, there were in any case few potential avenues of escape. Some of those who tried to escape were intercepted and forced to return to the parish, and others were killed as they tried to cross the border into Burundi.

With Ndagijimana out of the way, Kagabo, Cyimana, Twagiramungu, Budengeri, Karangwa and their allies lost no time in mobilizing a sufficient force to overwhelm the refugees, including Burundian refugees.

Most of the survivors of Mugina today consist of the few who got out just after Ndagijimana's murder and ran to the Bishopric of Kabgayi, some of the wounded who were evacuated there by the Red Cross or those who held out in the forests and bushes until the very end.

In Ntongwe, the commune where Kagabo was the bourgmestre, the killings were swift, comprehensive and merciless. The genocide in Ntongwe is also particularly notorious for widespread rape and sexual violence. A large-scale massacre, led by Kagabo, took place on 20 April, just a day after a planning meeting at his home.

*François Twagiramungu is on the Interpol Wanted List of November 2007.*

#### ▪ **Esdras Ruremesha**

Men like Esdras Ruremesha form the backbone of the FDLR in Zambia, making financial contributions and lending their political support. He was one of the 18 genocide suspects detained by the Government of Zambia in 1995, 15 of whom were released after the ICTR, which had only just become operational, decided to initially press charges against only three of the 18.

Ruremesha worked as a topographical technician at the National Office for the Study of Projects (BUNEP). He lived in Kigali, cellule Munanira, sector Nyakabanda in the commune of Nyarugenge. He comes from Kibuye.

The residents of Nyakabanda remember Ruremesha as an active member of the interahamwe created by the ruling party, the MRND. He quickly gained a reputation for fierce anti-Tutsi sentiments when he joined the interahamwe militia in 1992 or 1993. In 1994, he was one of the leaders of the genocide in Munanira cellule, and in much of sector Nyakabanda. There is

substantial evidence that he distributed arms to militiamen in his cellule and promoted the massacre of Tutsis by encouraging the population to set up roadblocks to track them down. He himself went to some roadblocks and led attacks against Tutsis.

Grégoire Nyirimanzi, the councillor of Nyakabanda, who admits that he himself was a leading force in the massacres in Nyakabanda and beyond, said that he “collaborated with Esdras Ruremesha, particularly in giving guns out throughout the sector.”

As Nyakabanda is a large sector, certain people were responsible in each zone for assuring the implementation of the genocide. Ruremesha and someone called Gérard managed genocide activities in Munanira cellule, including supervising the roadblocks there.

It was Ruremesha’s connections to Major Faustin Ntirikina (see below), he added, which facilitated access to weapons.

Esdras fetched guns from Major [Faustin] Ntirinkina, commander of a battalion based on Mount Kigali. During the first week, Ntirinkina accompanied Ruremesha to go and obtain the arms. They went in Ruremesha’s Lada Niva vehicle.

#### ▪ **Munyabarenzi Marcel**

Marcel Munyabarenzi, an agricultural officer, was the head of the CDR in Bugesera, and was one of the main figures behind the massacres of Tutsis in the Bugesera region in early 1992. He worked with Célestin Nzabandora, a lawyer for the CDR, to defend the militiamen imprisoned for these crimes and to get them released. Nzabandora is on the November 2007 most wanted Interpol list.

#### ▪ **Cyprien Ngirabatware**

Cyprien Ngirabatware from Gikongoro was a trader in the town of Gitarama. He was a strong backer of the CDR in Gitarama. His vehicles are said to have transported Tutsis hiding at the Catholic Bishopric of Kabgayi in Gitarama, to be killed in Gisenyi. Ngirabatware, who lives in Lusaka, owns transport trucks in Zambia and was, at one time, and may still be, the treasurer of the FDLR in Zambia.

#### ▪ **Bantari Rypa**

Bantari Rypa was an agricultural office in Kamembe, Cyangugu, and was the chairman of the CDR in Kamembe. He has shops in Zambia where he has registered as a Congolese from Uvira. He was, and may still be, a vice-chairman of the FDLR;

- **Protais Samvura**

Protais Samvura is from Nyamasheke in Cyangugu. He is said to be one of the planners and perpetrators of most of the attacks which took the lives of Tutsis in Bugarama sector. He was an ally of John Yusufu Munyakazi, the best-known génocidaire in the region, who is now in the custody of the ICTR. For example, he and Yusufu are accused of distributing the guns which were used to kill Tutsis at CIMERWA, the cement factory in Cyangugu. He lives in Lusaka where he is said to have a wholesale shop and to own minibuses operating in the city.

- **Gaspard Twahirwa Mutabaruka**

Gaspard Twahirwa Mutabaruka lived in Kicukiro, Kigali, but is from Kibilira, Gisenyi. Prior to 1994, he was a businessman in Kigali. He has been implicated in the massacres in Gisenyi, especially in inciting Hutus to turn against Tutsis, and in the distribution of guns and grenades. He too lives in Lusaka, and owns a fleet of minibuses as well as a wholesale shop

## **Malawi**

- **Frodouald Ntawulikura**

Frodouald Ntawulikura, who had previously lived in Zambia, is now the secretary-general of the FDLR in Malawi. He is from Mudasomwa in Gikongoro, was a journalist at Radio Rwanda, had close ties with the MRND and was a shareholder in RTLM. He worked at Radio Rwanda throughout the genocide and used the official radio of the government to call for genocide. According to many of his former neighbours in Kimironko, Kigali, Ntawulikura was responsible for setting up roadblocks in Kimironko both before and during the genocide.

## **France**

- **Brigadier-General Faustin Ntirikina, alias Zigabe Pacifique**

Faustin Ntirikina is an advisor to the FDLR, and is known to be particularly close to Major-General Aloys Ntiwiragabo; both are natives of Hindiuro, commune Satinsyi. He was a major in 1994, an *aide de camp* to the Chief of Staff, Major-General Déogratias Nsabimana, who died in the plane crash of 6 April along with Habyarimana. He was also a shareholder in RTLM. He comes from in Gisenyi.

According to soldiers who worked with him, he was highly regarded as a fighter, and was sent to Umutara for three years, almost the entire duration of the war with the RPF in the early 1990s. His battalion was brought back to Kigali towards the end of 1993, partly to give them a rest and partly to reinforce the security of Kigali. It was initially based at Camp Kigali, then moved, at the end of 1993, to one of the elevated hills overlooking Kigali, Mont Kigali. There

had not been a camp there previously. Mont Kigali, which lies above Nyamirambo to the west of the city, was strategically located. It was a time of great political uncertainty, with challenges from opposition political parties and civic organizations. The arrival of an RPF battalion in Kigali in December 1993, as part of the August 1993 Arusha Accords, and of a UN monitoring group to police the peace accords, heightened political tensions in the country as a whole, but especially in Kigali.

Ntirikina, who had also been instrumental in the training of the interahamwe militia in Gabiro, and in ensuring that they were well-armed, paid special attention to Hutus who were regarded as accomplices of the RPF, and to Tutsis in general. A corporal in his battalion said there were rumours that the Tutsis in commune Rutongo, on the outskirts of Kigali, were helping RPF soldiers who wanted to infiltrate the city.

Ntirikina asked for permission to send two companies to Rutongo, and he was given the green light. I was one of the soldiers who was sent there, under the command of Lt. Emmanuel Ntivuguruzwa and Sub.Lt. Vénant Habiambere. We erected roadblocks in several sectors of the commune, and we sent reports to Ntirikina about the Tutsis who were captured at these checkpoints. Ntirikina himself selected the individuals who should be imprisoned; the majority never returned to Rutongo. They were executed secretly, after they had been tortured.

