



His Excellency Mr. Robert Gabriel MUGABE

Chairman of SADC

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January 12, 2015

Re: warning over disastrous consequences of military operation against FDLR

Your Excellency,

Subsequent to our letter dated September 16, 2014 relating to the conclusions of the 34th Summit of the Heads of State and Government of SADC held in Victoria Falls in Zimbabwe on August 17-18, 2014, particularly with regard to the settlement of the issue relating to the presence of the FDLR forces in the DRC, we the undersigned Rwandese opposition political parties, FDU-Inkingi, Rwanda National Congress (RNC), Social Party Imberakuri, PDR Ihumure, PDP Imanzi and Amahoro People Congress would like to convey to you our deep concerns with regard to the military operation against the FDLR as a means to bring about peace to the Eastern part of the Democratic Republic of Congo and in the region generally, an option pushed by the Government of Rwanda and its powerful lobbyists.

We are very grateful to you for your relentless efforts to resolve this problem in a considerate manner, with due diligence to avoid taking quick fix solutions that would eventually fail after causing unnecessary loss of human lives and massive displacements of people. We are totally convinced that the issue of FDLR must be taken in the bigger picture of finding a global and lasting solution to end the problem of refugees which is an external manifestation of lack of rule of law, democracy and respect of human rights in countries of origin.

We are very convinced that the problem is best understood by African regional leaders within SADC particularly neighboring countries who have generously borne the burden of

supporting refugees from Rwanda. We would like to thank the people and governments of these countries for their generosity.

We deplore the fact the new military offensive is going to make the burden heavier particularly for the local Congolese population and local authorities.

According to The U.N.'s Office for the Coordination of Humanitarian Affairs (OCHA) the “resulting spillover of violence from such a military action would quickly overwhelm Congo's weak local capacity, forcing international donors to step in”. OCHA expects at least 368,000 people in North Kivu province and 118,000 in South Kivu to be affected by fighting, while rebels fleeing west into Oriental province could affect a further 90,000 civilians.

We would like to recall the failure of incursions of the Rwandan army, military operations Kimia I & II as well as the operation Umoja Wetu after having caused untold suffering to the local population and to survivors of RPF killings. Around a million people were displaced during the last major offensive against the FDLR in 2009.

We would like to remind your Excellencies, that the Rwandan refugees in the DRC, are the survivors of “*the most serious violations of human rights and international humanitarian law that could be classified as genocide by a court of competent jurisdiction*” as pointed out in the UN Mapping report¹. The people alleged to have ordered the slaughter of refugees include Kabarebe (now Minister of Defense , Ibingira, Ruvusha, Dan Munyuza, Karake Karenzi, the notorious Jack Nziza, dubbed butcher of Kisangani, have been promoted to the ranks of General, apart from Munyuza, made colonel, while those opposed to the repression have been dismissed , imprisoned or killed.

It is also noteworthy to mention that the Rwandan President stated in his speech on the 13th anniversary of genocide against Tutsi on the 7th of April 2007, that his greatest life regret was “the millions who escaped him to Zaire now the Democratic Republic of Congo before he could unleash his anger on them”.

It seems to be that this time around, the Rwandan government would like to use the UN as a proxy, with its latest military hi-tech to get the estimated 245,000 Hutu refugees that survived

¹ [DRC: Mapping human rights violations 1993-2003:](#)

its earlier operations. This will be the most blatant way that the survivors of the Rwandan Army will have been let down by the United Nations body after they were attacked in the UN protected camps in 1996.

We continue to believe that SADC can save these refugees and encourage, the AU and the UN to allow them to return peacefully to their country with guarantees that their rights and freedoms are respected. We need to bear in mind that the present Rwandan leadership is responsible for their misery and its army has been hunting them down for the last 18 years without any support from the UN bodies. They have lost trust in the UN body which was not able to protect them or to work on its reports, the UN Mapping reports that details horrendous crimes against these refugees. Nor can they trust agreements reached with their tormentor, the Rwandan government. The reassurance can come only through a broader negotiation process that involves all stakeholders including the FDLR.

