

Interpreting publication of “Rwanda genocide survivors criticize UN court’s call to permanently halt elderly suspect’s trial”

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Views expressed in this article are of the author. Leo Kabalisa lost four brothers, his father, and many members of his family during the Genocide Against Tutsi in Rwanda. He is currently an educator, President of Ibuka Canada, a Canadian organization for Genocide Survivors in Canada incorporated in 2023 and Vice President of Hope for Rwanda’s Children Fund which sponsors education for children in need in Rwanda.

The Toronto Star’s August 10th publication of the AP article “Rwanda genocide survivors criticize UN court’s call to permanently halt elderly suspect’s trial” summarizes the August 7th court decision to not proceed with the trial of Felicien Kabuga, a key figure in planning and financing the 1994 Genocide Against Tutsis in Rwanda.

With quotes from UN Chief Prosecutor Serge Brammetz and genocide survivor, Francine Uwamariya, the article attempts to provide a nuanced perspective with language

imagery, but it leaves survivors wondering if the world understands their story.

The headline of the article leads with “Rwanda genocide survivors” – a phrase commonly used by genocide deniers. The 2018 UN Declaration that the genocide be recognized as “the 1994 Genocide Against Tutsi” names the true victims and opposes the genocide deniers who prefer the phrase “Rwandan Genocide” to assert the claims of a “double genocide” of Tutsis and Hutus which never happened.

The article sews further confusion with the caption of the accompanying photograph of crying “Rwandan refugee children” begging to cross a bridge between Rwanda and Zaire (now the Democratic Republic of Congo/DRC). No explanation of this photograph is included in the article.

Does this help the reader understand the issue of trying a war criminal from 1994 or does it mislead the reader to think that Rwandan refugees who fled in 1994 cannot return to Rwanda? Rwanda’s policy on the



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right to return has always been clear: the right to return is not only allowed but encouraged!

The world of global politics at the UN is rife with paradoxes. While the UN recognized the 1994 Genocide Against Tutsi, the UN also recalled its 1994 mission to Rwanda (UN-AMIR) headed by Canadian General Romeo Dallaire as the killings accelerated. While the regime orchestrating the genocide began to lose the war and millions including perpetrators fled to Zaire (now the DRC), the UN settled refugees on the border between Rwanda and Zaire in violation of a policy to establish camps at least 25 km from the border of a conflict zone. This enabled the remnants of the defeated “EX-FAR” (former Rwandan

Army) to launch frequent deadly raids from the DRC on the civilian population across the border.

The betrayal of Rwanda by the UN is clear and has a long history. Killings of Tutsis from 1959 to 1961 and in 1973 were never condemned. For 30 years, no help was given to refugees who fled these massacres to allow them to return home. The UN gave full support to the former Rwandan government, which created state-sponsored discrimination and anti-Tutsi indoctrination. Rwandans had to carry identity cards identifying them as Hutu, Tutsi, or Twa and the government created quotas to restrict Tutsi access to state run sectors such as education and employment.

While the UN condemned Apartheid in South Africa, it allowed Rwanda to sail on undeterred until it carried out “the final solution” for Tutsis living inside Rwanda. Throughout the genocide Rwanda most ironically retained its seat on the UN Security Council!

The Toronto Star’s article of August 10th omits that Kabuga was arrested in 2020 and has been in custody for three years. During this time, Kabuga’s competence to stand trial was the subject of medical inquiry, twice accepted but overturned on the third appeal. The judges proposed an “alternative procedure that resembles a trial as closely as possible, but without the possibility of a conviction” (Justice Denied for Rwanda Genocide Victims | Human Rights Watch). The UN still rejected this proposal. For Tutsi survivors, the passage of time has become the victor, and justice is the loser.

Too many questions remain. Why can't the UN move this case forward in some form? Whose interests are really being protected? How was Kabuga able to live for 20 years in France undetected? Why are the family and friends who hid Kabuga and obstructed justice not held accountable? If Kabuga had been a Nazi, would greater efforts have been made to find him, put him on trial and convict him?

In today's world of rampant neocolonialism, countries defend their economic interests

in Africa at the cost of African human rights. If "Every Child Matters" and the "Anti-Black Racism Movement" have taught us anything, it's that telling the truth is the only solution. It is up to us to call the establishment to account and demand the UN deliver justice if it is to have any relevance in the 21st century. Justice delayed is justice denied. General Dallaire surely showed us the way. We must heed his good example!