When the genocide started, the Huye battalion, the 71<sup>st</sup> battalion, was led by Captain Nyaminani, but he was quickly replaced by Ntirikina, and the battalion was given the mission of supporting the interahamwe to eliminate the Tutsis living in the three sectors of Nyamirambo, Nyakabanda and Kimisagara, which were part of the commune of Nyarugenge. As soon as Ntirikina took charge, he met, in the tent on Mont Kigali which served as his office, with the councillors in charge of the three sectors, namely Grégoire Nyirimanzi of Nyakabanda, Rose Karushara of Kimisagara and the councillor of Nyamirambo. Nyirimanzi gave this account of their early encounters with him.

We met Ntirikina on Mount Kigali in the tent that he was using as an office. He told us that he wanted a large number of militia who were proficient with arms, as this was necessary in order to hunt down the *inyenzi*. We agreed amongst ourselves that each leader was going to have to mobilize 150 young men and teach them to use arms. Ntirikina requested that we brought these men to him the following day at the regional stadium at Nyamirambo. As agreed, we met there the next day. Ntirikina was there along with Major Bivamvagara, who was the head of Civil Defence in Kigali, and the Commander Twagirayezu, who was a reservist. These last two had come to help train the new recruits. The training lasted one day and took place at the stadium. The militia didn't take away any weapons however and the next day was set by Ntirikina to distribute the arms.

The three leaders addressed the militia and informed them that they were to begin fighting the enemy, starting with the Tutsis that they knew. After this order was made the weapons were distributed from the vehicles that the three men had arrived in. Before the militia left Ntirikina promised their support in all three districts and in particular at the roadblocks.

The authorities, and in particular Colonel Tharcisse Renzaho and Colonel Aloys Ntiwiragabo, were aware that all this was taking place.

The corporal cited earlier, who worked under Ntirikina's command, confirmed Nyirimanzi's account.

Ntirikina lost no time in contacting the officials responsible for the three sectors, asking them to find him a large number of interahamwe who could be trained in the use of guns and grenades. The militia were trained at the stadium in Nyamirambo, under the supervision of Ntirikina, an officer called Twagirayezu and other officers charged with civil defence. After training, the interahamwe were sent out into the three sectors with their guns which were brought for them by Ntirikina and Col. Tharcisse Renzaho.

But Ntirikina did not leave matters in the hands of civilian officials.

The day after his arrival, Ntirikina began recruiting additional militiamen to help the soldiers in their pursuit of Tutsis in Kimisagara, Nyakabanda and Nyamirambo.

The distribution of weapons gave us the courage to continue hunting Tutsis because we felt supported by the militia. Ntirikina didn't remain on Mount Kigali. He supervised the three sectors to make sure that the orders were being carried out. He was especially vigilant at the roadblocks, where he received reports on the progress of the massacre. His car was always full of weapons to hand out to the militia, for example in Nyakabanda those at the roadblock below the Baobab Hotel and the checkpoint close to the residence of the employees of the National Bank of Rwanda (BNR).

Although I have only spoken about the roadblocks set up in my sectors, Ntirikina also supervised the massacres in Nyamirambo and Kimisagara.

The corporal highlighted Ntirikina's commitment to the policy of genocide.

Ntirikina worked hard to encourage the interahamwe to kill the Tutsis, visiting all the residential areas of these three sectors. He turned up at many of the roadblocks to give advice to the militia. He himself had two roadblocks set up, one near the head office of the Xavérians, opposite the stadium in Nyamirambo. He gave a lot of guns to the militia who he placed at this roadblock, telling them to let the corpses of Tutsis rot there. He had another roadblock set up in Biryogo, close to the mosque, where he liked to meet Stany Simbizi, who I heard was the head of the CDR militia.<sup>45</sup>

Like Apollinaire Hakizimana, now a brigadier-general with the FDLR and their commissioner of defence (see above), Ntirikina stands accused of facilitating the massacres at the Parish of Ste. Famille and at the nearby Saint Paul's Centre. Hussein Longolongo, the militiaman who spoke earlier about Hakizimana, had this to say about Ntirikina.

Once Tutsi refugees began to congregate at Ste. Paul's and Ste. Famille, Major Faustin Ntirikina was one of the officers who started bringing us guns to kill them. I mention him in particular because he left us one of the soldiers in his battalion, Lt. Kadanse. Kadanse was a key figure in picking out the Tutsis at Ste. Famille who were to be killed. And he did so under the directive of Ntirikina who brought him guns and grenades to hand out to the interahamwe.

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<sup>45</sup> Interviewed in Kigali, 15 November 2007.

Ntirikina also used to visit a roadblock at a place known as “poids lourds.” He used to go there with Lt. Kadanse. There too, their aim was to give weapons to the interahamwe at the roadblock. A lot of Tutsis died there.

One of the people who collaborated with Ntirikina in furthering the genocide in Kigali is Callixte Mbarushimana, also currently living in France.

- **Callixte Mbarushimana**



**Callixte Mbarushimana in Paris**

The serious and consistent allegations against Callixte Mbarushimana, the executive secretary of the FDLR, have been a source of considerable embarrassment for the UN for many years. After the evacuation of foreign staff, the 44-year-old computer technician appointed himself as Officer-in-Charge of the United Nations Development Programme (UNDP) in Rwanda, from 10 April to 4 July 1994. He is accused by dozens of witnesses, including former colleagues, militiamen and local administrators, of using his position, and the resources, of the UNDP, to advance the policy of massacres, including the murder of Tutsis who worked for the UNDP. Dressed in military fatigues, armed with a gun and carrying grenades in his belt, witnesses say that he lent the vehicles and satellite telephones of the UNDP to military officers, that he also used the UNDP vehicles to facilitate his own contribution to the killings. He did not hide his collaboration with officers who were fully engaged in the genocide; they visited him at work, he took part in meetings at the army staff quarters and he travelled to Mont Kigali to hold discussions with Ntirikina. Mbarushimana, who comes from Nduusu in Ruhengeri, started working at the UNDP in 1992.

In 1992, Mbarushimana settled in Nyakabanda, and formed close ties with a group of extremists, all of who would distinguish themselves in the genocide in Kigali, men like Stanislas Simbizi, the general secretary of the ultra extra extremist party, the Committee for the Defence of the Republic (CDR); Robert Kajuga, the president of the interahamwe militia; Georges Rutaganda, Kajuga’s second vice president; Phéneas Ruhumuliza, the first vice president and other well-known interahamwe leaders like Jean Marie-Vianney Mudahinyuka, alias Zuzu and François Nambajimana, alias Mucacu<sup>46</sup> and Mugimba, president of the CDR in

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<sup>46</sup> Kajuga died in Kinshasa shortly after the genocide. Rutaganda was extradited from Zambia to the custody of the ICTR in 1995 and on 6 December 1999 was sentenced to life imprisonment for genocide, crimes against



Nyakabanda. The fact that Zuzu, Mucacu and Mbarushimana all lived in Nyakabanda reinforced their ties.

Long before the genocide, Mbarushimana was already encouraging young Hutu men to join the interahamwe. His important network of contacts, and the fact that he was working for the UNDP, gave him standing and influence among his neighbours, which in turn made it easier for him to enlist militiamen. Augustin Habinshuti, the dedicated leader of the interahamwe in Nyakabanda, was brought there by Mbarushimana.

As early as 8 April 1994, Major Ntirikina is said to have brought a jeep full of guns and grenades to Mbarushimana's home. Mbarushimana lost no time in giving them out to the militia, for example those manning the checkpoint below the Hotel Baobab.

