

# U.S./U.K. Allies Grab Congo Riches and Millions Die

2001-03 UN Expert Reports

By [Prof Peter Erlinder](#)

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Once again, the suffering of African people caught up in a war that makes little sense to non-Africans has made the front pages in western media, as more than a million people have been displaced in the past week by renewed fighting in the Eastern Congo.<sup>2</sup> For most Americans who don't pay much attention to the details of African history and politics, the humanitarian disaster in the Congo has exploded into public consciousness, as if the 25-year war to control Central Africa began only yesterday.

## The "Congo story" *Behind the Headlines*

But, in fact, the human rights disaster that the people of the world are watching on our TV screens is just the most recent human tragedy in a 25 year struggle for economic and political dominance in Central Africa that has been raging since the decline and eventual collapse of the Soviet influence in Africa in the 1980's and early 1990's. A sad fact of the 20th Century is that, even after the end of formal "colonialism" in the mid-20th Century, ruling African elites in virtually every African nation have looked to one or more powerful "sponsors" in the developed world to gain or retain power. And, to grab the personal wealth that goes with political/military power in Africa.

In Africa, "government" is a well-accepted avenue for trained and educated African elites to get ahead economically, without having to immigrate to more developed nations outside of Africa. Few major private multi-national economic entities are based in Africa, and "para-statal" government monopolies or government-approved contracting with private foreign sources of capital from the developed world are the main sources of economic development in many African countries. The result is that political and military power is inevitably entwined with economic benefit for those who manage to achieve state-power whether by the ballot, or by force.<sup>3</sup>

In addition, direct support from industrialized nations in the form of "aid" must be funneled through governmental agencies. And, even today, "donor income" from the industrialized world makes up a large portion of the budgets of nearly every African nation.<sup>4</sup> And, after the end of support from the Soviet Bloc in about 1990, local leaders were forced to choose between Anglo-American aid and investment or from former colonial masters that comprise the EU countries, at least until China began developing economic relations with African nations within the past few years.<sup>5</sup>

"Blood Diamonds," Leonardo DeCaprio's recent film, makes the point that every lengthy war in Africa is possible *only* with support from foreign governments or private

interests (or both).....which necessarily have designs on African resources in return. And, so it is with the 25-year war for control of the riches of Central Africa, of which the humanitarian disaster in the Congo is the most recent example.

The recent British/French “diplomatic initiative” to discuss yet another ceasefire with Congo’s President Kabila and Rwanda’s Paul Kagame, makes absolutely clear who the *real* protagonists are in this most recent eruption of the war in the Congo.<sup>6</sup> It is now generally understood that the Congo “rebels” are closely-enough connected to Kagame’s Rwanda that it is more important to negotiate with him than with Gen. Laurent Nkunda, the titular leader of the Congolese-tutsi “rebel” army.

But, the connections between the suffering in the Congo and either Rwanda or Uganda are rarely discussed in mainstream media, least in the English-speaking world. And, to the extent we are informed about the reasons for the Congo War at all, we are told that Gen. Nkunda is at war “to protect the tutsi minority.” That the continued fighting as something to do with the 1994 “Rwanda genocide.” And, that “hutu genocidaires” have to be rooted out of the Eastern Congo to protect both Congolese “tutsis” and the territory of Rwanda , itself.

However, it has been more than 14 years since Kagame seized complete power in Rwanda, which means that *anyone* under 30 could *not* have been directly involved in the 1994 events in Rwanda that Kagame’s government calls the “Genocide”. Today’s teenage combatants were either children or not yet born, when civilians-killed-civilians in Rwanda in 1994. At most, Gen Nkunda is fighting the “children of the genocidaires”...and the scope of the fighting as reached far beyond the limited areas near the Rwandan border where anti-government Rwandan-refugees (both tutsi and hutu) are actually located.

