

HUMAN RIGHTS WATCH/AFRICA

Formerly Africa Watch

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For Immediate Release, Tuesday, May 17: Human Rights Watch announced today that a lawsuit was filed against Jean Bosco Barayagwiza, the Rwandan leader of the extremist CDR political party, who is in the U.S. on a restricted visa for meetings at the United Nations. The legal complaint, a class action lawsuit on behalf of Rwandans whose relatives were executed in Rwanda by the army or the political party militias, incited by radio broadcasts promoted by the CDR. The action was filed in Federal District Court by the New York firm of Berle, Kass, and Case. (Stephen Kass, a partner in the firm, is a founder and executive committee member of Human Rights Watch.) Papers were served to Mr. Barayagwiza today at 3:30 as he was leaving his hotel to go to the airport.

The complaint filed against Barayagwiza is an action for \$2 million in compensatory damages and \$5 million in punitive damages for every murdered relative of a Rwandan woman living in the United States. It also seeks damages for all other Rwandans whose relatives died in similar circumstances. It is taken pursuant to the Alien Tort Claims Act and the Torture Victim Protection Act, among other laws. These laws permit victims resident in the United States to bring legal action against those believed responsible for the abuses they or their relatives suffered, if the individual responsible is also in the United States. A similar complaint was lodged last year against Bosnian Serb leader Radovan Karadzic during a visit to New York in a class action suit on behalf of Bosnian rape victims.

The plaintiff in the suit, Louise Mushikiwabo, is the sister of a Rwandan political leader, Lando Ndasingwa, who was murdered, along with their mother, and his wife and two children by the presidential guard on April 7. A few days later, the plaintiff's sixteen-year old nephew, Safari Jean Habimana, was slaughtered in Kigali by members of the CDR militia. Defendant Barayagwiza is directly implicated in their deaths as he is known to be the architect of the organized campaign of

ethnic and political violence that was unleashed by the Rwandan army, presidential guard, and political party militia in the wake of the assassination of the Rwandan president on April 6. Lando Ndasingwa, a Tutsi and an opposition political figure, had been repeatedly denounced as an "enemy" of Rwanda on Radio Milles Collines during the months before his murder. Defendant Barayagwiza is a member of the board of directors of the radio, and the chief ideologue of the CDR, which incited the army and militias to kill political moderates and Tutsis.

Human Rights Watch assisted in the filing of the case against Mr. Barayagwiza in an effort to hold him personally accountable for these and other deaths. The CDR militia, along with the militia of the allied MRND political party, have been responsible for the bulk of the killings in Rwanda, acting in cooperation with the Rwandan military.

Holly Burkhalter, Washington Director of Human Rights Watch, stated:

"Jean Bosco Barayagwiza is attempting to gain international respectability so that he can be a leading figure in a future government in Rwanda. Yet as the chief architect of the campaign of genocide and political murder that continues to engulf Rwanda, he is one of the greatest war criminals in the world. This legal action puts Barayagwiza and others like him on notice that they have no future in Rwanda or, indeed, anywhere in the world."

In helping develop the case against Barayagwiza, Human Rights Watch contacted a number of Rwandans living in the United States to solicit information about what became of their relatives. Within twelve hours, Human Rights Watch had received nine pages of names from 16 Tutsis living in the U.S. The list included 222 names of persons who had been murdered by the Rwandan army or political party militias since April 6. The youngest of the victims was two months old, the eldest was an 84-year-old pastor. In most cases, those providing the information had lost every single immediate family member who had been living in Rwanda. All were Tutsi.