

Statement by Minister of Justice/ Attorney General

during visit at MICT-Arusha Office,

9 May 2018

- Your worship, Acting Head of MICT Registry
- Excellences
- Distinguished Ladies and Gentlemen

Permit me to thank the Mechanism for International Criminal Tribunals for this opportunity to visit and for the cooperation between the Mechanism for International Criminal Tribunals and the Government of Rwanda.

Together we have travelled a long journey whose major evidence of success is that we are still walking together and being candid with each other.

The establishment of the ICTR/MICT was about inter alia ending impunity and contributing to the process of national reconciliation and to the restoration, and maintenance of peace. We do hope this still holds true.

Early releases

Recently, the Government of Rwanda received an unprecedented request for opinion from the President of the Mechanism, Judge Theodor Meron, on the early release of some convicted persons currently serving their sentences.

We were surprised because previous early releases were effected without bothering to know the opinion of Rwanda, as this requirement was unilaterally downgraded from rule to personal discretion. We continue to demand answers for this and to demand, also, that the rule is restored in the interest of justice and of the Tribunal.

Genocide masterminds who have been controversially released and continue to be hosted by the UN persist unhindered an agenda of genocide denial. We

understand they have formed themselves up now as Rwandan former political prisoners. This is happening under the UN's watch and auspices. One of them was apprehended crossing into a neighboring country from the United Republic of Tanzania sometime ago. This tribunal is yet to inform Rwanda what mission he was on.

These things will return to haunt this Tribunal. We have requested that these applications should be heard in open Court and shortly we will petition the Tribunal for a review of previous early releases, now that the Tribunal has remembered to seek Rwanda's opinion. The Tribunal and the world need to be reminded and updated on the amount of suffering, pain, trauma and slow painful deaths these men were and continue to be responsible for.

Archives

Thank you for showing us around this well organized archive. The elephant in the room, however, is about Rwanda's right, not claim, to host these archives which constitute an integral part of Rwanda's history. For some reason, Rwandans continue to be denied the right to own their history.

Significant quantities of these archives are original documents taken from Rwanda in circumstances akin to helping oneself to property found at a crime scene. This tribunal can demonstrate no evidence whatsoever according it any right to keep hanging onto Rwandan property. This issue will not be going away anytime soon.

Legacy

This Tribunal achieved a number of good things, not least being the decisions that established that it is not in dispute that the 1994 genocide against the Tutsis took place in Rwanda, that rape was used as a weapon of genocide, that the media was used as a tool to mobilize and galvanize the public into mass

participation in the genocide. No doubt they have their due recognition in judicial history and will continue to be important for all time.

However, it is the controversial early release of genocide masterminds, overseen, we reliably understand, by the Judge President of the Tribunal, the fact that those released genocide masterminds continue to deny the 1994 Genocide against the Tutsi, propagate genocide ideology, and coalesce as Rwandan former political prisoners under the Tribunal's lavish auspices, that will, unfortunately, be the Tribunal's legacy.

The fact that we have shouted ourselves hoarse over these archives and we will, no doubt, continue until we get to a conclusion, will be the Tribunal's legacy.

The fact that the Tribunal cannot justify possession of Rwanda government's original documents as part of UN Property speaks to opaque acquisition and it will be its legacy.

It is not the good and justified things you did at first that will be this Tribunal's legacy, it is the bad, the hideous and the mysterious things this Tribunal has ended up doing that will be its legacy.

Bagosora

Today we fear that the hand that has so far inexplicably released early over 14 unchanged and unrepentant genocide masterminds, intends to go on doing the same until it releases Theoneste Bagosora, the architect of the apocalypse. We are alerting the Tribunal and the International Community that our concerns are founded on the power of unilateralism with which previous controversial early releases were procured. The power of early release needs to be fettered and the person responsible for the releases needs to stop it!.

We will continue to engage as usual on the side of what we believe is right. I can solemnly promise that we will not be found wanting where standing up for what is right is at issue.

Permit me to end by again, profoundly thanking the Acting Head of the Registry, and the Tribunal in general, for giving us the opportunity to visit and share with you.

Thank you very much.