And, even without considering the wars in Uganda and Rwanda that lasted from 1981 to 1994, at least, there can be no dispute that the Congo war has been raging since 1996...which means that the war is not only inter-generational...but *must* be funded from outside Africa in a “Blood Diamonds”-like scenario....and it is.

### **Origins of the Congo War: 2001-03 UN Experts’ Reports**

In fact, evidence has long existed that the war in the Eastern Congo , between 1996 and today, has little or nothing to do with “ethnicity” or capturing “genocidaires.”<sup>7</sup> Like “weapons of mass destruction” used to justify *another* war of aggression by the U.S. on Iraq....“ethnic” and “response to the genocide” have been used by both Uganda and Rwanda to justify a war of aggression, waged for economic reasons, described in the UN Experts Reports. Not coincidentally, Uganda and Rwanda are two of the largest recipients of US and British economic and military assistance in Africa.<sup>8</sup> Wars initiated by Uganda’s Yoweri Museveni and Rwanda’s Paul Kagame, have raged in Central Africa since Museveni’s 1981 invasion to seize power in Uganda,<sup>9</sup> which the Red Cross reported had killed at least 300,000 civilians by the time he took power in 1986.<sup>10</sup>

The real reasons for the ongoing war in the Congo is described in great detail in several United Nations Security Council Expert Reports,<sup>11</sup> make clear that war and massive civilian deaths in the Eastern Congo since 1996 have little, if anything to do with “tribalism,” “ethnicity,” or even the “Rwanda genocide.” But, rather, have *everything* to do with the rape of the Congo’s resources by the militaries of Rwanda and Uganda and their local surrogates.

According to three separate UN Security Council Reports, issued between 2001 and 2003, war on the Congo began when Uganda and Rwanda made common-cause with local Congolese leader Laurent Kabila, and other Congolese elites, to control the vast resources of the Eastern Congo in 1996. The UN Reports show that that since, the 1996 invasion and a second invasion in 1998, Rwanda and Uganda have become the major trading centers for diamonds, precious metals and other natural resources that are not found in either country.....but which exist in great quantities in the Congo.<sup>12</sup> As of 2003, the UN Security Council Reports put the cost of civilian lives at some 3 million (the current estimate is more than 5 million lives.....so far).

### **The Rwanda/Uganda Rape of the Congo Continues Today**

For more than 3 decades, the “anti-Communist” credentials of the former Congolese Joseph Mobutu had protected him from western criticism during the Cold War, despite his brutal kleptocracy that had been matched only by vicious pre-independence colonial rule of Belgian King Leopold.<sup>13</sup> But, after the collapse of the Soviet Union in the early 1990’s and Mobutu became politically expendable, Uganda/Rwanda-supported “Congolese rebels” replaced him with Laurent Kabila in 1997 and Kabila agreed to a treaty that split economic dominance of the Eastern Congo between Uganda and Rwanda in the areas adjacent to their own borders.

By 1998, however, Uganda and Rwanda invaded Eastern Congo again, after the new President Kabila began attempting to reclaim military and economic influence in the areas of his country controlled by Rwanda and Uganda . Unlike 1996, Kabila had made alliances with other African nations that opposed the foreign-supported aggression against the Congo and troops from Angola , Zimbabwe and Namibia entered the war in support of the Kabila government. Despite a 1999 Lusaka peace treaty, which also provided for the creation of MONUC (UN Observer Mission in the Congo ), the war continued. In 2000, while the U.S. media was distracted by the Bush/Gore campaign, the Uganda/Rwanda began vying for control over portions of the Congo and the long-standing alliance split over control of the resources of the Eastern Congo.<sup>14</sup>

### **UN Experts: Decades-long Congo Resources Rape**

By January 2001, this “first world war of Africa ” had killed more than 3 million people, Laurent Kabila was assassinated and was replaced by his son, Joseph. For many years, the Rwandan government had claimed that its interests in the Congo was protection from “genocidaires” hiding in the Congo...but the falsity of this claim was exposed in July 2001, when the UN Security Council received its first preliminary report on the exploitation of Congo’s resources. The first, interim report documents the plunder of coffee, timber, diamonds, gold and “coltan” (the largest supply of grey gold can be found in the Congo) by Rwandan and Ugandan forces in the areas each controlled.<sup>15</sup>

