


Africa's Female Mandela? Victoire Ingabiré Umuhoza on Trial 

Written by Annie Garrison

Thursday, 20 May 2010 21:03

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Two weeks earlier, on April 7th, speaking at a commemorative ceremony, on the 16th anniversary of the civilian massacres known as the Rwanda Genocide, Rwandan President Paul Kagame referred to Victoire Ingabire Umuhoza as "some lady," an example of "some people" who "just come from nowhere, useless people." He refused to speak her proper name, though she is widely acknowledged as the leading opposition candidate in Rwanda's 2010 presidential election, and many of her supporters now call her Africa's female Mandela:

"Some people want to encourage

political hooliganism. Some people just come from nowhere, useless people. I see everytime in the pictures, some lady who had her deputy, a genocide criminal, her deputy, talking about "y'know, there's Rwanda Genocide, but there is another. . . so that is politics. And the world says, 'The opposition leader!' But I know those who say it and who support that. They know it is wrong, but it is an expression of contempt these people have for Rwandans and for Africans, that they think Africans deserve to be led by these hooligans, and to that we say NO, a big NO. And if anybody wants a fight there, we'll give them a fight." --Paul Kagame,

<http://www.youtube.com/watch?v=vO9Zad51kJc&feature=related>

Two weeks later, on April 21st, Kagame's security police arrested Ingabire, then brought her before a Rwandan court for a bail hearing within six hours, creating a flurry of international news. Not only the African press, but also the BBC, Radio Netherlands, CNN, Yahoo News via Agence France Presse, and other outlets around the world, including the San Francisco Bay View, National Black Newspaper, Black Star News, and Global Research reported the story, and it appeared on blogs across Africa, Europe, and North America, often with notes urging readers to contact Amnesty International and Human Rights Watch.

Two days later, on April 23rd, Rwandan authorities gave Human Rights Watch researcher Carina Tertsakian, 24 hours to get out of the country.

Even the New York Times, which had until then ignored this year's Rwandan presidential election, finally published three accounts of Ingabire's arrest on April 21st,

and the next day the Washington Post, which had also been ignoring the story, finally published a Reuters wire reporting that Ingabire had been released on bail that morning.

Shortly after the news of her release, the International Humanitarian Law Institute of St. Paul Minnesota announced that its director, William Mitchell Law School Professor Peter Erlinder, and Wichita Lawyer Kurt P. Kerns, will join Ingabire's Rwandan lawyer Protais Mutembe in her legal defense. Ingabire is charged with "genocide related crime," meaning crime related to the 1994 Rwanda Genocide, the central narrative justifying Rwanda's political life and relationship to the outside world, and, most of all, to its most ardent defenders and donors, the US and the UK.

Erlinder is Professor of Constitutional Criminal Law and International Humanitarian Law at William Mitchell College of Law, President of ICTR-ADAD (Association des Avocats de la Defense), and past President of the National Lawyers Guild, NY, NY.

Most significantly, in Ingabire's case, he is the Lead Defense Counsel in the Military-1 trial at the UN's International Criminal Tribunal on Rwanda (ICTR), where he won a victory of enormous significance to Rwandan history---the acquittal of four former top military leaders accused of conspiring and planning to commit genocide or any other crimes in 1994.

The ICTR acquitted its highest ranking defendant, Colonel Bagosora, on December 18, 2008, after which Erlinder wrote:

". . . ALL of the top Rwandan military officers, including the supposedly infamous Colonel Bagosora, were found not guilty of conspiracy or planning to commit genocide. And Gen. Gratién Kabiligi, a senior member of the general staff was acquitted of all charges! The others were found guilty of specific acts committed by subordinates, in specific places, at specific times - not an overall conspiracy to kill civilians, much less Rwandan-Tutsi civilians."

