

# FOR POSITION ONLY

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The new Black view

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A young boy carries a skull of a victim of the 1994 genocide that he found during excavation of mass graves, which litter the hillsides of Kibuye, Rwanda.  
(Damaso Reyes photo)

## A 10-year journey

By **JIMMIE BRIGGS**  
*Special to the AmNews*

Early one morning last week, a small group of men worked silently behind the maternity ward of Kibuye Hospital in western Rwanda, near Lake Kivu. A steadily growing bunch of pregnant women were nearby. Under the shade of a guava tree, the men stood around a shallow pit of soft earth as two or three at a time took turns swinging with shovels and pick axes. It was an excavation site that quickly widened like a pool of blood. The mass grave yielded rock, odd pieces of metal, empty food cans but no bodies.

Nearby a solemn man in slacks and a track-suit jacket

stood with his arms folded, watching intently. Ten years ago, he had been working in the hospital's surgical ward when a young girl came in, bloodied from being slashed with machetes. For hours, he worked alone tending her severe wounds. She was conscious, alive and for him that was enough to have hope. It wouldn't last long, though, because "the killers" came to the unit where he was working. Helplessly he watched them take her away behind the hospital. The grave had already been dug and she was thrown in alive, breathing and watching. The man didn't know how many other victims joined her in the following hours and days, but he came last week to guide the searchers with a need to find the girl he almost saved. It was a moment that continues to unfold repeatedly throughout a

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## Painful justice

By **JIMMIE BRIGGS**  
*Special to the AmNews*

Over the next three months, millions of Rwandans such as Francois Minani will be reflecting and honoring their dead countrymen, slaughtered in the genocide ten years ago. A poor farmer living in the rural

community of Gitarama, one hour outside of the capital of Kigali, Minani has more reason than most to mourn the events sparked in April 1994.

When the roving Hutu militias came to his parents' home, the quiet 16-year-old was given a choice: "Come with us or you and your family die." Minani reluctantly joined the group that had slashed and raped villagers along the countryside, but as part of his initiation he was forced to murder his sister's children

with a hoe.

"I have forgiven myself for what happened in the genocide, for what I did," he wistfully observes, talking in front of his family's home. He is dressed plainly in a black-and-white striped shirt, gray slacks and worn black boots, his empty brown eyes convey a soul much older than his natural years. "It was a very long process. Sometimes when I think about it, I feel guilty, but at other times I don't. Always I ask myself, 'Why did the genocide happen?' but I don't have any answers for it. I can say it happened because of 'bad people,' but I can't tell you why they were bad."

Perhaps the most difficult struggle

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**RICHIE PEREZ – ADVOCATE FOR PEOPLE OF COLOR**  
**Urban Agenda by David R. Jones**  
Community Service Society of New York President



# Journey

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country wrapped with a blanket of unimaginable grief.

Over the next 100 days, the Central African nation of Rwanda will mourn one of the most brutal periods in world history, the 1994 genocide which claimed the lives of an estimated one million people. From April through June of that year, the ethnic Hutu majority waged a campaign of murder against the Tutsi minority following an April 6 plane crash claiming the lives of Rwanda and neighboring Burundi's presidents. Within hours of the incident, which many Rwandans and interna-

tional observers suspect was not accidental, roving bands of Hutu militia known as "Interhamwe" invaded cities and rural communes exhorting Hutus to kill. In scenes reminiscent of the film "Apocalypse Now," neighbors turned on each other with machetes, panga sticks and clubs. People were burned alive or butchered in their homes. Women were gang raped and mutilated with farm tools. Churches, normally safe havens in conflict and disaster situations, became bloody morgues as members of the predominantly Catholic clergy allowed murderers inside. Millions of Tutsis fled into neighboring Tanzania, Zaire, and Kenya. The national radio station, RTLM, broadcast-

ed lists of the dead and encouraged people to especially target the "cockroaches," the Tutsi children who could grow up to become adults seeking revenge.

