

# After genocide in Rwanda, a predictable crisis of impunity

*NY F Post  
17-11-96*

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There are times when an international crisis seems to unfold in slow motion. The world watches, disbelieving yet knowing that the worst is yet to come. Such a crisis has gripped the border between Zaire and Rwanda, where a million refugees are once again under siege or on the move.

These are the same refugees whose flight from Rwanda two years ago produced searing images of stick-like bodies, wasted from cholera, being piled into holes. What makes it worse this time around is that it was utterly predictable.

This was a disaster waiting to happen after the summer of 1994, when genocide claimed 800,000 lives. The world shuddered, and looked away.

Tens of thousands of Hutu killers fled with the refugees into the camps that are now under assault in eastern Zaire — Mugunga, Kibumba, Katale, Nyangezi. Here they fattened on international aid and preened in front of foreign journalists.

And what did we do? We treated the genocide like an afterthought. On November 8 of 1994, the United Nations established a tribunal to prosecute Rwandan war criminals. It was given the same prosecutor and appeals court as its sister tribunal for the former Yugoslavia, in The Hague. At which point, everyone lost interest.

Prosecutor Richard Goldstone, rightly alluded for his zeal in pursuing Bosnians, made only two visits to Kigali, leaving his Mauritian deputy, Honore Rakotomanana, to languish for months in Kigali with out so much as a secretary.

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supervised the disembowelment of 10 Belgian soldiers serving with the United Nations during the 1994 killing spree.

While the United Nations has fiddled, the vengeful Rwandans have packed more than 80,000 suspected "genocidaires" into ramshackle jails without so much as a trial. Hundreds have died from malnutrition or suffocation.

Under pressure from aid donors, the Rwandans drafted a law that would respect the demands of justice, while giving lesser genocidaires an incentive to confess.

Only ring leaders, or anyone who killed more than 50 people, were to be liable for the death penalty. But the final version was toughened up at the insistence of those who survived the genocide.

Accepted by the constitutional court on August. 29, it talks in generalities and does nothing to reassure a young Hutu who was caught up in 1994 madness and is looking for a reason to return. This is one reason why the refugees are not returning to Rwanda, but would sooner take their chances in Zaire,

Eventually the situation exploded, as it had to. Without leadership from Kinshasa and under local pressure to act against the influx of refugees, authorities in eastern Zaire turned on ethnic Tutsi, or Banyamulenge, who have lived peacefully in Southern Kivu for generations. To nobody's great surprise, the Rwandans sent troops across the border to support the Banyamulenge, who sized Goma and Bukavu. They seem intent finishing off the war of 1994.

Let us at least learn lessons from the past as we gear up for the next round of this never-ending disaster.

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The tribunal developed on information policy, and had no profile. It was so marginalised that when the UN refugee agency drew up the names of 13 refugee "intimidators" in the camps in December 1995 and concluded that three were probably prosecutable war criminals. It neglected to inform the tribunal. One of the three was Francois Karrera, former prefect for Greater Kigali.

The tribunal has been running to catch up. It has indicted 21 individuals, but only 11 has been arrested, and of these only four are under lock and key at the court in Arusha, Tanzania.

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Once the immediate humanitarian needs have been met in eastern Zaire — and that will not be easy — heads of government should meet to develop a coherent region-wide response to genocide.

They should strengthen the tribunal, dismiss its administrators provide a military escort for its prosecution team and impose sanctions on governments that do not comply with its extradition calls.

They just insist that Rwanda arrives the new genocide law. I return, they should offer the funds to reform the Rwanda