"This raises the more profound question: If there was no conspiracy and no planning to kill ethnic (i.e., Tutsi) civilians, can the tragedy that engulfed Rwanda properly be called "a genocide" at all? Or, was it closer to a case of civilians being caught up in war-time violence, like the Eastern Front in WWII, rather than the planned behind-the-lines killings in Nazi death camps? The ICTR judgment found the former."

"The Court specifically found that the actions of Rwandan military leaders, both before and after the April 6, 1994, assassination of former Rwandan President Juvenal Habyarimana, Rwanda's head of state at the time of his murder, were consistent with war-time conditions and the massive chaos brought about by the four-year war of invasion from Uganda by General Paul Kagame's RPF Army, which seized power in July 1994. -- --Professor Peter Erlinder, "Rwanda: No Conspiracy, No Genocide Planning. . . No Genocide?," Jurist, 12.23.2008, Global Research, 01.24.2009

Erlinder says that the Court's ruling in December 2008 should have radically revised the

world's understanding of the 1994 Rwanda Genocide, but because there were no international press covering the ICTR by December 2008, 14 years after the slaughter that left 1 million or more Rwandans dead, and because of international political investment in the received history, it continues to be told in the Wikipedia and repeated by most news outlets whenever they revisit Rwanda or the Rwandan violence of 1994.

At the ICTR, Erlinder was able to assemble the evidence and argue the case that led to the court's conclusion that there was no conspiracy, and no planning to commit genocide, and therefore no genocide crime like that covered by the international law created by the UN Convention on the Prevention and Punishment of the Crime of Genocide after the Nazi death camps of World War II.

Though the international press had indeed turned away from Rwanda and the ICTR by December 2008, its attention is now on Victoire Ingabire Umuhiza and her trial, less than four months before Rwanda's August 9th polls. Though her party, the United Democratic Forces, (UDF)-Inkingi, remains unable to register, and she herself has now been indicted, she continues to attempt to contest the election.

"Ingabire was arrested on trumped-up, political thought crimes, including association with a terrorist group, propagating the genocide ideology, genocide denial, revisionism, and divisionism, all arising from the "crime" of publicly objecting to the Kagame military dictatorship, and Kagame's version of the Rwandan Civil War," Erlinder said.

If he and Rwandan lawyer Protais Mutembe can make the same case that he was able to make at the ICTR, then the international press may have to decide whether or not to report that, in Rwanda, in 1994, there was "no conspiracy, no planning . . . no genocide?" This, of course, depends on how the world defines "genocide," but, the genocide ideology statutes that Victoire is charged with violating---for having said that Hutus, as well as Tutsis, were victims of crimes against humanity---would become impossible to defend.

And, it might finally emerge that there has been a massive cover-up of the real story of what we know as the Rwanda Genocide, as Global Research writers have pointed out for years in, e.g., Rwanda: Installing a U.S. Protectorate in Central Africa and The Geopolitics behind the Rwanda Genocide; Paul Kagame Accused of War Crimes, by Michel Chossudovsky, The US Sponsored "Rwanda Genocide" and its Aftermath Psychological Warfare, Embedded Reporters and the Hunting of Refugees, by Keith Harmon Snow, and U.S./U.K./Allies Grab Congo Riches and Millions Die, by Peter Erlinder.

If international reporters finally do begin to cover the real story of the Rwanda Genocide and the Congo War, then Paul Kagame's regime, which Hillary Clinton has called "the beacon of hope" for Africa, will cease to seem so to the outside world.

No one, least of all Professor Erlinder, denies that the bloodshed in Rwanda, in 1994 was horrific, but he says, as he did when I spoke to him for KPFA Radio, that the received

history of Rwanda in 1994, and the ensuing war in neighboring D.R. Congo are history written by the victors, and by their backers, the U.S. and the UK:

http://www.youtube.com/watch?v=0Yb29bk48q8&feature=player_embedded

Indeed, on April 30, in an Oklahoma City, Oklahoma Court, Professor Erlinder, Kurt B. Kerns, and Oklahoma lawyer John P. Zelbst filed a lawsuit, alleging that Kagame and nine of his current and former military officers and government officials are guilty of the assassination of Rwandan President Juvenal Habyarimana and Burundian President Cyprien Ntaryamira, and subsequent acts which caused the civilian massacres that came to be known as the Rwanda Genocide, costing a million lives.