The guns were soon put to use, on 9 April, when more than 20 people were murdered at a roadblock near a medical clinic close to Zuzu's home. They had been rounded up from their homes and assembled there. Zuzu, Mucacu and Mbarushimana arrived at about 10 a.m., all of them armed with guns and grenades. The captives were ordered to lie on the ground, and Zuzu then opened fire as a signal for the carnage to begin. A number of the women were taken away to be raped, and some were subsequently murdered. Many of the corpses were dumped in a mass grave below the stadium in Nyamirambo, in a place referred to as the "tapis rouge" [the "red carpet"].<sup>47</sup>

Mbarushimana was also physically present at the massacre, on 7 June, at the monastery of the Josephite Brothers in Nyamirambo. The operation was planned and supervised by Major Pierre-Claver Karangwa<sup>48</sup> and Col. Edouard Hakizimana<sup>49</sup>, working closely with other soldiers, one of the most notorious militiaman in Kigali, Habyarimana, better known as Kigingi; Nyirimanzi; Habinshuti; Félix Ntamfurayishyari<sup>50</sup> and Callixte Mbarushimana who was armed. Karangwa brought a group of gendarmes to back up the militia who numbered about 100. The killings began at around 5:00 p.m., leaving more than 80 victims.

In sector Biryogo, Mbarushimana acted as the right-hand man of Stany Simbizi, one of the chief architects of the genocide in Biryogo. The two men converted a house into a training ground for the pro-CDR militia known as *impuzamugambi*. Mbarushimana was a frequent visitor while soldiers taught them, from 8 April to May, the manipulation of guns and grenades. "They were plied with drink and then encouraged to form groups to kill Tutsis", said Karekezi.

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humanity and extermination. Ruhumuliza is said to have died in Nairobi. Zuzu is currently detained in the US on immigration fraud charges and for assaulting a federal officer.

<sup>47</sup> It is common in Rwanda to have a small area behind large football stadiums which are known as "tapis rouge." The one in Nyamirambo is particularly well-known.

<sup>48</sup> Major Karangwa's contribution to the massacres in his own commune of Mugina, Gitarama, is discussed earlier.

<sup>49</sup> Col. Edouard Hakizimana, alias Ndabu, is living in Belgium.

<sup>50</sup> Félix Ntamfurayishyari later became an interpreter at the ICTR in Arusha; *African Rights* is not aware if he is still an employee of the ICTR.

During the genocide, Mbarushimana also maintained good relations with the préfet of Kigali, Renzaho, and went regularly to the office of the préfecture to obtain petrol. His driver, who was Mucacu's brother-in-law was an important militiaman in his own right.

Mbarushimana continued to work for the UN after the genocide, in Angola and then in Kosovo. He was eventually forced to stand down, after widespread publicity about his role during the genocide. The UN carried out an investigation in 2001, based on 24 witness statements. It concluded that he was suspected of directing and participating in the murder of 32 people, including Tutsis who had worked for the UNDP. Based on this investigation, lawyers working for the ICTR concluded that he had a case to answer on charges of genocide drew up the indictment, but the Prosecutor at the time decided not to proceed, arguing that he was not "a big fish." In 2005, the UNDP asked the French government to initiate proceedings.

## Belgium

### ▪ Lt.Col. Théophile Gakara

Lt.Col. Théophile Gakara was deployed in Kigali in early April 1994, in the personnel department of the headquarters of the gendarmerie, but was quickly absorbed into the reconnaissance battalion.

He worked in ALIR's department of administration and personnel, then went to work for the FDLR in Kinshasa. He then left the DRC because he apparently became worried when the DRC government allowed some genocide suspects to be transferred to the detention facilities of the ICTR. From Kinshasa, he went to Brazzaville and then to Belgium where he now lives, and where he is active in the FDLR, in mobilizing funds etc. He comes from Byumba.

In the early 1990s, Gakara earned a reputation for the torture of Tutsis who were suspected of being RPF accomplices. He and the gendarmes who worked with him, including a corporal with the nickname of Kaveme, wore plain clothes as they combed Kigali to check out the homes of Tutsis. Those who were later picked up were taken for interrogation and torture to an office in the gendarmerie popularly known as "criminology." The councillor of Biryogo at the time, Karekezi, recalled his visits.

He played a great part in the arrest and torture of Tutsis. He used to come dressed in plain clothes to many parts of Nyamirambo and Biryogo to check out the homes of Tutsis.

Karekezi met again during the genocide.

He came to many roadblocks in order to urge the interahamwe to kill the Tutsis. He came to my sector, and told me that the time had come to erase the Tutsi race off the face of the earth. He had such an aversion to Tutsis he told me that Hutu women married to Tutsis should have an abortion.<sup>51</sup>

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<sup>51</sup> Interviewed in Kigali, 14 November 2007.

- **Jean-Damascène Hategekimana, Belgium**

Jean Damascène Hategekimana was the director of the Social Security Fund in Rwanda. He is from Gatonde in Ruhengeri. He was with the FDLR until he left Masisi in 2004 for Belgium. He was a much admired figure in the central committee of the MRND, where he was head of the economic commission. He was also a member of the MRND committee in Ruhengeri. He is accused of facilitating the purchase of weapons for the interahamwe militia, and of using the resources of the Fund to finance the activities of the interahamwe in general.

*Jean-Damascène Hategekimana is on the Interpol Wanted List of November 2007*

## OTHER GENOCIDE SUSPECTS IN THE DRC

In addition to the soldiers and civilians who are affiliated with the armed groups specifically targeted in the Nairobi agreement (FDLR/FOCA, RUD-URUNANA, Rasta) there are hundreds of well-known Rwandese genocide suspects currently living in the DRC. In this chapter we provide background information, and a summary of some of the charges levelled against a few individuals. Further details and new names will be discussed in future reports. Some of the men and women mentioned below may, in fact, be members of the FDLR, RUD etc... But even if they are not, it is in the interests of the government and people of the DRC, and in the interests of security and stability in the Great Lakes, to establish their presence and whereabouts, to investigate the serious allegations against them and to take the necessary and appropriate measures to bring them to justice.

These men and women include:

- **Félicien Semakwavu, Flodouard Havugimana, alias Havuga, and David Karangwa, alias Rufigi, at Murambi, Gikongoro**



**Félicien Semakwavu**

Félicien Semakwavu was the bourgmestre of commune Nyamagabe where the town of Gikongoro is located. Flodouard Havugimana was a deputy préfet in Gikongoro and David Karangwa, alias Rufigi, was a clerk in the district court in Nyamagabe. Working in close

concert with the préfet, Laurent Bucyibaruta<sup>52</sup>, Captain Faustin Sebhura, the deputy head of the gendarmerie in Gikongoro (see above), and with Col. Aloys Simba, in charge of the civil defence force, they managed to kill an estimated 50,000 Tutsis early on the morning of 21 April 1994. It was a technical school under construction on the crest of a hill in Murambi cellule, sector Remera, just outside the town of Gikongoro.

A few days into the genocide, the Tutsis who had assembled at the Catholic Parish of Gikongoro, and other public buildings in Gikongoro town, were directed towards Murambi by Bucyibaruta, Simba, Havugimana, Sebhura and Semakwavu amongst others. Tens of thousands of people were taken there under official escort, but many others were murdered at roadblocks before they even had a chance to reach Murambi. At the school, they waited in vain for assistance and protection. Some died from untreated injuries, hunger and dehydration. Havugimana and Karangwa helped to smash the water pipe and militiamen surrounded the camp and cut short the lives of those who tried to break out or to go out in search of water and food.

As conditions inside the camp deteriorated, outside its iron fence, military and civilian officials prepared the Hutu population for what they described as a war of self-defence. The days between 18-20 April were devoted to twin challenges: firstly, to generating fear and distrust of the Tutsis in the camp among Hutus living in the vicinity, particularly males, in order to convince them of the need for a showdown, and secondly, to drawing in forces from further a field.

