

December 3, 2006

## **Spate of Killings Obstructs Rwanda's Quest for Justice**

By Karen McVeigh

It began with the offer of bribes. But Jan Mukabulele continued to do what she believed was her duty: give evidence against those she had seen armed with knives, machetes and clubs killing innocent people during Rwanda's genocide. Her defiance brought a savage beating to underline the threat that she would be killed if she did not keep silent. If she had any doubts that the threats were serious, they disappeared a few weeks ago. The night after she testified in a local court, she awoke to find her house engulfed in flames.

'I woke up and saw the fire,' Mukabulele, 44, from the Rwamagana district, told The Observer. 'I cried out to the children to run out and, thank God, they got out and ran to a neighbour's house for help. The flames had taken hold and I thought I was going to die, but my neighbour forced his way in and dragged me out of the house.'

She is not alone. Almost 13 years after the slaughter that left up to a million people dead, violence is again bubbling beneath the surface in Rwanda as it attempts to bring to justice those who were involved in genocide.

Figures compiled by aid agencies reveal that in the past month alone, there have been four reprisal killings of witnesses like Mukabulele. Last week a local court, or gacaca, judge in Rwamagana was hacked to death on her way to work, her body dumped near her home. Her eyes had been gouged out. Two weeks ago, in Ngoma, Martin Havugivaremye was ambushed by his killers, who hacked him to death with machetes. He called out for help, but no one in his village came to his rescue as he was hated for giving the names of killers to the gacaca. He had reported intimidation in the days leading up to his murder.

Since July there have been at least 16 killings and 24 attempted killings of witnesses. Ibuka, a survivors' charity in Kigali, has reported widespread intimidation of those who testify in gacaca against genocide suspects and perpetrators. The methods used on survivors already traumatised by the events of 1994 are often brutal and include death threats, poisoning, physical assaults and rape. One man had his tongue cut out.

When the gacaca system was first revived by the Rwandan government five years ago, it was hailed as a groundbreaking attempt to restore justice. A traditional court based on truth and reconciliation, in which criminals are tried within the communities where the crimes were committed, it was also seen as a way of dealing with 130,000 suspects in jail awaiting trial. Those who confess are 'forgiven' and serve a reduced sentence, half of which is community service, while those who refuse can face 25 to 30 years in prison. Last year marked the end of the pilot phase, and gacacas were implemented across the country.

But, as the international TV cameras that recorded the success of the initial trials moved

on, it is clear that the darker side of Rwanda's past is never far from the surface. In the villages, where genocide perpetrators and victims live side by side, it is perhaps inevitable.

Ibuka, which recorded 10 murders and 13 attempted murders of witnesses last year, warned that the number of reprisal killings is growing. Without sanctions, it said, more people will be murdered, deterring future witnesses.

Mary Kayitesi-Blewitt, the director of a UK-based agency, Survivors' Fund, said Rwandan charities were struggling to cope with the numbers of those affected: 'The killing of witnesses is on the increase, but nothing is done, no one is charged, no one is brought to court. It is their word against the survivors, and the survivors have no voice, so once again they go free.'

She urged the British government, one of Rwanda's main aid donors, to lead the international community to support a review of the gacacas and to fund a witness protection programme 'The international community, so silent and inactive during the genocide in Rwanda, remains indecisive as to what action to take. It must consider its responsibility. The survivors were abandoned once; let us learn from that lesson and not abandon them again,' she said.

Francois Ngarambe, president of Ibuka, warned that the problem would get worse as more suspects stood trial. 'In Rwanda, Hutus and Tutsis live side by side - witnesses live with those they have identified as perpetrators. One cannot ignore that there are still genocide tendencies, an ideology which can lead to elimination of witnesses. The government is doing the maximum it can to protect the witnesses and to stop the perpetrators continuing in the genocide ideology. But there is no support from anywhere. Without support, more people will be killed.'

Copyright 2006  
The Observer