Fifty years after the Jewish Holocaust in Europe and promising "never again" to allow such killings to happen, the international community watched from the sidelines. Still nursing its diplomatic wounds from Somalia, the United States remained reluctant to call the killing campaign a "genocide" for lack of will to get involved. Peacekeepers from the United Nations stood by on the ground, paralyzed from taking action as the New York headquarters remained mired in diplomatic inertia. Only the intervention of

a guerilla force known as the Rwandan Patriotic Front (RPF), comprised of Tutsi expatriates, stopped the wave of death. Over one million people are believed to have lost their lives, although 937,000 have been identified to date. A quarter of a million were raped or sexually assaulted, and according to government estimates half a million people have HIV/AIDS.

Two weeks ago on March 26, U.N. Secretary-General Kofi Annan spoke about the shameful period. He had been in charge of the organization's peacekeeping under then Secretary-General Boutros-Boutros Ghali. "I realized after the genocide that there was more that I could and should have done to sound the alarm and rally support," he admitted. For Rwandans and many Africans, a great blame rests with Annan for not allowing peacekeepers to intervene.

On Wednesday, the country held a national day of commemoration to the victims and survivors. Following a memorial event in the town of Gisozi to open a new genocide center, an hour-long ceremony was held at the national stadium with performances by the Ballet National du Rwanda, the National Army band and scores of invited artists from around the African continent. In prior years, services included a series of speeches, but this year organizers wanted to have Rwandan children speak in the voices of victims and survivors, to convey the legacy. The tone was decidedly different, almost celebratory.

"We commemorate the dead because we have loved them, and want to remember them," explained Francois Girambe, chairman of a national survivors group called Ibuka, at a press conference for "Rwanda 10." "Humankind can never have peace if it has not accomplished its task of learning.

We commemorate to fight the possibility of forgetting the genocide and the denials that it ever took place. Understanding is a weapon against forgetting."

In anticipation of the tenth anniversary, dozens of communities across Rwanda started searching for missing loved ones and neighbors in order to reburial them properly. Nearly all the victims killed were interred in mass graves. Also, the British-based organization Aegis Trust is collaborating with the government to identify and collect photographs of all the genocide's victims, as well as build a handful of memorial sites throughout the country for educational purposes. Eighty genocide survivors working with Aegis have gone from house to house to collect the names and photographs of the victims.

"The genocide was the biggest foreign affairs failure in the last decade," noted James Smith, a co-founder of Aegis Trust with his brother Stephen, and the husband of a genocide survivor. He also points out the appearance of a continuing lack of interest in Rwanda by the absence of Western leaders during the national commemoration. Belgium's prime minister was the only Western head of state to attend. "It makes one pessimistic about what would happen if another genocide occurred."

The American delegation was led not by President George W. Bush or Secretary of State Colin Powell, but Pierre-Richard Prosper, Ambassador-at-Large for War Crimes. The forty-year-old Haitian-American was the first prosecutor for the International Criminal Tribunal for Rwanda (ICTR) in Arusha, Tanzania. A former U.S. district attorney, Prosper is still affected by the three years he spent trying architects of the genocide.

"Being here after ten years, what it really does is provide an opportunity to reflect, not just on the genocide but to look back over the last ten years and realize we could have done more," he admitted, sitting in the lobby of Kigali's Intercontinental Hotel after a day of photo-ops and site visits. "The experience of being an ICTR prosecutor was an important one because it showed one the do's and don'ts in a post-conflict setting. Now that I'm sitting in a policy seat, it puts situations like Iraq, Sierra Leone and the Balkans in better perspective. Part of the problem is that what happened here is incomprehensible. Rather than taking the time, it's easier to pause, shake your head and move on. In America, we like to understand things very quickly. Going back to L.A. after three years, I faced two responses to my time here. Either a person wouldn't leave me alone and bothered me all night about the details, which was rare. Or, they would say, 'Wow! That sounds amazing.' Then we'd start talking about the Los Angeles Dodgers."

