

# Accused genocide leader safe in Paris, giving orders

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**PARIS** | A few months ago in the Democratic Republic of Congo, a group of rebels decapitated the chief of the village of Busurungi, tied the village men in a line elbow to elbow and cut off their heads.

In the meantime, the man who says he coordinates the rebels' daily activities was putting out their press releases from his apartment in a suburb of Paris. That's where Callixte Mbarushimana lives as a free man — even though he is on a U.N. sanctions list as executive secretary of the rebel group Democratic Forces for the Liberation of Rwanda (FDLR), which is accused of killing at least 700 civilians last year. He also is on Interpol's "wanted" list for genocide in his native Rwanda.

The 46-year-old former U.N. employee is a case study in how leaders accused of atrocities are getting away. His story also shows how the roots of conflicts in Africa have spread to Europe, with at least two dozen accused genocidaires living there now, including Mr. Mbarushimana.

"I find it truly incredible that he is able to regularly send out press releases from somewhere in Paris. It's intolerable," said Alain Gauthier, who heads an advocacy group for Rwandan genocide survivors. "We should at least be able to shut him up. Why has he not been arrested?"

## Extradition denied

French Foreign Ministry spokesman Bernard Valero said France has followed all the applicable laws, but it cannot extradite Mr. Mbarushimana to Rwanda as required by the Interpol arrest warrant.

“France does not extradite the citizens of countries which apply the death penalty — as was the case in Rwanda — or whose justice systems do not fully guarantee their rights,” Mr. Valero said.

A recent U.N. investigation traced calls from the satellite phones of FDLR commanders in the Congolese jungle to a network of numbers in Europe, showing the tight relationship between the foot soldiers committing atrocities and the group’s leadership abroad. Of those calls, the longest were to a set of unidentified numbers in France that U.N. investigators think are controlled by Mr. Mbarushimana.

In a move expected to increase the pressure on France to turn over Mr. Mbarushimana, Germany late last year arrested the chairman and vice president of the FDLR, who had lived in Germany for years. Those who have pushed since 1994 for Mr. Mbarushimana to face justice say France has shown time and again that it does not have the political will to go after genocidaires.

### **‘Am I hiding?’**

“I am here. Am I hiding?” Mr. Mbarushimana asked during a multiple-hour interview inside the lobby of a hotel in the posh Opera District.

He is eloquent and relaxed, a dapper man who wears well-cut suits tastefully matched with pink neckties. He listens to world music, enjoys world cinema and reads good novels. He stressed throughout the interview that he is innocent and that the FDLR is a military and political movement intent on bringing reform to Rwanda that has never committed abuses in Congo.

He acts like a man with nothing to hide — except that he won’t allow reporters to his house or say where in Paris he lives. The only subject he won’t discuss is what exactly he was doing in 1994.

### **Ignored signs**

In just 100 days starting on April 6, 1994, at least half a million Tutsis in Rwanda were slaughtered. Among them were 33 U.N. employees.

Even before the killings began, colleagues say, Mr. Mbarushimana, a Hutu who worked as a computer technician at the United Nations Development Program, made his views known. "He would point to the U.N. compound and say, 'Look at this place. It's full of cockroaches,'" recalled Jean Paul Kamatali, 48, a U.N. driver, using the slur that became code for Tutsis during the slaughter.

After several employees complained about threats, the head of the office called in Mr. Mbarushimana for a private talk. Mr. Mbarushimana made no attempt to hide his ideology, he said. "He was a fanatic," said Amadou Ly, the former UNDP country representative, who has since retired.

Mr. Ly realized the office's Tutsi employees were at risk and sent a confidential memo urging U.N. headquarters to put in place an evacuation plan. However, the memo was never answered, and when the slaughter began, the U.N. evacuated only its international staff. Tutsi secretaries, drivers and project managers went into hiding, crouching inside ventilation shafts, in holes, in septic tanks and in ditches covered with leaves.

### **Taking charge**

Four days after the start of the killings, Mr. Mbarushimana installed himself in Mr. Ly's former office and appointed himself officer in charge, according to a classified U.N. report made available to Associated Press. Witnesses said that instead of a suit and tie, he was coming to work in military fatigues, a pistol strapped to his waist.

The U.N. report claims that he turned over the office's satellite phone, its fleet of sport utility vehicles and its private gasoline pump to extremist paramilitary units, which used the U.N. equipment to carry out the killings.

"He offered them cars and fuel," said Jean Bosco Mutangana, Rwanda's national prosecutor, who heads the Genocide Fugitives Tracking Unit and is actively pursuing Mr. Mbarushimana. "The killers came to the U.N. compound to fill up their tanks, and from there, they set out to kill people."

Mr. Mbarushimana also is accused of leading the killers to the homes of his colleagues and, in some instances, helping carry out massacres himself, according to the report and AP interviews with his former co-workers.

Jean Berchimas Rwagitinywa, a Tutsi driver for UNDP, was hiding inside the home of another Tutsi driver for a different U.N. department when he saw a Land Cruiser with the blue U.N. logo. There was a knock at the door. Through a crack in the drapes, Mr. Rwagitinywa said he saw Mr. Mbarushimana and three police officers, all dressed in camouflage and with their guns drawn.

Mr. Rwagitinywa ran out through the back of the house and threw himself over the fence. He said he heard the tat-tat-tat-tat of automatic gunfire. Of the 10 people left inside, only his friend's daughter survived by climbing inside a crack in the ceiling.