Another more extensive report in October 2002 documented the seizure of banks, sugar refineries, mines and provides the names of local leaders and war-lords with ties to Uganda and Rwanda...as well as describing the ties between both “hutu” and “tutsi” Rwandans who were *working together* to enrich themselves, and their Rwandan and Ugandan sponsors, at the expense of the indigenous Congolese.<sup>16</sup> And the October 2003 Security Council Report states:

“....The Rwandan Defense Forces (RDF) still play an important but highly discreet role in the

[RCD-Goma's] operations...." And, that the Rwanda-linked network in the Eastern Congo had the objective of "...permanent, autonomous control over the territory of the eastern DRC..." (citing training operations and lines of communication to Kigali).<sup>17</sup>

By 2008, the MONUC "peacekeeping-observer" mission has grown to 17,000 troops, the largest in UN history, but its Spanish military commander resigned last week "for personal reasons" after only a month in his post when Kagame/Nkunda troops over-ran Congolese military posts<sup>18</sup> and war-torn Congolese began stoning UN forces for failing to protect them.<sup>19</sup> But MONUC is the creation of the UN Security Council. But, U.S and Britain have Security Council veto-power that can prevent more aggressive options, as also occurred during the Rwanda War in 1994, when the US/UK prevented UN-military opposition to Kagame and Museveni's military adventures.

### **A History of Big Power-Central Africa *Disinformation***

Although the *real* reasons for the Congo War have been well-documented by UN Security Council sources, as well as the fact that US/UK surrogates are getting rich in the Congo, neither the United States nor Britain have much of an interest in helping critics and Human Right activists "connect the "dots" that link Yoweri Museveni/Kagame's 1986 military-takeover of Uganda or Paul Kagame's military-takeover of Rwanda in 1994, with the horror that has engulfed the Congo since the joint Rwanda/Uganda invasion of 1996. The indisputable evidence of the Museveni/Kagame/Nkunda "axis of evil" in Central Africa has rarely, if ever, seen the light of day.

After Museveni seized power in 1986, Uganda became, and remains, a major recipient of British aid to Africa, as well as the beneficiary of British military training and armaments.<sup>20</sup> After Museveni took power, the CIA also established its major African electronic listening post in Kampala, Uganda's capital. And, Kagame's long-standing Pentagon ties can be traced to the 1980's and he was actually had been receiving U.S. officer training in Ft. Leavenworth Kansas which he returned to Uganda, then Rwanda, to lead the 1990 invasion. His reputation in U.S. military circles remained intact when he seized power in 1994,<sup>21</sup> during his first invasion of the Congo in 1996<sup>22</sup> AND during the 1998 *second* Congo invasion.<sup>23</sup>

By the time of the 1996 Congo invasion, the Rwandan military had been receiving U.S. military training for at least two years (and perhaps more) and Kagame's Pentagon ties had been established for at least ten years. Today Britain remains Uganda 's largest foreign patron. And, U.S. support as swelled the Rwandan army from 7,000 Belgian/French-trained troops under the previous government when Museveni/Kagame invaded in 1990,<sup>24</sup> to an estimated 70,000 to 100,000 U.S.-trained and armed troops in 2007.<sup>25</sup>

But, the mutually-beneficial relationships between the U.S. and Britain and their African surrogates goes both ways. Not only are Rwandan and Ugandan elites basking in the Congo's stolen wealth, but "private contractors" from both countries are two of the largest contingents of military-mercenaries in Iraq<sup>26</sup> and in Darfur, where the Chinese-supported Sudanese government has rejected US/UK investment and have been labeled "genocidaires" in a far less-bloody conflict than the Rwandan/Ugandan adventure the Congo.<sup>27</sup> Ugandan troops<sup>28</sup> are also part of the U.S.-Ethiopian "Christian" occupation of "Muslim" Somalia<sup>29</sup>....which was the greatest humanitarian tragedy in Africa before last week....<sup>30</sup> when the Congo War disaster reached the headlines, again.