To spare the Hutu women and children living in the vicinity—whose husbands and fathers had been enlisted as militiamen—Bucyibaruta, Semakwavu and Sebhura relocated them between the 18<sup>th</sup> and 20<sup>th</sup> to other premises in town. They also held meetings to make the necessary preparations for a large-scale offensive against Murambi by intensifying propaganda, recruiting militiamen and distributing guns and new machetes.

On the afternoon of 20 April, Bucyibaruta, Sebhura and Semakwavu visited Murambi to search for weapons. The gendarmes who accompanied them confiscated any item that could be used for self-defence, including the sticks for herding cattle. But they went on assuring the people there that their security would be guaranteed and all the while increased the campaign to sign up large numbers of militiamen.

On the night of 20-21 April, thousands of interahamwe militiamen were brought to Murambi from Nyamagabe and many other communes. The different teams were given instructions to meet up at Kabeza, a collection of shops about one kilometre south of the school. Some were transported in vehicles and others walked. They were advised not to make noise and not to light cigarettes to avoid alerting their would-be-victims. The men were told to disguise their faces with a variety of leaves, both as camouflage and as a means of distinguishing them from the “enemy.” Gendarmes armed with guns and grenades joined them.

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<sup>52</sup> Laurent Bucyibaruta, who has lived in France for many years, was first arrested there on 20 July 2007, and subsequently released and then re-arrested at the request of the ICTR which has asked France to prosecute him, along with Fr. Wenceslas Munyeshyaka, a Roman Catholic priest who was at the Parish of Ste. Famille in Kigali in 1994.

Shortly before 3:00 a.m., the men were met by Bucyibaruta, Semakwavu, Simba, Sebhura and his sub-ordinates, as well as other leaders, including Havugimana and Karangwa. The militia were ordered to encircle the camp.

Then at 3:00 a.m. the massacre began when the gendarmes opened fire. The refugees tried to retaliate, but armed only with stones, they were quickly overwhelmed. The explosion of bullets and grenades quieted in the morning, but the bloodshed continued as militiamen with machetes, axes, spears and clubs finished off the wounded and trapped those who had found hiding places. To prevent militiamen from abandoning their duties, Karangwa and Havugimana placed a group of men at the Kabeza roadblock to turn back deserters. With the school tightly surrounded, there was, in any case, little opportunity to elude the formidable array of weapons.

At the end, Semakwavu, Sebhura and Karangwa, amongst others, walked around to identify wanted men among the corpses. They also offered congratulations and encouraged the militia to feel pride in a mission accomplished, but indicated that the work was not over. They asked them to head towards the Parish of Cyanika in Karama commune to lend a hand to the officials and interahamwe who had begun to massacre the 10,000 Tutsis there. Some of the few survivors from Murambi ran to Cyanika. Many were murdered *en route*, and those who reached the church were killed there within a few hours, along with all the others.

An attempt followed to conceal the killings so they did not come to the attention of visiting journalists and the international community. Bulldozers were used to remove the corpses at both Murambi and Cyanika and to dump them in mass graves. In Murambi, the work was overseen by Semakwavu.

Semakwavu committed many other atrocities in Nyamagabe.

#### ▪ **Déogratias Hategekimana**

More people were killed at the Catholic Parish of Karama, situated in commune Runyinya, Butare, and at the commune office of Runyinya, than in any other massacre which *African Rights* has investigated in Rwanda since April 1994. The corpses of a reported 65,000 victims of the massacre of 21 April 1994 were discovered and given a decent burial in 1995. Déogratias Hategekimana, the bourgmestre of Runyinya, is the man who coordinated the carnage of that day.

Tens of thousands of Tutsi refugees had converged on Runyinya from 7 April onwards, mainly from Gikongoro, the neighbouring region where the genocide began immediately after Habyarimana's death. There were also Tutsis from Runyinya itself, as well as the communes of Huye, Nyakizu and Maraba in Butare. There were so many refugees—more than 70,000, together with their belongings and cattle—that they were spread across the expanse between the parish, the office of the commune and the post-primary school of CERAI.

From 19 April, the refugees' living conditions deteriorated sharply, as the bourgmestre cut off their access to food and water. The gendarmes, who had come to protect the refugees, began preventing them from leaving the parish or commune office, and started teaching local Hutus how to use firearms.

On the morning of Thursday, 21 April, soldiers from Camp Ngoma<sup>53</sup> took up positions around the parish, the commune office and CERAI. In the presence of the bourgmestre, they shot and threw grenades non-stop from 10:00 a.m. until 3:30 p.m., the point at which the soldiers had used up their ammunition. Survivors testify that Hategekimana participated in the massacre, taking up a gun himself and shooting into the crowd.

When the soldiers returned to Butare to replenish their ammunition, the survivors who could still walk left for Burundi or for the forest. But the killers continued to pursue them, using dogs to track people hiding in the forest. Some of those heading for Burundi were killed or injured at Gatobwe, about 9 kilometres from Runyinya, by gendarmes and interahamwe despatched by the bourgmestre

See the chapter on the massacres in Runyinya in *'Lt.Col. Tharcisse Muvunyi: A Rwandese Genocide Commander Living in Britain'*, Witness to Genocide Issue 12, April 2000, 109 pages, *African Rights*

#### ▪ **Fidèle Nzamwita**

The commune of Muyaga, in Butare, lies on the border with Burundi. And because the genocide did not start there until 26 April, it appeared an oasis of peace and attracted thousands of Tutsis from other communes in Butare, notably Rusatira, Kibayi, Mugusa, Ntyazo and Nyaruhengeri, and even from Ntongwe in Gitarama. While some thought they would be safe in Muyaga itself, others made their way there because of its proximity to Burundi. And the bourgmestre, Fidèle Nzamwita, appeared welcoming. He even detained troublemakers, giving the Tutsis in Muyaga, and the refugees, a false sense of security. This turned out to be critical to the success of the genocide in Muyaga because it encouraged Tutsis to believe that the bourgmestre would ensure their protection. Reassured by the bourgmestre, they headed for his office, the headquarters of the commune. At the same time, he quietly instructed the Hutu community to turn them back from the border.

The first assault came from civilians on Sunday the 24<sup>th</sup>; they were swiftly repulsed by the refugees. On the afternoon of Tuesday the 26<sup>th</sup>, the rumour spread that young Tutsi men who had escaped to Burundi had crossed back into Muyaga and were terrorizing Hutus, with the help of Burundian soldiers. It was not true, but it had the intended effect: to galvanize Hutus and isolate the Tutsis. Soon afterwards, the gendarmes who guarded Burundian refugees in a nearby camp opened fire on the commune office, assisted by the interahamwe and Burundians. A lot of people lost their lives, but the gendarmes had exhausted their ammunition between 4:00-5:00 p.m.

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<sup>53</sup> The commander of Camp Ngoma, Lt. Ildephonse Hategekimana, is awaiting trial at the ICTR.

Nzamwita then left to seek reinforcements from the military in Butare, and he returned to Muyaga with three vehicles full of soldiers from ESO. They surrounded the commune office at 6:00 a.m. on Wednesday the 27<sup>th</sup>, and used their firepower for several hours, allowing the militia and Burundian refugees to use their machetes and axes against those who had survived the bullets. The massacre would not have claimed so many lives if it was not for the soldiers Nzamwita had summoned from Butare.

*Fidèle Nzamwita is on the Interpol Wanted List of November 2007*

See the *Witness to Genocide* cited above for further information about the killings in Muyaga.

