

Genocide : Will UN fugitives have their day in court before they die ?

Glory Iribagiza

The New Times, May 19, 2022



A composite of top Genocide fugitives Protais Mpiranya (left) and Phénéas Munyarugarama who were confirmed to have died some years ago. Photo : Net.

In less than a week, the International Residual Mechanism for Criminal Tribunals (IRMCT) has announced the death of two of the last six genocide fugitives that were indicted by the UN-backed court.

The mechanism took the reins of the former International Criminal Tribunal for Rwanda (ICTR), which closed in 2015.

The latest death to be confirmed by the tribunal's Chief Prosecutor is one of Lt Col Phénéas Munyarugarama, who a statement

issued on Wednesday, May 18 confirmed died 20 years ago, in 2002.

The man, whose heinous crimes were most pronounced in Bugesera district, died on 28 February 2002 in Kankwala.

“Following a comprehensive and challenging investigation, the OTP (Office of Prosecutor) was able to conclude that Munyarugarama died from natural causes on or about 28 February 2002 in Kankwala, in the eastern provinces of the Democratic Republic of Congo (DRC), where he was also buried” reads the statement on their official website.

Born in 1948, Munyarugarama was the highest ranking military officer and commander of Gako Military Camp in Bugesera District, and he led and supervised soldiers in his camp, other reservists and the Interahamwe militia in a large scale attack on thousands of refugees who had taken refuge in the Ntarama Catholic Church grounds.

He played a critical role in directing the systematic plan aimed at exterminating the Tutsi and took direct part in carrying out the campaign.

His indictment indicates that when car-

rying out the acts of direct and public incitement to commit genocide he had the intent to directly and publically incite others to commit genocide.

Munyarugarama and his family fled Rwanda for Zaire, where he soon joined ex-FAR military forces regrouping in that country to continue fighting the Rwandan Government even after the genocide.

The news of Munyarugarama's death followed closely that of Protais Mpiranya, who was last week confirmed by the same tribunal to have died in 2006 and was buried in a cemetery in Zimbabwe.

It was stated that Mpiranya died of tuberculosis in 2006, in Harare, Zimbabwe, where he allegedly lived since 2002 when he was indicted, under the fake identity of Sambao Ndume.

For years, several reports had pointed to him being in the southern African country, where he at some point operated a business, before it collapsed.

Considered a 'Big Fish' by the UN court, owing to his major role in the Genocide against the Tutsi, Mpiranya, was also not the first fugitive to be reported dead years after his unhonoured arrest warrant and indictment.

Remains of another fugitive Augustin Bizimana who was reported to have died in 2000 were apparently discovered in Pointe-Noire, Republic of Congo were also found in 2020.

No justice served

These known deaths and others have pushed the survivors of the Genocide to urge the international community to not deny them justice.

According to Egide Nkuranga, the president of Ibuka, the umbrella body for the 1994 Genocide against Tutsi survivors, it does not serve justice when a fugitive dies before they have their day in court to answer for what they did.

"We lose justice when someone die without going on trial. They die when still presumed innocent, yet they killed our people," Nkuranga told The New Times in an interview.

Nkuranga made a fresh call to other countries to extradite or try genocide fugitives living in their country.

"Many of them have been hiding for years with the help of their host countries. We request them to extradite or try them in their courts," Nkuranga added.

Where are they hiding?

In 2018, the IRMCT investigators traced a genocide fugitive, Fulgence Kayishema, responsible for the death of more than 2,000 Tutsi during the 1994 Genocide against Tutsi in Rwanda.

"Our main priority now is Fulgence Kayishema, who we previously located in South Africa," the Mechanism's Chief Prosecutor Serge Bremmertz said in the statement issued on Wednesday, after Munyarugarama was confirmed dead.

He was previously said to be living in Cape Town, South Africa, but according to South African local media, it was until a year after he was traced.

Despite efforts by the government of Rwanda in encouraging the international community to cooperate in arresting and extraditing genocide fugitives, the outcome remains little to none.

But who are the remaining four most wanted genocide fugitives believed to be roaming freely in different countries despite having a \$5 million bounty on their heads each?

Fulgence Kayishema

Kayishema was born in Kivumu, Kibuye, and he was the inspector of the judicial police during the Genocide.

The 62 year old ordered or planned, abetted and encouraged the destruction of the Church of Nyange, in Kivumu with more than 2,000 Tutsi trapped inside.

He was indicted by the ICTR for genocide, complicity in genocide, conspiracy to commit genocide and extermination as a crime against humanity, committed in Kivumu commune, Kibuye préfecture between April 6 and 20 in 1994, when he was police inspector.

Aloys Ndimbati

Ndimbati, the former Bourgmestre of Gisoovu commune in Kibuye préfecture partici-

pated in the killings of Tutsi across Kibuye between April 9 and June 30.

He is responsible for massacres of the Tutsi who sought refuge in the hills in the Bisese-ro region and the communes of Gishyita and Gosovu.

Ndimbati was charged with genocide, complicity in genocide, direct and public incitement to commit genocide, as well as with murder, extermination, rape and persecution as crimes against humanity.

Charles Ryandikayo

Ryandikayo was the manager of a restaurant in Mubuga in the Gishyita commune during the Genocide.

Born around 1961, Ryandikayo participated in the massacre of thousands of Tutsi refugees congregated in the Catholic Parish of Mubuga, 20km from Kibuye town.

Charles Sikubwabo

Sikubwabo served as mayor of Gishyita commune, Kibuye préfecture, from 1993 to July 1994.

In contact with the likes of Ndimbati, Sikubwabo facilitated the massacres of the Tutsi who sought refuge in the Bisese-ro hills.

He played an instrumental role in the murder of the Tutsi in the Kibuye region during the genocide, including personally participating in killings.

editor@newtimesrwanda.com