And, that they are guilty of racketeering to acquire and maintain an interest in the resources of the eastern Democratic Republic of the Congo, at a cost of 6 million more lives.

D.R. Congo is one of the most resource rich nations on earth and its mineral wealth, most of all its cobalt reserves, are essential to modern military industries' ability to manufacture for war. The U.S. is the world's largest consumer of cobalt.

The eight counts alleged in Habyarimana vs. Kagame are:

Wrongful Death - Murder,

Crimes against Humanity,

Violation of the Rights of Life, Liberty, and Security of Person,

Assault and Battery,

Intentional Infliction of Emotional Stress,

Violations of the Racketeer Influenced and Corrupt Organizations (RICO) Act,

Torture, and,

Conspiracy to Torture

Media outlets around the world reported that Kagame had escaped process service in the U.S. on April 30th, but Peter Erlinder told KPFA Radio News, that Kagame had violated the law by doing so, and, that, assuming the law is upheld, he will be served and required to answer.

Click to listen to KPFA Radio News, May 2, 2010 :

As Erlinder, and lawyers Kurt P. Kerns and John P. Zelbst, prepare to advance the case

against Rwandan President Paul Kagame, Erlinder and Kerns also prepare to defend Victoire Ingabire Umuhuza, against Kagame's Rwandan government.

"I consider it my job to say things that my clients are not free to say," says Erlinder, "and I'm sure that Mrs. Ingabire realized that when she asked me to defend her."

Also, click to play:

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Rwanda/Congo News videos on [AnnieGetYourGang, a Youtube Channel.](#)

Ann Garrison is an independent journalist based in San Francisco, a regular contributor to the [San Francisco Bay View](#), [National Black Newspaper](#), [Global Research](#), and [Digital Journal](#), and a news producer for [KPFA Radio-Berkeley](#).

SOURCE: http://www.unitedprogressives.org/pages/index.php?view=article&catid-295%3Aann-garrison&id=830%3Aafricas-female-mandela-victoire-ingabire-umuhoza-on-trial&tmpl=component&print=1&layout=default&page=&option=com_content&Itemid-160

robbery in which restraining physical movement would be enough to contain further damage. It is a case of destructive and divisive ideology whose damage does not require physical proximity of the offender."

Ngoga's threats reveal that the real purpose of the criminal charges against Madame Ingabire is to serve notice that any political opposition will not be tolerated in Rwanda. And, that the 2003 "sham elections" as reported by EU election monitors, and other outside human rights observers, will be repeated in 2010, unless the Rwandan government completely changes its policies to permit a functioning democracy.

The three charges against Madame Ingabire include: "association with terrorist groups;" "downplaying genocide;" and, "divisionism" all of which are crimes unique to Rwanda that have been denounced by Human Rights Watch, Amnesty International, the Commonwealth Human Rights Institute and even the U.S. State Department.

The next hearing is scheduled for the week of May 24, when I will appear on Madame Ingabire's behalf to insist on her continued release, return of her computers and property, an end to interference with her Presidential Campaign and the full disclosure of prosecution evidence and witnesses, as a prelude to dismissal of these politically motivated charges on internationally-recognized grounds of free speech, and the absence of due process.

Prof. Erlinder is the U.S. attorney and Lead Defense Counsel at the International Criminal Tribunal for Rwanda, and Director of the International Humanitarian Law Institute; St. Paul, Mn. USA-he's been retained to defend Madame Ingabire.

<http://blackstarnews.com/print.php?a=6539> and
www.fdu-rwanda.org/uploads/media/IngabireNEWS_Advisory_2.pdf

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