▪ **Tharcisse Kabasha, Amani Nyilingabo, Silas Kubwimana and Marcellin Nsengiyumva in Bwakira, Kibuye**

Four of the men responsible for the genocide in Kilinda, commune Bwakira in Kibuye, are among the Rwandese living in the DRC. They are:

- Tharcisse Kabasha, the bourgmestre of Bwakira and president of the MRND in Bwakira. Kabasha, 59, was born in cellule Nyabiranga, Bwakira;
- Amani Nyilingabo, a businessman in Bwakira;
- Silas Kubwimana, 47, a businessman who lived in Kigali, but was from Taba, Gitarama, where he was the president of the MRND;
- Marcellin Nsengiyumva, the director of the School of Nursing in Kilinda (ESI).

They had a number of key allies, especially Michel Twagirayesu, president of the Presbyterian Church in Rwanda (EPR); Dr Antoine Kamanzi, medical director of Kilinda hospital who is now working as a doctor at the University Teaching Hospital in Lusaka; Anaclet Rudakubana, a deputy préfet of the sous-préfecture of Birambo, and a group of Presbyterian pastors.

Kilinda is the historical founding place of the Presbyterian Church and Twagirayesu's region of origin. Presbyterian pastors from all over the country were in Kilinda for a retreat on 7 April when the genocide was unleashed.

Kubwimana is widely regarded as the man whose arrival in Kilinda ignited the massacre of Tutsis in the area. Married to Twagirayesu's niece, he had been given building contracts in Kilinda and was known there. Immediately he reached Bwakira, on 8 April, accompanied by six armed militiamen in military uniform, and three vehicles, he demanded to know why local residents had not turned on their Tutsi neighbours. He claimed that he had fled Gitarama



because Tutsis were massacring Hutus, and urged Hutus to strike first in Kilinda. The message he brought, which his militia helped to spread, was welcomed by Twagirayesu, Kabasha, Nyilingabo, Kamanzi, Nsengiyumva and the elite of Kilinda. Their frequent and open meetings exacerbated the tension and fear.

The homes and property of Tutsis in Kilinda came under attack from 10 April onwards from militiamen, including the men Kubwimana had brought. Many Tutsis sought shelter at the hospital and the school, a move encouraged by Kabasha and other community leaders. A meeting at about 5:00 p.m. on the 13<sup>th</sup>, attended by Kabasha and his allies, served as the prelude to the massacres the following day.

The elimination of Tutsis of Kilinda began on the evening of 14 April with a massacre at the hospital between 7:00 p.m. and 8:00 p.m., followed by a massacre at ESI which began between 9:00 and 10:00 p.m. The bodies of the victims were then thrown into the Nyabarongo River, along with some women who were still alive. The direct involvement of Kabasha, Kubwimana, Nsengiyumva and Nyilingabo in both massacres is clear from the testimonies of militiamen, survivors and witnesses. Nyilingabo and Kubwimana, armed with a gun and a pistol respectively, were at the forefront of the men who descended on the hospital, and were the ones giving the orders. Kubwimana's son, Emmanuel, who carried a gun, and the six interahamwe who had come with Kubwimana from Gitarama, were also in attendance. The same men then proceeded to the School of Nursing, and committed the second massacre of the evening.

Some of the Tutsis who got out, just in time, from ESI and the hospital succumbed to machetes and spears along the way, trapped by the myriad roadblocks which Kabasha, Amani, Nsengiyumva, Kubwimana and their allies had set up.

### ***Additional Charges Against Tharcisse Kabasha***

Tharcisse Kabasha is also accused of organizing a massacre that took place just a few hours before the events at the hospital and ESI, on 14 April, in an adult literacy centre, IGA, at the commune office. He also distributed weapons to the reserve soldiers and to the militia, and called on all the officials who worked under him to ensure the success of the genocide. He crossed the Nyabarongo river to help advance the killings in commune Masango, Gitarama, where he joined forces with Esdras Mpamo<sup>54</sup>, the strongman of Masango.

### ***Additional Charges Against Silas Kubwimana***

In Taba, Gitarama, Silas Kubwimana was the right-hand man of the bourgmestre, Jean-Paul Akayezu, the first person to be prosecuted by the ICTR. Akayezu bestowed the title of "colonel" on him and put him in charge of a committee on "security." With Akayezu's blessing, Kubwimana distributed weapons to the militia, co-ordinated the killings and led many of the attacks himself. Together, the two men addressed meetings to justify the massacres in order to enlist the participation of the population and visited roadblocks.

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<sup>54</sup> Esdras Mpamo is said to be living in Côte d'Ivoire.

For details, see “Jean-Paul Akayesu, *First Prosecution by the International Criminal Tribunal for Rwanda*”, September 1996, Witness to Genocide Issue 4, 55 pages, *African Rights*

▪ **Jean-Damascène Rutiganda**



Jean-Damascène Rutiganda was the bourgmestre of the commune of Murama in Gitarama. He displayed tenacious energy in hunting down Tutsis throughout his commune, at times performing multiple massacres in a single day. His activities were comprehensive in terms of geography, and demonstrated extraordinary cruelty towards anyone suspected of being Tutsi, regardless of age, infirmity or position as a religious authority. He has been accused by witnesses of the following:

- Creating a militia force known as *Ibigashari*, which carried out massacres and other acts of genocide at his command and with his support;
- Inciting the local population to genocide, through encouragement, intimidation and example, forcing residents to take part in the killings, and threatening those who refused;
- Organizing and helping to implement massacres of Tutsi refugees at Murama commune office on 25 April and, on 20 May, at Buhanda commercial centre, at a place known as the “douane” and at Gitovu trading centre where Adventist pastors and their families were killed;

- Raiding and ransacking houses in search of Tutsis, and ordering the killing of those that he found, often performing the final *coup de grace* to finish off the victims;
- Personally taking part in the murder of dozens of people, including children, women, the elderly and disabled people. He killed people by shooting them, crushing their heads with stones, and bludgeoning them clubs. In two gruesome cases, he used a knife to cut out the heart of the victim, and used a machete to decapitate a young woman, parading her head through the streets as a strategy of intimidation;
- Forcing the local population to clean up after the massacres by digging mass graves to dispose of the bodies;
- Encouraging militiamen to set fire to houses belonging to Tutsis;
- Ordering the looting of homes, stealing money, cows, and other household goods, and distributing the plunder as a reward to those who participated in massacres.

It was previously thought that Rutiganda was living in Belgium, but recent information indicates that he is living in the DRC. See “*Jean-Damascène Rutiganda: A Free Man in Brussels?*” June 2006, Witness to Genocide Issue 16, 41 pages, *African Rights*

***Jean-Damascène Rutiganda is on the Interpol Wanted List of November 2007***

#### ▪ **Théodore Gakuba**

The man Rutiganda relied upon the most is Théodore Gakuba, a reservist in FAR and head of MDR-Power in Murama. Gakuba, 53, comes from sector Nyabinyenga in Murama. Gakuba was centrally involved with the killings in Buhanda and the murder of Adventist pastors and their families in Gitovu on 20 May.

There is extensive information available on Gakuba in African Rights’ 2006 *Witness to Genocide* on Rutiganda and also “*Nkomero: A Collective Account*” [of gacaca], April 2003, 50 pages.