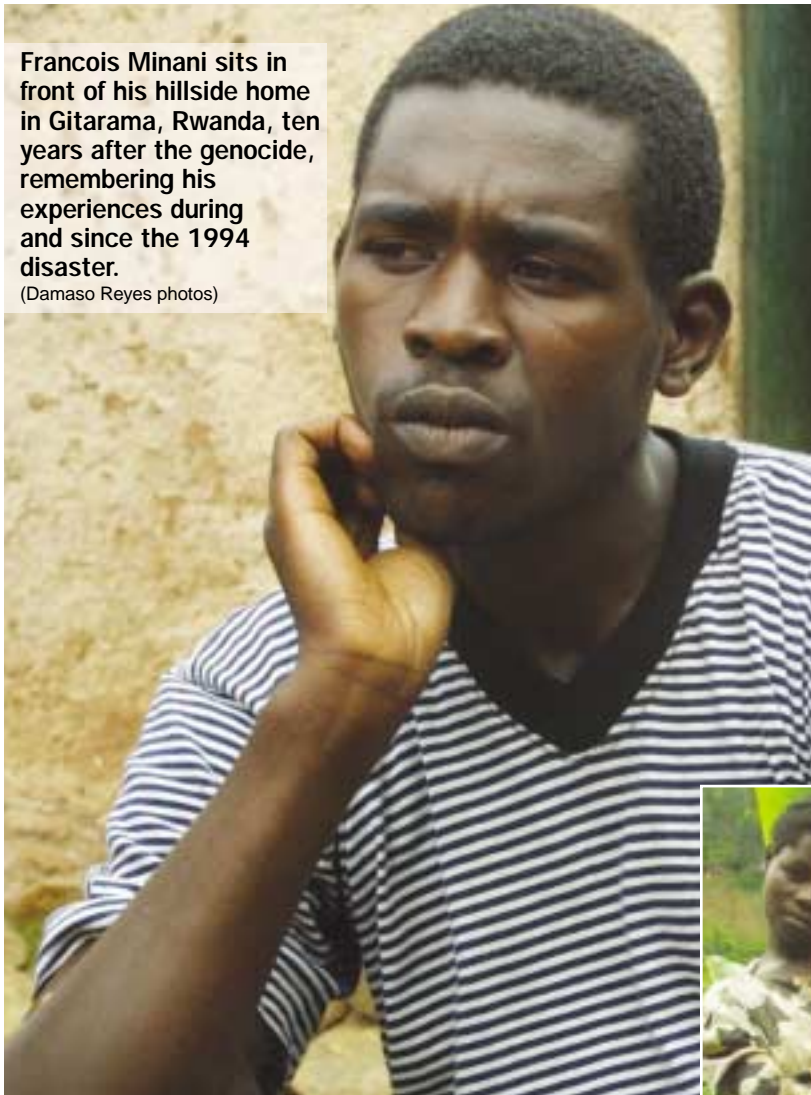
Francois Minani, the first minor to be tried for genocide in Rwanda, sits in front of his hillside home ten years after the genocide with his son Mucyo in Gitarama, Rwanda. (Damaso Reyes photo)





Francois Minani sits in front of his hillside home in Gitarama, Rwanda, ten years after the genocide, remembering his experiences during and since the 1994 disaster.

(Damaso Reyes photos)



The unearthed remains of genocide victims are brought to light after ten years in Kibuye, Rwanda.



The wife and son of Francois Minani look on as he is interviewed about his experiences during the 1994 genocide.



## Justice

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gle for Rwanda in facing the genocide and overcoming its painful legacy has been the national quest for justice. Among the 937,000 confirmed victims was a large percentage of the country's judiciary. By the time the genocide ended, there was no real legal structure with which to handle the accused perpetrators. Thousands of mostly Hutu suspects were rounded up and detained in prisons or "cacheaux" (jails). Years after the genocide, most prisoners hadn't been formally charged with a crime, allowed to see lawyers or post any kind of bail for release.