Casual visitors to Uganda and Rwanda can't help but notice that both Central African countries are better off than their neighbors, both economically and in terms of social organization. Compared to other African countries that lack close relationships to wealthy sponsors, these two, small, densely-populated nations appear to be outposts of calm and relative prosperity on a continent.<sup>31</sup> But, the fact is that the relative prosperity and calm in Museveni's militarized Uganda and Kagame's militarized Rwanda has come at the terrible price of more than 5 million Congolese lives, as documented by the UN Reports.

### **"Piercing the Veil" of US/UK Central Africa Disinformation**

There is now no doubt that , when Ugandan Major Paul Kagame invaded Rwanda in 1990, he was accompanied by nearly 25% of the Ugandan army<sup>32</sup> and Ugandan complicity has been confirmed by formerly confidential US and UN files at the UN Tribunal for Rwanda. And, like other African wars, the cost of supporting the Museveni/Kagame 4-year war of attrition *must* have come from outside the country. And, most probably, the massive support must have come from or been known by Uganda 's main foreign sponsors, the US and UK. As one former U.S. State Department source has stated:

"Either Museveni was misusing (the U.S. support ) he was receiving and was not being called to account...or he was using it for the purpose intended."<sup>33</sup>

Previously classified U.S. and UN documents and testimony, now in evidence at the UN Rwanda Tribunal, show that Kagame, himself, touched off the "Rwanda genocide" by assassinating former Rwandan President and launching an assault to seize power within minutes after shooting down President Habyarimana's plane on the night April 6, 1994.....long before any of the alleged civilian killings began, in response to the assassination. The well-planned and organized "blitzkrieg" controlled the eastern-third of the country by the third week in April, and civilian killings were reported to the UN in the Kagame-controlled area days later.<sup>34</sup>

Even former UN Rwanda Tribunal Chief Prosecutor, Swiss Judge Carla del Ponte,<sup>35</sup> and former Chief Investigator, Australian Barrister Michael Hourigan have called for the UN Rwanda Tribunal to prosecute Kagame.<sup>36</sup> And, even though both France and Spain have issued INTERPOL warrants for Kagame and his associates,<sup>37</sup> he continues to receive invitations to speak at prestigious institutions in the US and Britain, where the INTERPOL warrants have been ignored.<sup>38</sup>

### **The Rwanda/Congo "Genocide" Connections**

Perhaps most important, at least from an American perspective, recently declassified UN<sup>39</sup> and State Dept documents show that U.S. Secretary of State Warren Christopher had reports of massive civilian killings by Kagame's no later than September 1994.<sup>40</sup> And, despite the evidence in contemporaneous UN and US documents, the U.S. has permitted Kagame's crimes to be blamed on others...and to be re-characterized by Kagame and the ICTR as a "genocide" committed by Kagame's enemies.<sup>41</sup> Which, if true, would make the Rwanda War the first in history in which only the losing side in the war committed crimes and atrocities. A WWII analogy would to blame the Japanese, not only for their own crimes, for U.S. bombing of Hiroshima and Nagasaki, too, or blaming the Germans for the fire-bombing of Dresden, the massacres on the Eastern Front and the sack of Berlin.

