

Callixte Mbarushimana one day before the French justice?

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May 4, 2019

Exclusive : Callixte Mbarushimana, the Alleged War Criminal in the U.N.'s Midst

Twenty-five years after the Tutsi genocide, will the U.N. at last pursue Callixte MBARUSHIMANA, one of its own former officials? By Colum LYNCH

Callixte Mbarushimana during a hearing at The Hague's International Criminal Court on Sept. 15, 2011. FOREIGN POLICY ILLUSTRATION/JERRY LAMPEN/AFP/GETTY IMAGES

Charles Petrie, a retired senior official at the United Nations, has devoted a fair chunk of the past quarter century of his life to a single crusade : securing the prosecution of a former U.N. employee, Callixte Mbarushimana, for allegedly overseeing the murder of 32 people, including three other U.N. workers, in Rwanda during that country's 1994 genocide.

So far, the endeavor has been an unmitigated bust. But in an effort to breathe new life into the case on the 25th anniversary of the genocide, Petrie has prodded U.N. Secretary-General António Guterres to support a long-standing attempt by Rwandan survivors in France to hold Mbarushimana and other alleged Rwandan mass

murderers accountable.

In a March 25 letter to the U.N. chief, Petrie threw new light on a scandal that has largely remained within the U.N. walls, alleging that U.N. officials failed to pursue one of their own employees in the aftermath of the slaughter and even kept him on the payroll for years.

As the genocide of Tutsis by Hutus began in April 1994, and the U.N. withdrew most of its force of 2,500, Mbarushimana, then a computer technician with the U.N. Development Program (UNDP) in Rwanda, declared himself the agency's officer-in-chief. He seized control of UNDP's assets, including Motorola radio handsets, and more than 25 U.N. vehicles, making them available to the Rwandan military, which used them to hunt down Tutsi victims who were suspected of serving as a kind of fifth column for the Tutsi-dominated Rwandan Patriotic Army, according to an indictment prepared by a prosecutor for the International Criminal Tribunal for Rwanda (ICTR). He also pointed the military to the homes of several U.N. employees who were later killed, said the indictment, which charged Mbarushimana with overseeing the murder of 32 people in all.

He later eluded prosecution by the U.N. war crimes tribunal for Rwanda and dodged extradition to Rwanda from Kosovo, where he continued to work for the U.N. He has been arrested on war crimes charges in Germany and France, only to be released. Last year, a French judge, Emmanuelle Ducos, concluded that she had insufficient evidence to proceed with a trial. Her successor, Stéphanie Tacheau, will soon weigh whether there is enough evidence to drop the case altogether.

Drawings from Charles Petrie's book *The Triumph of Evil : Florence Ngirumpatse, a U.N. personnel officer who was slaughtered in her home along with 10 others; the Interahamwe at work; and Day 40 at the United Nations*. By that point, close to half a million people had been killed while the Security Council continued to deliberate what to call the horrors. SPIKE ZEPHANIAH STEPHENSON ILLUSTRATIONS

Mbarushimana declined to comment through his lawyer, Laurence Garapin, who said the French investigation is proceeding in secret. "As a lawyer, I am also obliged by this secret," she told *Foreign Policy* by email. "My client is waiting also for the conclusions of investigations, and until then, he does not wish to make any comment." But Mbarushimana has previously denied any role in killing U.N. employees or anyone else during the Rwandan genocide.

The new appeal to the U.N. secretary-general is part of a wider effort by Petrie (who has been trying to track down eyewitnesses from Rwanda) and lawyers representing the survivors to collect more evidence of Mbarushimana's alleged crimes to persuade Tacheau to pursue a trial.

In his letter, Petrie claims the U.N.

shares the blame for Mbarushimana's flight from justice, charging that it failed to conduct a proper investigation into the killings a quarter century ago and subsequently suppressed a critical internal review commissioned by Mbarushimana's then-employer, the UNDP, of the U.N.'s mishandling of the case. When a French judge requested a copy of the UNDP review back in 2011, the U.N.'s top lawyer at the time denied in writing that such a document existed, according to a copy of the lawyer's letter to the French judge, which was viewed by *Foreign Policy*. "Surprisingly, when asked for a copy of the internal investigation that was undertaken by UNDP in November-December 2004, the Office of Legal Affairs denied that such a report existed," Petrie wrote to Guterres.

The French investigation into Mbarushimana was triggered by a 2008 complaint by a group of survivors known as the Collective of Civil Parties for Rwanda, or CPCPR, which first initiated legal efforts to prosecute alleged Rwandan mass murderers living in France back in 2001. The case has been gradually unraveling as eyewitnesses who testified against Mbarushimana before investigators with the ICTR more than 18 years ago have "retracted their testimonies, been killed or disappeared," Petrie wrote to Guterres. Petrie said he has contacted a key witness who is prepared to confirm testimony to international investigators. But she fears testifying at trial. "She knows that Callixte Mbarushimana remains a key member of the FDLR, and fears for the safety of her children," Petrie wrote. The FDLR is the French acronym for a rebel Hutu militia called the Democratic Forces for the Liberation of Rwanda.