It is mind blowing and quite heart breaking that, in order to appease the Rwandan government, the UN once again is letting them down by commending to start a military operation against these survivors of RPF systematic killings, that the UN report suggest that they could be classified as genocide in a competent court (245,000) just to get a few individuals said to be part of an estimated 1500 combatants of the FDLR.

Crushing FDLR will not put an end to this refugee's impasse and may even worsen the situation. If any individual members of FDLR have committed crimes they should be targeted individually and not sacrifice the lives of hundreds of thousands of refugees and Congolese citizens to get at them. It is morally indefensible to sacrifice 245,000 refugees and to displace thousands of Congolese citizens in search for a few people alleged to have committed genocide.

The biggest threat to peace and security in the Democratic Republic of Congo has been the Rwandan regime which has more to gain from the chaos in the DRC than Rwandan refugees who crave to go back home in peace and security. We may recall that so far the Rwandan invasion of Congo with its partner Uganda has triggered a war has cost more than 6 million Congolese lives. The Rwandan regime has been funding proxy rebel movements in Eastern Congo to loot its resources as evidenced by UN reports, the latest being the M23

which is being regrouped to restart a war as the Rwandan revenues from mineral exports are dwindling. The threat of FDLR has been a pretext for economic criminal activities. At present, reports suggest a big troop buildup along the Rwanda/DRC. It is quite cynical that such a government would be bullying the world to carry out an operation likely to cause thousands of losses in human lives and displacement.

We would suggest that there is less costly way to resolve the problem as it has been suggested by the Tanzanian Head of State as well as the leaders of the Congolese majority in parliament and the leader of the opposition forum. They were categorical in their statement of July 2014, following the joint meeting of SADC countries and the international conference on the Great Lakes, in asking the international community to impose on the Rwandan regime the idea to enter process of inter Rwandan dialogue with all opposition groups including armed groups, as it has done in the case of the Democratic Republic of Congo². Similarly the former Hutu led government of President Habyarimana was forced to negotiate with the Tutsi led rebel RPF movement as the best solution to end the war and bring peace to Rwanda. The same measure should be applied to the Rwandan regime.

There is nothing like getting home, and those refugees would love to return home but the situation in Rwanda is not reassuring them. Few examples will show how difficult it would be for refugees to get the confidence to go back home safely:

- In its report of 30 July 2014, the Correctional Service of Rwanda reported that 30,000 convicts of TIG (convicts committed carry community work as part of their sentence) were missing. Nobody can tell where these people are.
- In a statement on June 2, 2014, the former Interior Minister, James Musoni, Minister for Local Administration acknowledged that 16,000 people in Ngororero region were missing. He could not explain where they are.

² https://www.youtube.com/watch?v=BiQhvw0bAEA&feature=youtube_gdata_player

- Since August 2014 there have been discoveries of dead bodies wrapped in sacks floating in Lake Rweru in Burundi and in other rivers in the country.
- The government has been sending death squads in foreign countries to kill government critics. The latest big causality was the former chief spy Colonel Patrick Karegeya. The President of Rwanda is quoted telling a congregation at a prayer breakfast that he was not amused by officials who try to defend the government that it was not responsible for Karegeya, adding that they should have been the people to carry out the job of getting rid of him. Besides, four people were charged in South Africa in September 2014, for assassination attempt on former chief of staff General Kayumba Nyamwasa.
- President Kagame is quoted encouraging extra judicial detentions and executions. He told a public rally on the 5th of June this year 2014 in Nyabihu, northern Rwanda, that he did not care about external condemnation of arbitrary arrests, detention and forced disappearances and added that his security agents would not only continue to do so but would step up its action by shooting suspects in broad day light to protect state security.
- A Rwandan witness whose testimony would have implicated Rwandan President Paul Kagame in the assassination of his predecessor, President Juvenal Habyarimana, and Burundian President Cyprien Ntaryamira, was kidnapped in Nairobi on the 13th of November 2014 by people believed to be Rwandan government secret agents.