The former UN Chief Prosecutor Del Ponte has publicly described how she was to the

State Department in the summer of 2003 by Bush Ambassador for War Crimes, Pierre Prosper. Prosper, also a former ICTR Prosecutor, told her that she must drop all investigations of Kagame's crimes, or risk being removed from office. When Judge Del Ponte insisted that the evidence *required* that he be prosecuted for war crimes and genocide, she was removed from her office at the Rwanda Tribunal within 90 days, at the insistence of the U.S. and Britain.<sup>42</sup>

And, now that we *know* (from the 2001-03 UN Security Council and UN original UN Rwanda documents) that we have been the victims of a disinformation campaign, when it comes to the origins and reasons for the Congo War. If the role of Rwanda and Uganda in the Congo have been distorted, how can we be sure of Kagame's version of how he came to power in Rwanda in 1994, as a "saviour"...when the Security Council *knew* that, less than two years *later*, Kagame and Museveni invaded the Congo to enrich themselves and are responsible for more than 5 million deaths *since* that time?"

Either the 2001-03 Reports are wrong....and former UN Chief Prosecutor Del Ponte is wrong....and the UN Chief Investigator Hourigan is wrong....*or* the story of the Congo War, as well as the "Rwanda Genocide" must be re-investigated... and re-written. But we need not start a debate before the research into original, contemporaneous documents is more complete than it is now.

Some the answers about the "Rwanda Genocide" are in the formerly classified documents now in evidence at the UN Tribunal for Rwanda , but which have received no more attention than the 2001-03 UN Security Council Experts' Reports that detail the Ugandan and Rwandan rape of the Congo . The evidence exists in publicly accessible archives of the UN Security Council and Rwanda Tribunal....just waiting to be read!<sup>43</sup>

## Notes

1 Prof. Peter Erlinder, ICTR Lead Ntabakuze Defence Counsel, Past-President, National Lawyers Guild, NY, President of ICTR (International Criminal Tribunal for Rwanda)-ADAD (Association des Avocats de la Defense), Wm Mitchell College of Law, St. Paul, MN 55105/651-290-6384.

2 [www.cnn/2008/World/Africa/10/31](http://www.cnn/2008/World/Africa/10/31).

3 See examples of Uganda and Rwanda seizure of resources in the Congo described in: 2001 UN Security Council *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo*, (S/2001/1146); 2002 UN Security Council *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo* (S/2002/1146, October 12, 2002); UN Security Council *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo* (s/2003/1146, October 20, 2003).

4 Uganda is the fourth largest recipient of British aid. See, D. Blair: "British Ally behind world's bloodiest conflict" *infra*.

5 Council of Foreign Relations Backgrounder. [www.cfr.org/publication/9557](http://www.cfr.org/publication/9557).

6 BBC World News, Nov. 1, 2008; [www.cnn/2008/World/Africa/10/31](http://www.cnn/2008/World/Africa/10/31)

7 In 2001, Human Rights Watch reported that Rwanda's troops in the Congo outnumbered Congolese forces by nearly 4-1, that Rwanda controlled an area 15 times larger than Rwanda, itself, and that claims of ethnic conflict were merely a cover for Rwanda's invasion. [www/hrw.org/background/Africa/Rwanda/13101](http://www/hrw.org/background/Africa/Rwanda/13101) .

8 Blair, David, *UK Telegraph*, April 29, 2006: "British Ally behind world's bloodiest conflict", <http://www.telegraph.co.uk>:

*One of Britain's closest allies in Africa is stoking the flames of anarchy in the Democratic Republic of Congo by arming brutal militias in return for gold and mineral wealth....The flow of weapons from Uganda breaches a UN arms embargo imposed on eastern Congo in 2003 and expanded to cover the entire country last year. At the same time British aid to Uganda totals £70 million this year, of which £30 million goes directly into the coffers of President Yoweri Museveni's government....Mr Museveni...is the fourth largest recipient of British aid in Africa....*

9 Paul Kagame was Museveni's Chief of Military Intelligence during the 1981-86 war, and after. Colin Waugh, *Paul Kagame and Rwanda*, (McFarland, London 2004) p. 25.

10 *Id.* p. 35. See, Mamdani, Mamood: *When Victims Become Killers*, (Kampala, Fountain 2001).