#### ▪ **Rose Karushara**

Rose Karushara is one of the best-known female génocidaires. She was the councillor of sector Kimisagara, commune Nyarugenge in Kigali. Now in her mid-sixties, she comes from Bwakira, Kibuye. A tall and physically strong woman, and clad in military fatigues, she used to beat up the refugees herself before handing them over to the interahamwe. She distributed firearms to the militia and was seen frequently at the roadblocks in her sector, deciding on the spot whether Tutsis who had been captured should be killed or not. She held meetings with the militia at a place called Ntaraga in Kimisagara. The plans that led to various massacres were drawn up at Ntaraga. The distribution of weapons to the interahamwe in Kimisagara was

carried out at her house. Many of the people massacred in her sector, both residents and refugees, were thrown into the Nyabarongo river, or their bodies were dumped in a mass grave situated around the hides and skins factory known as SODEPARAL. Others were killed in front of her house while she watched.

Her son, Mutabaruka, then 24, was her driver during the genocide and carried a gun. The two of them drove around the other sectors of the commune to follow the progress elsewhere. Another son, Pascal, was also a militiaman who worked alongside his mother. It is a testimony to the success of Rose Karushara as a genocide leader that a substantial number of people were killed in her sector. After cleansing Kimisagara, she went to help the perpetrators in the neighbouring sector of Cyahafi.

For additional details, see *‘Not So Innocent, When Women Become Killers’*, August 1995, *African Rights*

### ***Rose Karushara is on the Interpol Wanted List of November 2007***

#### ▪ **Siméon Remera, alias CDR, and Gemma Nayigiziki**

Siméon Remera, from Runyinya in Butare, worked as a medical assistant at Kabutare psychiatric hospital in Butare. He was the president of the CDR party in Butare, and was himself known as “CDR.” He and his wife, Gemma Nayigiziki, a nurse in a dispensary in Rango, lived in the town of Butare, in sector Tumba, near the sector office. They are among the principal planners of the killings in Tumba.

Remera is accused, among other charges, of:

- Inciting Hutus to kill Tutsis;
- Helping to organize and take part in the killings in Tumba;
- Handing out guns, machetes and other weapons to the militia in Tumba;
- Providing the petrol that was used to burn down the homes of Tutsis;
- Making lists of Tutsis as targets, many of whom subsequently perished;
- Facilitating the murder of children who were hiding in Kabutare;
- Establishing a committee to monitor the progress of the killings in Tumba and nearby Cyarwa.

His wife, Gemma Nayigiziki, was his main ally. She is said to have prepared lists of people to be killed, and encouraging Tutsis to come to their home in search of safety, only to die shortly afterwards. She also made lists of properties that belonged to Tutsis, which were to be shared out by Hutus.

#### ▪ **Marcel Murwanashyaka**

Marcel Murwanashyaka, 37, is said to shuttle between Kinshasa and Congo-Brazzaville. He was a teacher in Nyamasheke, commune Kagano, in Cyangugu. He was the president of CDR in Kagano, and was among those who prepared and executed the genocide in Kagano.

More specifically, Murwanashyaka was a key figure in the massacres at the Catholic Parish of Nyamasheke. He led the first attempt to storm the parish, on 13 April, which was neutralized by the gendarmes guarding the thousands of refugees who had assembled there. In the subsequent negotiations with local officials and clergy, he appointed himself as the spokesperson for the militia. He instructed his men to cut off the water supply to the refugees, and to stop vehicles in order to deprive them of food. And when the killings began at the parish on the 14<sup>th</sup>, lasting several days, Murwanashyaka was at the centre of the carnage.

### ▪ **Gabriel Murara**

Gabriel Murara was a medical assistant at Butare University Hospital. He was the president of MDR-Power in commune Gishamvu, Butare, where he was also the head of the interahamwe in April-July 1994. The charges which have been levelled against Murara include:

- Calling on Hutus in Gishamvu to take part in the genocide;
- Setting up patrols to track Tutsis;
- Giving the militia instructions to assassinate Tutsis, and to loot and destroy their homes and properties;
- Obtaining the guns that were used to murder Tutsis;
- Taking an active role in the massacres that began on 25 April at the Parish of Nyumba and at the Grand Seminary of Nyakibanda in Gishamvu where thousands died.

See *African Rights'* report on gacaca in Gishamvu, "*Gishamvu, A Collective Account*", January 2003, 26 pages.

### ▪ **Dominique Karani**

Dominique Karani, 53, is from sector Birambo, commune Musambira in Gitarama. He was the bourgmestre of Musambira for a number of years until 1993. And when the genocide began, he joined forces with, amongst others, Abdelhamani Iyakaremye, president of the MRND in Musambira and a member of the central committee of the MRND. The Tutsis of Musambira went *en masse* to the Parish of Musambira, where most of them died at the hands of Karani, Iyakaremye and their allies.

## CONCLUSION AND RECOMMENDATIONS

Implementation of the Nairobi communique depends, above all, on the political will of the two main parties, the DRC and Rwanda. Neighbours like Burundi and Uganda, the African Union, the UN, the US and the EU can exert political pressure to move the process forward, and the UN, the EU and the US can assist by providing financial, logistical and practical support. Other institutions and groups, including human rights organizations, can make a contribution in suggesting further details, as we do below, and especially by monitoring the quality and pace of implementation.

### **Dismantling the Ex-FAR/Interahamwe**

The heart of the Nairobi communique is the determination to “*launch military operations, as a matter of urgency, to dismantle the ex-FAR/interahamwe as a genocidal military organization in the DRC. Such operations should be simultaneously conducted with operations to dismantle illegal armed groups in North and South Kivu.*” A successful military strategy depends, among other factors, on the element of surprise. In this context, the announcement, on 5 December in Addis Ababa, that the operations will begin in March 2008, is puzzling.

The ex-FDLR-FOCA officers and fighters who have deserted and returned to Rwanda have considerable experience between them, and are in a unique position to offer advice about how to formulate a realistic and effective military and political strategy against their former colleagues. They should be consulted at the earliest possible stage, and their input sought as plans proceed.

### **Sanctions: Political Disarmament**

The DRC, Rwanda, the EU, the UN and the US, as signatories, said they would “*urge the Security Council to pass a resolution establishing sanctions against the Ex-FAR/Interahamwe and call upon all Member States to prevent all fund-raising, mobilization or propaganda activities of the ex-FAR/Interahamwe...*”

If the purpose of the proposed military operations is to destroy the military machine the ex-FAR/interahamwe have implanted in the DRC, this must be matched by a similar determination to disorganize them politically. As this report, citing those who had led and fought alongside the FDLR has emphasized, the morale of the men who sustain this killing machine, and their confidence that they are visible and vocal internationally, depends on the ability of their representatives to lobby on their behalf. It is therefore essential to think long and hard about ways in which this political machine can be turned off, so that no country can be used as a source of financial, diplomatic or political support to carry out activities that destabilize the DRC and its neighbours.

The Tripartite Plus Commission, in which the DRC, Rwanda, Uganda and Burundi meet regularly to discuss regional problems, had already, in 2005, elaborated a set of sanctions in case the FDLR failed to disarm in accordance with the Sant'Egidio agreement of 31 March 2005. Their suggestions were:

To ban the FDLR and its supporters from:

- Access to media;
- Fundraising,
- Political discussions ;
- Travel;
- Freezing assets;
- Imposing visa restrictions ;
- Cutting off all access to safe havens and arms flows to militias.

These ideas could be the basis for a discussion about the proposed Security Council resolution. Whether a new resolution adopts any of these suggestions or not, it must have all the elements that will make it impossible for the ex-FAR/interahamwe to rely on a strong, well-connected, vocal and visible network of representatives, many of whom are now nationals of the countries where they live.

### **Encouraging Repatriation**

The FDLR fighters who are now living in Rwanda are the best vehicle for convincing those who are still in the DRC to lay down their arms. It is clear that they themselves had been influenced by the information they had obtained, regarding their families, the fate of ex combatants in Rwanda and about conditions in the country, from those who had preceded them.

