

Government lauds life sentence for Genocide convict in Germany

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The Government has welcomed yesterday's German court life jail term for former mayor of Muvumba Commune, Onesphore Rwabukombe. The Higher Regional Court in Frankfurt, Germany on Tuesday convicted Rwabukombe to lifelong imprisonment without parole on genocide charges after court determined that he participated in the massacre of hundreds of Tutsi in 1994.

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Reacting to the verdict, Jean Damascène Bizimana, the executive secretary of National Commission for the Fight against Genocide (CNLG), hailed the latest ruling of the Federal Court of Justice, Germany's highest appellate court, for rejecting an earlier verdict, which he said had shown too much leniency in the face of the gravity of the charges against the convict.

Earlier in February 2014, Rwabukombe had already been convicted of genocide charges resulting in a 14-year prison sentence.

Bizimana said, "We are happy mostly because the court considered the gravity of the crimes committed by the man. This is a man, who, from 1992 to 1993 was personally involved in selecting and training militia that would eventually be armed and deployed to kill innocent Tutsi civilians."

"It was a programme called, in French, 'autodéfense civile' ('civilian self-defense force') that was notorious in the massacres. He ran the programme in Muvumba, in the Gabiro military base jointly with a military officer called Maj. Faustin Ntirikina who now resides in France."

Bizimana added that in 1994, Rwabukombe teamed up with area mayor Jean-Baptiste Gatete to organise massacres in Murambi, and especially in Kiziguro.

The Kiziguro memorial site, in Gatsibo District, is where more than 14,000 victims of the Genocide were laid to rest.

Records indicate that Gatete, in collaboration with Rwabukombe who was then leader of the neighbouring district, Muvumba Commune, agreed

to expel all Tutsi who lived in Muvumba and its environs and force them to seek refuge near the site as the only available refugee camp.

They would then order Interahamwe militia to transport the Tutsi on trucks and kill them at a site they had renamed ‘Rwabayanga’.

In Germany, Rwabukombe stood accused of partaking in a massacre against the Tutsi on April 11, 1994 when more than 400 Tutsi refugees were murdered at a church in Kiziguro. Rwabukombe was mayor at the time.

Reports from Germany say that during the initial trial in 2014, judges were unable to determine whether Rwabukombe had acted with the specific intention to commit genocide, or whether he could only be accused of complicity amid a general climate of hate.

According to Deutsche Welle (DW), Germany’s international broadcaster, in the second trial, judges decided that his actions were indeed addressed against an entire ethnic group, and not just directed selected individuals. This, reportedly, allowed the court to overturn the previous ruling and sentence Rwabukombe to life imprisonment without the possibility of parole under the genocide charges.

Minister of Justice and Attorney General, Johnston Busingye, said : “Justice has been served. Our position has always been, ‘extradite Genocide suspects to Rwanda for trial or try them in the courts of your countries where they are.’”

“Now, 21 years later, some European countries and, or judiciaries do not seem to have seriously opted for

either, and this results in a third unacknowledged option of providing them with safe havens.”

The 58-year-old had refused to testify in the case against him, forcing judges to rely solely on circumstantial evidence, said Josef Bill, the presiding judge at the Higher Regional Court in Frankfurt.

The trial begun in 2011 and, Rwabukombe is the first Rwandan to be charged by a German court for his role in the Genocide against the Tutsi.

Meanwhile, a long-running case against two leaders of the Democratic Forces for the Liberation of Rwanda (FDLR) militia accused of masterminding massacres in eastern DR Congo from their homes in Germany, concluded in September in a guilty verdict.

FDLR president Ignace Murwanashyaka and his deputy Stratton Musoni received 13 and eight years in prison, respectively, after a court in the south-western German city of Stuttgart concluded a four-year trial.

The FDLR comprises remnants of the ex-Far and Interahamwe militia that masterminded the 1994 Genocide.

The trial of FDLR leader Ignace Murwanashyaka and his deputy, Stratton Musoni, began on May 4, 2011, before the Oberlandesgericht, or the Higher Regional Court, in the south-western German city of Stuttgart.

In 2009, the two were arrested on a warrant issued by German Federal Prosecutors who confirmed that the fugitives were leaders of a “terrorist group (FDLR) accused of crimes against humanity and different ‘systematic’ war crimes” against the civilian population in DR Congo.