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Rwanda Slams UN Genocide Court for Release of Wanted Lawyer

ARUSHA, Tanzania—Rwanda on Wednesday condemned a UN war crimes court for winning the release of a lawyer arrested last week in Tanzania who is wanted by Rwandan authorities for genocide.

Kigali's envoy to the International Criminal Tribunal for Rwanda (ICTR) slammed the court for protecting the alleged genocide fugitive by protesting the arrest of the attorney, Callixte Gakwaya, and seeking bail for him.

"We cannot maintain the same level of cooperation," said the envoy, Aloys Mutabingwa. "The ICTR played a clear and direct role in Gakwaya's release on bail. The tribunal has become an obstacle to justice.

"It is protecting those responsible for genocide," he told AFP after Tanzanian authorities released Gakwaya, a lawyer for a genocide suspect whose ICTR trial starts in January, following the court's intervention.

Gakwaya is not wanted by the ICTR but faces charges in Rwanda, where he is accused of participating in the 1994 genocide during which some 800,000 people—mainly minority Tutsis and moderate Hutus—were massacred by Hutu extremists.

He is accused of having supervised road blocks and massacres of Tutsis as they tried to flee the Rwandan capital during the genocide, and of having personally killed Tutsis who sought refuge in his home.

Gakwaya was detained by local Tanzanian police at the court's headquarters in the northern town of Arusha on Friday at Rwanda's request after a Kigali court issued a warrant for his arrest in February.

ICTR officials objected to his arrest, arguing he is covered by an agreement between the court and Tanzania intended to protect the rights of defendants by allowing them the defense of their choice.

The pact "provides for certain immunities in respect of counsel admitted to represent those accused before the tribunal," the court said on Tuesday when it registered "strong concern" to Tanzanian authorities about Gakwaya's arrest.

But Mutabingwa rejected the court's position and said Rwanda would be bringing the matter soon to the UN Security Council to complain that the ICTR "is becoming a haven for those responsible for genocide."

"The court is confusing immunity with impunity," he said, questioning whether the agreement between the ICTR and Tanzania was intended to turn the court into "a sanctuary for genocide fugitives."

The ICTR was set up in late 1994 to try the main suspects in the genocide and has thus far convicted 25 defendants and acquitted three.

Rwandan courts and local village tribunals are trying tens of thousands of others accused of playing less major roles in the killings.

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