### **False pretenses**

In signed witness statements, Mr. Mbarushimana's colleagues describe how he came to their homes under the pretext of organizing their evacuations. Those who got into his car were never seen again, they say. Senior U.N. officials are especially disturbed by claims that Mr. Mbarushimana used his U.N. contacts to sabotage rescue operations, dispatching killers to the homes of colleagues about to be evacuated.

Gregory Alex, a U.S. citizen who worked for the United Nations coordinating emergency relief, breaks into sobs when he recalls Florence Ngirumpatse, the head of human resources at UNDP, who was trapped inside her home less than a mile from the U.N. compound. Several of her colleagues had sent their children to stay with her, thinking her status and proximity to the United Nations would protect them. She was making desperate telephone calls to the United Nations for help when Mr. Alex finally got the go-ahead in May to dispatch an armed personnel carrier to evacuate her.

She and 12 others — mainly schoolgirls — were hacked to death just hours before the rescue team arrived, he said.

Mr. Alex said U.N. investigators later told him that Mr. Mbarushimana had a contact at U.N. headquarters in New York who relayed back to him classified information being sent by emergency workers in Kigali.

U.N. spokesman Farhan Haq said he could not confirm the report, stressing that the United Nations hopes Mr. Mbarushimana will go to trial so these and other questions can be answered. The United Nations employed Mr. Mbarushimana for nearly six years after the genocide.

“Someone’s blood is on the floor,” said Mr. Alex, now a senior U.N. official in Congo. “Something should have been said and done 10 years ago. Fifteen years ago. Five years ago. It should have been done — and it wasn’t.”

When the killings ended, Hutu leaders regrouped in the jungles of neighboring Congo to launch an insurgency aiming to retake Rwanda, and it eventually became the FDLR.

### **Rehired by U.N.**

Mr. Mbarushimana is believed to have gone briefly to Congo. By 1996, he had been rehired as a computer technician at the UNDP office in Angola. Three years later, Mr. Alex was offered a job in the same office and ran into him.

Infuriated, Mr. Alex wrote a letter to the U.N. secretary-general detailing Mr. Mbarushimana’s purported crimes. Despite the letter, Mr. Mbarushimana continued to work in Angola until his contract expired in December 1999, the U.N. report shows. Although his contract was not renewed, Mr. Mbarushimana resurfaced as a software programmer at the U.N. Mission in Kosovo a little more than a year later.

The United Nations’ internal investigation found no one in Kosovo had bothered to interview Mr. Mbarushimana’s references “in spite of atrocious allegations against him.” He finally was let go in 2001 after he was arrested by Kosovo police following a request for extradition by the Rwandan government.

“You know the saying ‘It takes good people to do nothing for evil to triumph?’” said Charles Petrie, who is a top U.N. official in Somalia and was in Rwanda during the genocide. “That’s the reason why I think the U.N. has to address its internal failure to confront the case of Callixte [Mbarushimana]. Because otherwise, the bureaucracy has allowed evil to triumph.”

In the decade and a half since the genocide, Mr. Mbarushimana has been able to

avoid going to trial on a series of technicalities.

### **Caught, released**

The Kosovo court released him after two months in jail because Rwanda had failed to properly prepare his indictment. The documents sent by the Rwandan judiciary arrived late, were mostly illegible and didn't include enough witness statements, according to the decision by the Kosovo court.

He was later indicted by the International Criminal Court for Rwanda, set up by the United Nations in Tanzania, but his case was dropped. Those close to the case say the court was under orders to go only after the "big fish," meaning the orchestrators of the genocide rather than those who had helped carry out the massacres.

Mr. Mbarushimana was arrested as recently as 2008 at the Frankfurt airport, where passport control realized he was the subject of an Interpol "Red Notice." However, he was released after four months in prison after German authorities — much like the French — deemed that they could not extradite him to Rwanda because of the country's dysfunctional judiciary and poor human rights record.

Upon his release, the U.S. State Department called the FDLR "the root cause of instability" in Congo and said the United States is "disappointed that leaders like Callixte Mbarushimana ... are able to operate with impunity although they continue to support FDLR efforts to evade justice, propagate violence [and] abuse civilians."

Mr. Mbarushimana returned to France, where almost every week he signs his name to FDLR press releases.

A group representing genocide victims in France has filed a lawsuit against Mr. Mbarushimana, hoping to force French authorities to try him on French soil.

Others say authorities should look at what is happening right now in Congo. The United Nations argues that the European leaders of the FDLR are not only aware, but actively involved in, tactical decisions, including a series of gruesome massacres carried out last year.

## European leader

Phone logs obtained by the U.N. show that just before and just after the men of Busurungi were decapitated in May, there was a flurry of calls between FDLR commanders in Congo and their leaders in Europe, including 14 calls to Ignace Murwanashyaka, the group's recently arrested chairman in Germany. At least 96 people were killed, according to Human Rights Watch, which says the FDLR "slit their throats like chickens."

Since Mr. Murwanashyaka's arrest, Mr. Mbarushimana essentially has slipped into the role of group leader and is preventing the others from surrendering, said Mr. Alex, the U.N. official who heads a unit in Congo charged with disarming the FDLR.

Sitting in a leather chair in Paris, Mr. Mbarushimana denied that the FDLR attacked the village or that his men did anything wrong. He said he is innocent and that "the regime of Kigali accuses everybody of genocide one day or another."

He said he is fighting for his people, who are being persecuted by a Rwandan government that discriminates against Hutus. His life story is not unlike that of Nelson Mandela, he said, whose biography comforts him whenever he finds himself in jail.

"I thought of Mandela, who was jailed by the apartheid regime for 27 years," Mr. Mbarushimana said over the riff of a jazz trumpet. "And then I said, I'm not the first one to suffer when you are struggling for your people against a repressive regime."

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