

**OPEN LETTER TO THE PRESIDENT OF THE UNITED NATIONS
ECONOMIC AND SOCIAL COUNCIL**

Platform FDU-Inkingi – Rwandan National Congress
C/O Nkiko Nsengimana
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His Excellency Lazarous Kapambwe
President of the United Nations Economic and Social Council
UN Headquarters
First Avenue at 46th Street
New York
NY 10017

Lausanne, September 7, 2011

**Re: Approval of Rwanda’s request to become member of the UNHCR Executive
Committee**

His Excellency Mr. President,

The organizations that form the political platform FDU-Inkingi/Rwandan National Congress (RNC) were shocked to learn that the United Nations Economic and Social Council has unanimously approved the request by the Rwandan government to become member of the Executive Committee of the United Nations High Commissioner for Refugees. To accept such a nomination would be like putting the wolf into the sheepfold.

*"In the lead-up to the August 2010 presidential election, the ruling Rwandan Patriotic Front (RPF) tightened its control over civic and political life. The government seriously increased restrictions on press freedom and party activity, while extralegal violence had a chilling effect on dissent. Journalists were threatened and assassinated, and some 30 newspapers, journals, and radio stations were suspended. All serious challengers for the presidency were prevented from running leading to incumbent Paul Kagame's re-election."*¹

This is the image of the country, Rwanda, at the time when its leaders are vying for a seat on the Executive Committee of an organization that has in its attributions the daily management of issues pertinent to the protection of refugees.

For more than 17 years after the installation of a regime that was imposed on Rwanda by force since 1994, the political, economic, legal, social and cultural life has become unbearable in Rwanda. This is why the flow of refugees from Rwanda has never stopped.

Professor Filip Reyntjens illustrates this situation in part: “In the midst of the state performance and bad governance policy there is the totalitarian nature of the regime, which wants to control everything and everyone. It is in this context that we must see the law no. 48/2008 of September 9th, 2008 relating to interception of communications² This text merely confirms an existing situation given the fact that the intercepts are allowed to go unchecked: “*Relevant services³ are allowed to intercept communications for reasons of national security*” (Article 3). In this text a highly dubious legal quality, it is stated that the interception warrant “*is issued by a competent prosecutor*” (art. 4), while “*the request for lawful interception*”⁴ is made by the head of National Security Service (art. 5).”⁵

Despite several recommendations from independent organizations of human rights and the National Commission for Human Rights in Rwanda⁶, Rwanda continues to violate human rights⁷: “*With a few exceptions, the civil society organizations operating in Rwanda today are those that submit to the government's wishes, actively promote its programs, or stick to uncontroversial areas. Independent human rights organizations, like independent newspapers, have been dismantled one by one or been infiltrated by individuals close to the RPF. Many leading human rights activists have been forced to leave the country. Others, worn down by constant threats to their safety, have simply opted out of the struggle.*”⁸

Moreover and more importantly, the current regime in Rwanda is among the very few regimes that:

- Have massacred the internally displaced people inside Rwanda (Kibeho¹): “*How was it possible that two thousand persons, mostly women and children, could be massacred while living in an internationally designated camp for displaced persons in a small country with an overwhelming presence of international agencies? This happened in post-genocide Rwanda during the army's operation to close Kibeho camp, despite a presence that included more than a dozen UN agencies, 120 non-governmental organizations and 5,500 UN peacekeeper*”⁹;

- Have pursued¹⁰ and massacred refugees outside Rwanda (Mapping Report¹¹): “*Women and children – desperately sick and weak after months on the run – were finally caught by Rwandan army commander Papy Kamanzi. He told them he would give them food and then send them home. But he now admits he was lying and says: ‘We took them instead into the forest and killed them with a small hatchet. Kamanzi dispatched scores*

with a blow to the back of the skull”¹²... “The Rwandan military and an allied rebel group massacred ethnic Hutus in the Democratic Republic of the Congo in the aftermath of genocide in Rwanda, says a leaked draft report commissioned by the United Nations. The report states that it is not making a definitive conclusion on whether the slayings in Congo amounted to genocide, and that a competent judiciary would have to try the cases.”¹³

- Have hunted and killed (Minister Sendashonga, Colonel Lizinde) or attempted to assassinate refugees (Lt. Gen. Kayumba Nyamwasa and colleague ¹⁴) who were already under the UNHCR protection in other countries.

-Have labeled the people who flee persecution as human wastes.¹⁵

Therefore, granting to Rwanda a seat within the UNCHR Executive Council while it is among the world's largest producers of refugees would be like putting a poacher in a committee aimed at fighting against poaching.

It is important to mention that Rwandan refugees are afraid to return voluntarily to their country because the following reasons that led them into exile still remain:

- Political assassinations, disappearances, tortures, arbitrary arrests and detentions: “Police officers within Rwanda National Police have shot dead at least 20 detainees in 10 separate incidents in a six-month period between November 2006 and May 2007. Many of these deaths appear to be extrajudicial executions, crimes that violate both the international law on human rights and the Rwandan law”¹⁶;

- The widespread state terror orchestrated by overt and covert security services of the RPF regime;

- The iniquitous judgments rendered without legal assistance by political tribunals called Gacaca¹⁷ and other legal bodies controlled and manipulated by the current regime;

- The so-called “works of general interests” which are another form of bondage;

- The complete closing of political space ¹⁸;

- The draconian laws, especially the laws on genocide ideology, divisionism, genocide denial and interception of communications;

- The violation of freedoms of association, expression and press ¹⁹;

- The confiscation of people’s properties ²⁰.

The ongoing operation of charm that the Rwandan government has recently launched towards the countries that host large numbers of Rwandan refugees, an operation that is meant to make the world believe that every Rwandan citizen enjoys the highest security

in the broadest sense of this term is just pure propaganda. Indeed, Rwandan refugees who dare to return to their country are imprisoned when they demand participation in the democratic debate and the management of public affairs ²¹.

If the Rwandan government really wants to end the existence of Rwandan refugees, it must first put in place the conditions that favor the return of refugees starting with the release of all political prisoners and the real opening of the democratic space.

When the reasons that led the people into exile will have disappeared and all indicators of stability are met, Rwandan refugees will be able to return voluntarily to Rwanda. It is during that time that one may duly let the Rwandan government to serve on the UNHCR Executive Committee.

Hoping that the international community will not continue to be complicit in the oppression of the Rwandan people by accepting to be fooled ²² by a regime that acts like an occupying force, please accept, Your Excellency Mr. President, the expression of our highest consideration.

For the platform FDU-Inkingi/Rwandan National Congress



Nkiko Nsengimana
Coordinator

Copy for information:

- The Secretary-General of the United Nations
- Member States of the Economic and social Council (All)
- The countries hosting Rwandan refugees (All)

References:



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2 *Journal officiel*, n° 23 du 1^{er} décembre 2008, pp. 64-69.

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4 The distinction between an “intercept” and a “lawful intercept” is not specified.

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