#### ***To Rwanda***

- Increase transmission of the weekly radio programme, *Isange Mu Banyu*, which gives voice to FDLR fighters who have come back voluntarily, to at least twice a week, and for a longer duration. It is listened to attentively by those in the DRC;
- Provide FDLR returnees with sufficient financial means to communicate with those at the front. The only way to overcome the reluctance of those who remain sceptical about the radio broadcasts is to enable their friends to speak directly to them.

### ***To the UN and MONUC***

- The UN should improve the services provided by MONUC to welcome and assist those who have opted for voluntary repatriation by increasing the number of reception centres and, very importantly, by strengthening the security around the reception centres. Ex combatants spoke about incidents in which they were nearly ambushed by the FDLR near MONUC reception centres, and in some cases virtually snatched out of the hands of MONUC soldiers;
- Enable combatants to leave the reception centres as soon as they arrive. Some of them have spent as long as two weeks, and given the inevitable anxiety they must feel, compounded by fears about security, this will only discourage others.
- Facilitate a confidential and independent study to examine why combatants who were repatriated by MONUC are so critical of MONUC's capacity to create an enabling environment for would-be-deserters, and why so many question the commitment of MONUC soldiers on the ground to repatriation.

### **Refugees and Family Reunion**

A significant number of ex-FAR/interahamwe who are now living in Europe and North America have benefited from the right of refugees to family reunion. They often settle their families first in the west, both to guarantee them a better life, but also in order to join them later through these programmes.

Rwanda should work much more closely with the EU and the US on this, providing them with the relevant information on which officials can, where appropriate, begin the necessary investigations.

### **Justice**

Despite the long period that has passed since the end of the 1994 genocide, there is still insufficient international interest in bringing the perpetrators of the genocide to justice. The violence and insecurity which the ex-FAR and interahamwe perpetrate in eastern DRC, and which their supporters seek to minimize and explain away, is inseparable from the issue of genocide justice. Contrary to the arguments that there are only a small number of genocide suspects among the FDLR in the Congo, there are hundreds. And there are dozens more genocide suspects, living in comfort in Africa, Europe and North America, among their representatives. They have not only escaped justice themselves. They are also undermining the process of justice in Rwanda by intimidating and bribing those who have testified against them in *gacaca*, or potential witnesses, and by setting up networks to help their close relatives, accused of genocide, elude justice and find refuge abroad.



### ***To Rwanda***

- Establish a central co-ordination body to bring together all the relevant information concerning genocide justice available at the Prosecutor's Office, the Military Prosecutor's Office, the *gacaca* jurisdictions and the national bureau of Interpol;
- Submit lists of genocide suspects among the ex-FAR/interahamwe to be shared with the government of the DRC and MONUC, as suggested by the communique. Rwanda should consider this a priority, and provide not only names but solid and detailed information on which action can be taken. Since the ex-FAR/interahamwe groups connected to the FDLR/RUD etc... also live in Africa, Europe and elsewhere, similar lists and detailed information should also be given to the relevant national jurisdictions;
- Overcome the reluctance to make up such lists as a response to the suggestions, made by some commentators, that everyone who is not on those lists can then automatically be considered as having nothing to do with the genocide. This is unrealistic. Apart from army officers who served in the same battalion, the combatants in the DRC were not, for the most part, living and operating in the same areas during the genocide. They cannot, therefore, be expected to know what crimes their colleagues or troops might be accused of back in Rwanda. And the witnesses in Rwanda do not generally know who, among the thousands of Rwandese refugees in the DRC, has joined the FDLR, RUD or Rasta. Rwanda's other argument, that the focus on individual culpability for genocide crimes in 1994 ignores the genocidal nature of the FDLR/RUD project, has now been addressed, in no uncertain terms, by the Nairobi communique. It is, therefore, in the interests of all concerned for Rwanda to respond positively to the suggestion that it provide lists and information about genocide suspects to the government of the DRC and to MONUC.

### ***To the DRC***

- Follow through on the commitment to make a military plan that includes the *“arrest and handing over to the ICTR and Rwanda of those indicted for crimes of genocide, crimes against humanity or war crimes.”*

### ***To the African Union***

- Discourage African countries from harbouring fugitives from justice, targeting in particular those who are, at the same time engaged in destabilizing activities on behalf of the FDLR, RUD etc... There are significant concentrations of FDLR representatives and lobbyists, many of them genocide suspects themselves, and who are directly engaged in destabilizing the DRC and its neighbours. There is special cause for concern with regard to Zambia which has become, by far, the most important centre, outside of the DRC, for the FDLR and genocide suspects in general. Attention also needs to be paid to Malawi, and increasingly Mozambique, as well as South Africa, Tanzania, Congo-Brazzaville and Cameroon.

### *To the UN Security Council*

- Use every opportunity to remind all member states of the UN of their obligations to bring perpetrators of the genocide, who are living in their countries, to justice;
- Re-open the case against Callixte Mbarushimana, who was in charge of the UNDP office in Rwanda during the genocide, and who is accused of complicity in the murder of Tutsi employees of the UN, and of using the resources of the UN to advance the cause of genocide. The UN must deal with the Mbarushimana case as a top priority, given the gravity of the allegations against Mbarushimana. The UN cannot provide moral leadership on genocide justice if it fails to treat this matter with the seriousness it deserves. It cannot hope to convince member countries to act against the FDLR when Mbarushimana, the executive secretary of the FDLR, and a virulent and tireless advocate for the FDLR, is allowed to act as he does without fear of consequences.

### *To the United States Government*

- Expand the US Rewards for Justice Programme which has included Rwanda since July 2002 with regard to fugitives from the ICTR. A significant number of “big fish” were arrested in different African countries immediately it came into operation. The fugitives who were on the list from the outset, and who are still large, include senior officers with the FDLR who are profiled in this report. The programme should be broadened to cover some of the other key figures whose names appear above, and publicized as widely as possible;

### *To the European Union*

- Strengthen the relatively new European Network of Contact Points in Respect of Persons Responsible for Genocide, Crimes Against Humanity and War Crimes, which devoted its meeting in The Hague in May 2007 to Rwandese genocide suspects in Europe. Bringing together prosecutors from across Europe, it is a useful mechanism for addressing the large-scale presence of ex-FAR/interahamwe on European soil.

## **The Government of the DRC: Investing in Long-Term Durable Peace**

Even if the current violence in the Kivus were to end shortly, the potential for future conflicts will remain as long as the Government of the DRC fails to put in places polices to promote long-term peaceful co-existence between the different ethnic groups in the Kivu region, especially between the Congolese of Rwandese origin, and the other groups who describe themselves as *autochtones* [natives of the region]. This is a complex problem with a long, bitter and deep-rooted history. It requires thoughtful initiatives not only at the level of the central government, but particularly at the local level, and not only with the State, but with civil society, NGOs and the Churches. Even with goodwill, initiatives by the government are unlikely to bear fruit immediately. What is urgent now is for the government to show evidence of its political will to move in the right direction, for example by setting up a multi-

ethnic commission with a wide-ranging mandate to study the problems of the Kivus in their entirety, with the mission of elaborating concrete proposals for peaceful co-existence.

### **The Government of Rwanda: Contributing to Regional Stability**

In asking Rwanda to desist from giving its backing “to any armed group or renegade militia leaders” the Nairobi communique specifically singles out Laurent Nkunda’s group. In this context, Rwanda should take measures to ensure that Nkunda cannot recruit fighters among demobilized soldiers and among civilians living in camps in Byumba.