11 See, 2001 UN Security Council *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo*, (S/2001/1146); 2002 UN Security Council *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo* (S/2002/1146, October 12, 2002); 2003 UN Security Council *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo* (s/2003/1146, October 20, 2003).

12 Blair, David, *UK Telegraph*, April 29, 2006: "British Ally behind world's bloodiest conflict", <http://www.telegraph.co.uk>:

*....Uganda invaded its giant neighbour in 1998, helping to start Congo's civil war. This has escalated to become the bloodiest conflict seen anywhere in the world since 1945. Some 3.9 million people have died, according to one survey, with most succumbing to war-induced starvation and disease..... Official figures from the Bank of Uganda show that the country has become a significant gold exporter – despite possessing scarcely any gold of its own. Thus in 2004, the bank reported domestic gold production of only 1.4 tons – but gold exports of 7.3 tons....*

13 The earlier Belgian exploitation of the Congo is described by Adam Hochschild, *King Leopold's Ghost*, 1998.

14 Note 4, *infra*.

15 2001 UN Security Council *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo*, (S/2001/1146).

16 2002 UN Security Council *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo*

(S/2002/1146, October 12, 2002).

17 2003 UN Security Council *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo* (S/2003/1146, October 20, 2003).

18 [www.france24.com/en/20081027](http://www.france24.com/en/20081027). Spanish general commanding UN troops in Democratic Republic of Congo (DRC), Lieutenant General Vicente Diaz de Villegas y Herreria, resigned after less than a month as rebel forces of ethnic Tutsi warlord Laurent Nkunda wrested control of a strategic camp in east DRC from government forces.

19 [www.MONUC.org/news/October-28-2008](http://www.MONUC.org/news/October-28-2008).

20 Uganda is the fourth largest recipient of British aid. See, D. Blair: "British Ally behind world's bloodiest conflict" *supra*.

21 In April 1994, U.S. Col. Jim McDonough, (US Special Forces commander in Rwanda 1996-97, while the first invasion of the Congo was underway) considered Kagame, "....an intellectual figure. I would rate him as a first class operational fighter." *Washington Post*, April 27, 1994.

22 *Id.*

23 U.S. Major Anthony Marley, Kagame's class-mate at Ft. Leavenworth, was the U.S. representative to the 1993 Rwanda peace negotiations, the Arusha Accords wrote:

*One reason why American officials are enamored with Rwandan Vice-President Paul Kagame is that he knows how to communicate with them in a quintessentially 'American' way..."*

Monograph no. 35: *Peace and Security in Africa*, Symposium on International Peace and Security, Sept. 3, 1998, cited in Waugh, *Paul Kagame and Rwanda* (MacFarland, London 2001) p. 222.

24 ICTR Military-1 exhibit DB 71: Sept 1993 *UNAMIR Reconnaissance Report* of Gen. Dallaire.

25 [http://en.wikidpedia.org/wiki/lists\\_of\\_countries\\_by\\_armed\\_forces](http://en.wikidpedia.org/wiki/lists_of_countries_by_armed_forces). (Wikipedia lists 61,000 regular troops, but does not count reserves, national police or surrogate forces operating in the Congo).

26 Angelo Asama (Kampala), January 1, 2007, "Ugandans in Iraq: Soldiers of Misfortune", <http://www.monitor.co.ug>.

27 Rwanda has supplied 2500 of some 10,000 UN-Darfur troops but has threatened to withdraw because the Rwanda commander, Gen. Karake, has been indicted by Spanish Judge Andreu for genocide and war crimes in February 2008. "Rwanda mulls withdrawal of peace troops from Darfur" *Mail and Guardian*, July 25, 2008.

28 *Reuters*, Oct. 16, 2008 — Some 3,000 peacekeepers from Uganda and Burundi are in the capital Mogadishu — part of a planned 8,000 strong AU mission.