All these incidents are not encouraging for refugees who have been called genocidaires for the last 20 years to trust the promises made by the Rwandan government to UN officials.

Finally it is our very considered that the attitude of the international community has nurtured insecurity in the Great Lakes regions in three keys areas: encouraging impunity, double standards and moral discrimination. The impunity from prosecution of top officials of the Rwandan regime has encouraged the regime not only to continue committing crimes within the country but also to do the same across borders. Furthermore the selective identification of criminals and moral difference made between worthy and unworthy victims of massacres

that have taken place in the Great Lakes region have undermined national reconciliation and left deep seated tensions and resentments that are likely to erupt in future.

The International Criminal Tribunal for Rwanda was left to try one side to the conflict, the vanquished and the victors have acted with impunity even though there is evidence that they were involved in war crimes, crimes against humanity and acts that could be considered crimes of genocide before a competent court. It is morally shocking that while the UN set up an international criminal Tribunal for Rwanda to try those responsible for genocide against the Tutsi, it has not done so for the more than 6 million Congolese, the biggest humanitarian disaster since the 2nd world war and for economic crimes documented by the UN. This moral discrimination has made Rwandans general hated in the region and Tutsi ethnic group in particular, because the repressive regime in Rwandan is identified as a Tutsi regime.

Another example includes the fact that the recommendations of the Special Rapporteur of the UN as well as the International panel of eminent personalities set by the Organization of African Unity to investigate the shooting of two serving Heads of State of Rwanda and Burundi have been ignored for the last 20 years. The OAU report recommended that “*the OAU should ask the International Commission of Jurists to initiate an independent investigation to determine who was responsible for shooting down the plane carrying Rwanda President Juvenal Habyarimana and Burundi President Cyprien, a trigger to genocide in 1994*”. It was not done whereas the UN set up ad hoc Tribunal to investigate the assassination of a former Prime Minister of Lebanon, Hariri. Instead the international community has been blackmailed to accept the RPF government narrative that the President Kagame stopped genocide. Yet, it is established that the RPF opposed external military intervention in its letter to the Security Council on April 30th 1994, while it was deliberating about an intervention force to send to Rwanda to stop massacres³ because it was feared that an intervention would deprive the RPF of total military victory.

In conclusion the undersigned would like to draw the attention of the SADC leaders on the following and to seek their help to address them:

³ *Human Rights Watch*: http://www.hrw.org/reports/1999/rwanda/Geno1-3-03.htm#P86_35545).

- A military solution is a wrong one because it failed before with Kimia I & II as well as the operation Umoja Wetu with disastrous consequences on the local people.
- The position of the Security Council is a step backward with regard to the conclusions of the 1st Luanda Summit meeting which advised that demobilisation should go hand in hand with a political solution.
- The UN Security Council should support SADC initiative instead of undermining it.
- The best way for the UN to gain the trust of refugees is to work on its reports relating to Rwanda, namely the Mapping report, the latest report of the UN Special Rapporteur on freedom of assembly and of association. Mr Maina Kiai's report of June 10, 2014.
- The international community should ensure that concerns relating to gross violation of human rights in Rwanda and particularly with respect to the report of the State Department of arbitrary arrests and disappearances under the guise of the fight against the infiltration of rebels of the FDLR, the concerns of the British government on the same subject and the EU in July 2014 as well as releasing political prisoners including including Mrs. Victoire Ingabire Umuhoya, Déogratias Mushayidi and others. Such an action would encourage refugees to return home.

We totally reject the proposed military operation that would cause untold suffering to Rwandan refugees and the Congolese population. We rather urge the Rwandan government to engage in a broader peace process that would bring sustainable peace and development in the Great Lakes Region in the context of negotiations between Rwanda and the opposition.

Yours sincerely

The signatory political organizations

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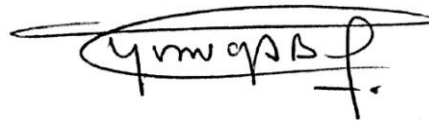
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