



## UNION OF RWANDESE DEMOCRATIC FORCES (UFDR)

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### PRESS RELEASE N° 4/2003

## RWANDA: THE CULTURE OF IMPUNITY IMPEDES THE REAL POLITICAL LIBERALIZATION

The fear to face the justice in case of loss of power by the Rwandan Patriotic Front (RPF), for unpunished war crimes, crimes against humanity and acts of genocide committed by Rwandan Patriotic Army (RPA) in Rwanda since 1990 and in the Democratic Republic of Congo (DRC) since 1996, has led RPF autocrats and suspected war criminals to seek to maintain their grip on state institutions by imposing an antidemocratic and freedom-killing Constitution upon the Rwandan people, by impeding the normal functioning of other political parties and by intensifying repression against opposition parties ahead of presidential and parliamentary elections. The UFDR denounces the culture of impunity, the subsequent impediment of the real political liberalization and repression of political opposition by the RPF-led dictatorial regime in order to maintain itself to power and shield from justice its numerous war crimes suspects.

The list of still unpunished war crimes, crimes against humanity and acts of genocide committed by the RPA is too long and their partial documentation exists:

- Apart from accusing of genocide of Tutsis the former Rwandan regime during the massacres of April to July 1994, the Interim Report S/1994/1125 and the Final Report S/1994/1405 of the impartial UN Commission of Experts, reports on the basis of which the UN Security Council created the International Criminal Tribunal for Rwanda by its resolution 955 of 8 November 1994, concluded that the two Rwandan belligerents in 1994, i.e. the Rwandan Patriotic Front (RPF) and the then Rwandese State Authorities, had all committed crimes against humanity and grave violations the international humanitarian law during the period of 6 April 1994 to 15 July 1994. The RPF/RPA seized power in July 1994. Since then, there has been no justice for victims of massacres and atrocities committed by the RPA. RPA military officers suspected responsible of these crimes enjoy complete impunity and are protected by the RPF regime.

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The Union of Rwandan Democratic Forces (UFDR) is a political coalition formed by the Republican Rally for Democracy in Rwanda (RDR (<http://www.rdrwanda.org>)) and the Resistance Forces for Democracy (FRD).

- Units of RPA, allied with the Alliance of the Democratic Forces of Liberation of Congo (AFDL) during the 1996-1997 war which overthrew the Mobutu regime in May 1997, massacred more than 200 000 Rwandan Hutu refugees in the refugee camps in the provinces of the South Kivu and North Kivu. The UN Secretary-General's Investigative Team in the DR Congo has partially documented these crimes despite the numerous impediments to its mission erected by different actors in the field. The UN Security Council, in the Declaration of its President (S/PRST/1998/20) of July 13 1998, condemned these "massacres, other atrocities and violations of international humanitarian law committed in Zaire/Democratic Republic of Congo, and especially its eastern provinces, including crimes against humanity and those other violations described in the Report of the Secretary-General's Investigative Team (S/1998/581)". The Security Council requested the Government of Rwanda, in particular, to provide, before 15 October 1998, an initial progress report to the Secretary-General on the steps taken by it to investigate and prosecute those responsible for these massacres, atrocities and violations of international humanitarian law. This deadline had not been met; the different RPF-led governments have done nothing in this respect. All RPA officers suspected responsible of these crimes had been promoted and are not threatened at all by the RPF-led justice system.

- In its report S/2001/357 released on 12 April 2001, the UN Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of Congo accused the Rwandan Patriotic Army and Rwandan firms (Rwanda Metals, Great Lakes Metals, Sonex, BCDI, Tristar, BCR, BANCOR) owned whether by the government of the RPF regime or by individuals very close to the inner circle of the President Paul Kagame of systematic plundering of Congolese resources. The UN Security Council, in the Declaration of its President (S/PRST/2001/39) of 19 December 2001, requested the Government of Rwanda, among others, to take the necessary steps and measures against individuals and corporations implicated in the illegal exploitation of natural resources in the DRC. The UN Panel of Experts released its Final Report (S/2002/1146) on 16 October 2002. The government of the RPF regime has done nothing until now against those suspected individuals and criminal networks.

The violations of the freedoms of association, expression, peaceful assembly and of the normal free functioning of other political parties introduced by the RPF regime in the new Constitution of Rwanda ([http://www.cjc.gov.rw/eng/constitution\\_eng.doc](http://www.cjc.gov.rw/eng/constitution_eng.doc)) aim at ensuring an almost political monopoly to the RPF and perpetuating the impunity to suspected war criminals and other criminals within the RPF. The Kagame regime misleads the public opinion and the international community when it justifies its violations of the democratic principles and civil and political liberties enshrined in the Universal Declaration of the Human Rights, the African Charter of Peoples and Human Rights, the International Pact on Civil and Political Rights and other human rights treaties ratified by Rwanda, by the struggle against the ideology of genocide and the suppression of ethnic and regional divisions. These violations favor the RPF in any political competition, consecrate the status quo of the FPR regime in order to

perpetuate the impunity enjoyed by war crimes suspects within its regime. Rights and freedoms of the Rwandan citizens should be expanded, instead of being reduced.

The Kagame regime's maintaining in jails of the leaders of the Party for the Democracy and Renewal (PDR-Ubuyanja), its decision to dissolve the party MDR, member of the governmental coalition since 1994 and falsely accused of spreading the ideology of genocide and divisionism just as the end of transition nears, frequent harassment and intimidations of the leaders of the new party Alliance for Democracy, Fairness and Progress (ADEP- Mizero) strongly narrows the political space and distort unduly the political competition in favor of the RPF. These actions are all in line with the same RPF's strategy of eliminating any legally constituted political opposition to it inside Rwanda. For that, the RPF exploits for political ends the genocide of Tutsis and other crimes which afflicted the whole Rwandan people in order to maintain its grip on power by accusing of divisionism, of genocide or of threat to the security of the State, any person or political organization not under the influence of the RPF.

The International Community should not be misled by the Kagame regime. The UFDR demands the United States of America, all member countries of the European Union, Canada, Israel, Japan, India, South Africa, all other democratic countries, the UN agencies, the UN Security Council and Secretariat to:

- Not waste their money on the electoral masquerades of the Kagame regime consecrating the status quo and not resulting in a true political liberalization and genuine democracy.
- Pressure the President Paul Kagame to cooperate fully with the organs of the International Criminal Tribunal for Rwanda investigating war crimes and the crimes against humanity committed by his army in 1994 and to punish officers of his army implicated into the massacres of Rwandan refugees in DR Congo and Congolese civilians as well as in the loot of natural resources and other forms of wealth of the DR Congo since 1996.
- To put pressure on the Kagame regime for the immediate liberation of all political prisoners, immediate halt to the repression against the political opposition and the urgent acceptance of the of the Inter-Rwandan dialogue for the peaceful resolution of the Rwandan political conflict.

The UFDR, as the Permanent Consultation of the Rwandese Democratic Opposition (CPODR) of which it is a member, took the solemn engagement to openly conduct its political activities inside Rwanda and to participate in free and fair elections if the necessary conditions are met. These conditions are mainly the guarantees for political and legal security, including the legal recognition of political pluralism and opposition, the right to freedom of association and of peaceful assembly on the whole national territory, the liberation of all political prisoners and prisoners of opinion and a truly independent national electoral commission.

**Done at Montreal on 5 August 2003**  
**For UFDR**  
**Emmanuel Nyemera, Ph.D.**  
**UFDR Spokesman and RDR Vice-President**