29 *USA Today*, January 8, 2007: A Christian-led nation...Ethiopia has received nearly \$20

million in U.S. military aid since late 2002...more than any country in the region except Djibouti...the U.S. and Ethiopian militaries have “a close working relationship,” Pentagon spokesman Lt. Cmdr. Joe Carpenter said...

*Reuters*, Oct. 16, 2008 — 3,000 peacekeepers from Uganda and Burundi are in the capital Mogadishu — part of a planned 8,000 strong AU mission.

30 “Humanitarian crisis in Somalia is worse than Darfur”, *International Herald Tribune*, Nov. 20, 2007. Quoting UN sources.

31 Kinzer, *A Thousand Hills: Rwanda’s Rebirth and the Man Who Dreamed It*, (John Wiley, Hoboken N.J. 2008).

32 Mamdani, Mamood: *When Victims Become Killers* (Kampala, Fountain, 2001).

33 Personal interview with author, Arusha, TZ, July 1, 2006.

34 Military-I exhibit DNT 218, Ruzibiza, *The Secret History of Rwanda*, (Paris, 2005).

35 Hartmann, *Paix et chatiment les guerres de la politique* (Flamarion, Paris 2007).

36 ICTR defence evidence in Military-I, Exhibit DNT 365. March 8.2007 Affidavit of QC Michael Hourigan (and supporting affidavit of Amadou Deme):

*In late January or early February 1997 members of the National Team were approached by three (3) informants (either former or serving member of the RPF) claimed direct involvement in the 1994 fatal rocket attack on the President’s aircraft. Their evidence specifically implicated the direct involvement of President Paul Kagame, members of his administration and military. The informants also advised that the Kagame administration was actively involved in covert operations aimed at murdering high profile ex-patriot Rwandans – one such murder was the death of Seth Sendashonga in Nairobi.*

37 See Bruguiere Indictment, November 2006, charging RPF leaders for the assassination of former President Habyarimana, and recommendation that Kagame be prosecuted at ICTR. See also, Andreu Indictment, February 8, 2008 charging 40 RPF leaders, including Paul Kagame, with crimes committed during 1994, including the assassination of former President Habyarimana and *genocide*.

38 Kagame was recently honored at M.I.T. in August 2008 and has travelled to the U.S. received since the INTERPOL warrants were issued in 2007 and 2008.

39 ICTR Military-I exhibit DNT 259. May 17, 1994 UNCHR Report of RPF killings at Rusomo Bridge to Tanzania, over Kagera River, in southeastern Rwanda.

40 ICTR Military-I defense Exhibit DNT 258: Amnesty International, Rwanda: *Reports of killings and abductions by the Rwandese Patriotic Army, April-August 1994*, October 20, 1994; ICTR Military-I defense Exhibit DNT 261: Human Rights Watch, *Absence of Prosecution, Continued Killings*, Sept. 1994.

41 ICTR Military-1 Evidence, DNT 264: Memorandum from the Undersecretary of State for Africa George F. Moose to “the Secretary” (U.S. Secretary of State Warren Christopher under President Clinton) reports a briefing on September 17, 1994:

*A UNCHR investigative team that spent July and August in Rwanda (i.e. Gersony – author) has reported systematic human rights abuses by the GOR (i.e. RPF) forces – including systematic killings – in the south and southeast of the country. The team has concluded that the GOR (RPF author) is aware of these reprisals against Hutu civilians and may have sanctioned them....*

42 See, Hartmann, *Paix et chatiment: les guerres de la politique*. (Flammarion, Paris, 2007) pp. 261-72. See also, Del Ponte, *War Criminals and Me* (2008).

43 Many of the ICTR documents can be found on the Tribunal Website at: [www.icttr.org](http://www.icttr.org). Additional documents placed in evidence in the Ntabakuze Military-1 case, as well as selected commentary, can be found at the site created by the author: [www.rwandadocumentsproject.net](http://www.rwandadocumentsproject.net).

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