Most disturbing was the integration of minors with adult prisoners, leading to widespread instances of physical abuse and rape. UNICEF, the United Nations Children's Fund, worked with the government to build separate wings for juvenile prisoners as well as establish a "re-education center" for those accused who were under the age of 14. Under Rwandan law, defendants under the age of 14 years cannot be tried. For five years, hundreds of Rwandans who were too young to be held legally responsible for their actions were sent to the Gitagata Re-Education Center. In 2002, it switched its focus to handling street kids sent by the national police.

Although he was considered a juvenile at the time of the genocide, Francois was too old for Gitagata and spent three years in prison. Defendants 14-18 years of age can be tried for criminal actions in Rwanda but can never receive the death penalty and tend to get compar-

atively light sentences. From 1994-2002, juvenile justice in Rwanda focused on dealing with youth who had somehow participated in the genocide, but in recent years the priority has shifted to those committing everyday, "normal" crimes.

The first juvenile tried for genocidal crimes in Rwanda after the killing stopped, Francois Minani returned home a scarred, empty man after three years in the Gitarama Central Prison. Now with a young wife and two-year-old son, he lives with another sister and her children.

Now 26, he received no counseling support from the government following his release, nor was there any type of coordination with his home community. When Minani returned, most of the residents - who farm sweet potatoes, cassava, or bananas - accepted him, but there were a few survivors who tried to have him re-arrested and sent back to prison.

"They had their reasons," he notes somberly.

Six years ago, in October 1998, the Rwandan Ministry of Justice began releasing prisoners. At that time, 10,000 people without case files were let go, and in the years since, thousands more have been released without trial. This week, approximately 20,000 prisoners were taken from prisons across Rwanda to so-called "solidarity camps" operated by the Ministry of Unity and Reconciliation. The period of stay at these centers can last between one and three months, and individuals are essentially

indoctrinated with Rwandan history, the necessity of co-existence, the moral implications of the genocide and vocational training. Today also, former soldiers of the war in Democratic Republic of Congo are sent to solidarity camps before being allowed to return home.

In further response to the overwhelming demands on a skeletal justice system in the process of repair was the creation of "gaccaca." This is a community-level response to the genocide whereby everyday citizens investigate, prosecute and punish offenders with whom they have worked and lived. Defendants receive half the sentence they would in a national court but are also required to do some form of public service as part of their punishment. The gaccaca process is still in the pilot phase. Once it is activated throughout the whole country, organizers expect six times the 60,000 people already tried in national courts for genocide will be charged. Given the number of years many accused have already been held without due process of law, they're often

released fairly quickly into their home communities through gaccaca. There's a plea bargaining process whereby individuals can confess to their crimes in exchange for light sentences.

"As time moves on, people become more receptive to the releases," says Aloys Habimana, program director of a legal research and advocacy group called LIPRODHOR. "The biggest issue with gaccaca is the unwillingness of people to talk. Witnesses don't want to bring shame on themselves, especially if they've been raped or sexually assaulted. There's also the risk of retribution for testifying against a defendant."

A former protection officer with UNICEF and the wife of Kigali's mayor, Domitille Mukantaganzwa is executive secretary of the National Service of Gaccaca Jurisdictions. An elegant woman with a short, bob haircut and an office facing the rear of the National Stadium, Madame Mukantaganzwa is much more optimistic about the potential of the gaccaca process for justice, and national healing. "The population directs gacca-

ca," she notes with a smile. "Sometimes, it is very difficult to get to the truth. In five years, we will know where we are in the process. With the strategy we are using, the process of gaccaca and trying all the genocide defendants can be finished if we have the right resources."

Ten years after the death of his sister and her children, five years after the death of his parents and two years after marrying and fathering a son, Francois Minani wishes he'd made a different choice. If he could go back to the fateful day when the Hutu militia came to his hillside home, his life may have turned out differently. "Then, I was a very young boy and when you're a boy, sometimes you don't know what to do, what to choose," he says.

His wife, Brigitte, knows he was in prison but not the details of what happened. "She's never asked, but my son, I think I will tell him what happened. If I have a chance to still be alive when he's an adult, I have to tell him what happened. Things might get worse at any time, and you never know if you'll be alive to see your children become adults."