## THE NAIROBI COMMUNIQUE AS AN ANNEX

**Joint Communiqué  
of  
the Government of the Democratic Republic of Congo  
and the Government of the Republic of Rwanda  
on a common approach to end the threat posed to peace and stability in both countries  
and the Great Lakes Region**

We, the Government of the Democratic Republic of Congo and the Government of the Republic of Rwanda, having met in Nairobi on 9 November 2007, have agreed on a common approach to address the threat posed to our common security and stability by the ex-FAR/Interahamwe<sup>55</sup>. The meeting was facilitated by the United Nations, in the presence of United States and the European Union.

We, consistent with the commitments made in the Lusaka Cease Fire Agreement of 1999, which set out modalities for the disarmament and repatriation of all foreign armed groups, including the ex-FAR/Interahamwe, in the territory of the DRC; the bilateral agreement signed in Pretoria on 30 July 2002 between the Governments of the DRC and Rwanda; the Principles on Good Neighbourly Relations and Cooperation between the DRC and Burundi, Rwanda and Uganda of 25 September 2003; the Pact on Security, Stability and Development in the Great Lakes Region of 15 December 2006; and the various commitments made within the framework of the Tripartite Plus Commission, including the commitments made by the Tripartite-plus Members in Lubumbashi on 8 June 2007 and Kampala on 17 September 2007; to eliminate the threat posed by illegal armed groups through peaceful and military means, taking into account the action plan presented by the Government of the RDC to address the problem of the ex-FAR/Interahamwe on 3 October 2007 and the response and counter-proposal made on this plan by the Government of Rwanda:

**Have reiterated the following:**

1. Peace and Security in the DRC and the Great Lakes Region can only be achieved once the threat posed by all foreign and national armed groups in the DRC and their politico-military organizations is addressed;
2. The ex-FAR/Interahamwe constitutes a major threat to peace and security of Rwanda, the DRC, and the countries in the Great Lakes Region in general, as well as to the Congolese population;

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<sup>55</sup> The term ex-FAR/Interahamwe used in this text shall be understood as referring to all Rwandan armed groups on Congolese soil, irrespective of their denomination (ex-FAR, Interahamwe, ALIR, FDLR, RUD-Unana, Rasta etc.)

3. The presence of irregular Congolese armed groups in eastern DRC equally poses a threat to peace and security in the DRC and the entire Great Lakes Region;
4. We both reaffirm our commitment to respect and uphold each other's sovereignty, and reiterate our commitment to fully cooperate and implement a common approach to dismantle the ex-FAR/Interahamwe as a genocidal military organization operating in the territory of the DRC;
5. We fully commit to prevent the direct or indirect support- political, material or human - to any national and foreign armed group operating in the DRC;
6. We shall share information, and address issues of common concern through existing mechanisms, in particular the Joint Verification Mechanism (JVM) and the Tripartite Plus Commission;
7. We shall immediately assign the members to the JVT in Goma and Gisenyi as well as in Bukavu and Cyangugu;
8. We commit to refrain from any negative propaganda against each other.
9. **The Government of the Democratic Republic of Congo commits to:**
  - (a) Prepare, by 1<sup>st</sup> December 2007, a detailed plan to disarm and address the threat posed by the ex-FAR/Interahamwe. MONUC will be requested to provide support to the planning and subsequent implementation consistent with its mandate and capacities. The plan will be shared with the Rwandan Government by 1<sup>st</sup> December 2007;
  - (b) Launch military operations, as a matter of urgency, to dismantle the ex-FAR/Interahamwe as a genocidal military organization in the DRC. Such operations should be simultaneously conducted with operations to dismantle illegal armed groups in North and South Kivu;
  - (c) Identify and commit the necessary resources to implement the military components of the plan;
  - (d) The plan shall include the following elements:
    - i) Reactivation and streamlining, in parallel with military pressure, existing efforts to sensitize ex-FAR/Interahamwe elements to disarm and repatriate to Rwanda;
    - ii) Temporary relocation of disarmed ex-FAR/Interahamwe elements to reception centres/cantonment sites in the DRC; registration by MONUC under the existing DDRRR procedures and repatriation of those who choose to return to Rwanda;
    - iii) with the help of relevant international organizations, moving of the disarmed ex-FAR/Interahamwe who do not wish to return to Rwanda and who are not

wanted for genocide by Rwandan justice or the International Criminal tribunal for Rwanda (ICTR), away from the border until their condition is normalized;

iv) Arrest and handing over to the ICTR and Rwanda of those indicted for crimes of genocide, crimes against humanity or war crimes.

(e) Refrain from statements in support of any armed group in the DRC;

(f) Publicize the contents of this joint communique.

**10. The Government of the Republic of Rwanda commits to:**

(a) Take all necessary measures to seal its border to prevent the entry into or exit from its territory of members of any armed group, renegade militia leaders, Nkunda's group in particular, and prevent any form of support – military, material or human - being provided to any armed group in the DRC;

(b) Share with the Government of the DRC and MONUC a list of wanted *génocidaires* (all categories);

(c) Refrain from statements in support of any armed group in the DRC;

(d) Encourage, through appropriate programs, ex-FAR/Interahamwe members and their dependents to return home and facilitate their effective socio-economic reintegration;

(e) Publicize the contents of this joint communique.

**11. The Government of the Democratic Republic of Congo and the Government of the Republic of Rwanda agree to:**

(a) Establish strict border controls and prevent illicit cross-border movement of combatants or recruits, arms, military material, food or medical support for any armed groups;

(b) Refrain from aiding and abetting (arming, facilitating movement, allowing recruitment, financing, providing sanctuary, etc) any armed group;

(c) Call upon all Congolese associated with the ex-FAR/Interahamwe to leave the group immediately and definitely; disarmed combatants that are found to be Congolese or are eligible to become Congolese in accordance with relevant national legislation, shall not be subject to repatriation; these will be registered, and a list identifying them will be shared with the Government of Rwanda;

(d) Cooperate in bringing to justice those accused of having committed war crimes, crimes against humanity and genocide;

(e) Commit to take all necessary measures to encourage and enable refugees to return home;

(f) Commit to actively support and facilitate the provision of humanitarian assistance to civilians in need, irrespective of political and ethnic affiliation;

(g) Undertake to minimize the negative impact of the agreed operations against the ex-FAR/Interahamwe on civilian populations and take measures to ensure the protection of civilians, as well as compliance of their forces with international humanitarian and human rights law;

(h) Commit to continuously share intelligence on the implementation of these actions through the existing bilateral mechanism.

12. **The Government of the Democratic Republic of Congo and the Government of the Republic of Rwanda call upon the International Partners witnessing this Communique, and other partners the two signatories to this Communique may agree on:**

(a) To mobilize support to help implement the commitments expressed in this Communique;

(b) To actively support the protection of civilians and the provision of humanitarian assistance to IDPs, refugees and those in need.

13. MONUC will protect civilians, in accordance with its mandate, against the negative impact of operations against the ex-FAR/Interahamwe and monitor compliance with recognized standards of international humanitarian and human rights law.

14. The signatories of this Communique urge the Security Council to pass a resolution establishing sanctions against the Ex-FAR/Interahamwe and call upon all Member States to prevent all fund-raising, mobilization or propaganda activities of the ex-FAR/Interahamwe.

15. The United Nations, the African Union, the European Union, the United States, South Africa and other partners the two signatories to this Communique may agree on, together with Representatives of the two parties, shall be invited to facilitate and monitor the implementation of this agreement.

Nairobi, 9 November 2007

For the Government of  
Democratic Republic of Congo

For the Government of the Republic of the  
Rwanda

Antipas Mbusa Nyamwisi  
State Minister of Foreign Affairs

Charles Murigande  
Minister of Foreign Affairs

For the United Nations

Haile Menkerios  
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For the European Union

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Roeland van de Geer  
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Timothy Shortley  
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