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INFO	LOG-00	AID-01	AMAD-01	A-01	CA-02	CCO-00	CIAE-00
	CTME-00	C-01	OASY-00	DODE-00	DS-00	EB-01	EUR-01
	FBO-01	HA-09	H-01	IMMC-01	TEDE-00	INR-00	IO-16
	L-03	ADS-00	M-00	NSAE-00	NSCE-00	OCS-06	OIC-02
	OMB-01	OPR-01	PA-01	PM-02	PRS-01	P-01	SCT-03
	SIL-00	SP-00	SR-00	SSO-00	SS-00	STR-16	TRSE-00
	USIE-00	USSS-00	ASDS-01	RPE-01	CORE-00	/076W	

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P 161424Z NOV 93  
FM AMEMBASSY KIGALI  
TO SECSTATE WASHDC PRIORITY 5051  
INFO AMEMBASSY ADDIS ABABA  
AMEMBASSY BRUSSELS  
AMEMBASSY BUJUMBURA  
AMEMBASSY KINSHASA  
AMEMBASSY KAMPALA  
AMEMBASSY DAR ES SALAAM  
USMISSION GENEVA  
USMISSION USUN NEW YORK

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Dept. of State, RPS/IPS, Margaret P. Grafeld, Dir.  
(X) Release ( ) Excise ( ) Deny (X) Declassify  
Date 7/18/98 Exemption \_\_\_\_\_

SECTION 01 OF 02 KIGALI 04082

E.O. 12356: DECL:OADR  
TAGS: PHUM, PINS, PINR, RW  
SUBJECT: ASSASSINATION ATTEMPT ON HUMAN RIGHTS LEADER

1. (U) LEADING HUMAN RIGHTS ACTIVIST AND PUBLIC

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PROSECUTOR OF THE KIGALI APPEALS COURT, ALPHONSE  
NKUBITO, WAS THE VICTIM EVENING OF 11/14 OF A GRENADE  
ATTACK. HE SUSTAINED INJURIES FROM GRENADE FRAGMENTS  
IN HIS LEG, BACK AND BUTTOCKS BUT SHOULD RECOVER  
FULLY. THE ATTACK OCCURRED ABOUT 9 PM. AS HE OPENED  
HIS CAR DOOR AFTER PARKING THE VEHICLE NEXT TO HIS  
HOUSE, HE SAW A GRENADE ROLLING TOWARD HIM. HE RAN  
TOWARD HIS DOOR AND MAMAGED TO GET INSIDE. HE  
BELIEVES MORE THAN ONE GRENADE EXPLODED. WINDOWS IN  
HIS HOUSE AMD CAR ARE SHATTERED AND THE CAR IS

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REPORTEDLY DESTROYED. HE DID NOT SEE ANYONE. HIS NEIGHBOR, WHO TOLD DCM HE HEARD ONE LOUD EXPLOSION, HELPED NKUBITO REACH THE HOSPITAL. THE INCIDENT WAS REPORTED ON THE LOCAL LANGUAGE NEWS BROADCAST NEXT DAY AT NOON. THE JUDICIAL AND GENDARMERIE INVESTIGATIVE UNITS ARE LOOKING INTO THE INCIDENT. NO ARRESTS HAVE BEEN MADE.

2. SPECULATION ABOUT THE MOTIVE FOR THE ATTACK CENTERS ON A CASE INVOLVING DIVERSION OF WFP FOOD FOR THE DISPLACED. THE ACCUSED IN THE CASE HAS CLOSE TIES TO THE PRESIDENT'S ENTOURAGE: HE USED TO BE CHAUFFEUR FOR THE PRESIDENT'S PRIVATE SECRETARY, COL. SAGATWA, WHO IS WIDELY BELIEVED TO HAVE ORDERED KILLINGS IN THE PAST. ON 11/15 THE APPEALS COURT OF KIGALI WAS TO DECIDE WHETHER THE ACCUSED SHOULD CONTINUE TO BE HELD IN PREVENTIVE DETENTION OR RELEASED. NKUBITO, AS PROCURER GENERAL FOR THE APPEALS COURT, HAD ORDERED THAT HE REMAIN IN CUSTODY PENDING INVESTIGATION OF THE CASE. ANOTHER PROSECUTOR, WHO HAS NO JURISDICTION IN THE CASE BUT

[REDACTED]

[REDACTED]

PAGE 03 KIGALI 04082 01 OF 02 161426Z IS HIMSELF CLOSE TO THE PRESIDENT'S ENTOURAGE, SENT NKUBITO A THREATENING LETTER DEMANDING THAT THE ACCUSED BE RELEASED.

3. ANOTHER THEORY SUGGESTS THAT NKUBITO WAS TARGETED FOR DEATH BECAUSE HE KNOWS TOO MUCH ABOUT PAST ABUSES PERPETRATED BY PRESIDENT HABYARIMANA AND HIS ENTOURAGE IN THE PAST. IN PARTICULAR, NKUBITO CONDUCTED THE INVESTIGATION IN THE UNRESOLVED CASE OF THE DEATH OF COL. MAYUYA IN 1988. THE ACTUAL KILLER WAS HIMSELF KILLED IN JAIL AND THREE MILITARY OFFICERS, TWO COLONELS AND A MAJOR, ARRESTED IN CONNECTION WITH THE CASE WERE NEVER BROUGHT TO TRIAL BEFORE THEY WERE RELEASED UNDER A 1991 GENERAL AMNESTY DECREE. ACCORDING TO THIS THEORY, THE CURRENT COURT CASE INVOLVING WFP DIVERSIONS IS A CONVENIENT SMOKE SCREEN TO DIVERT ATTENTION FROM THE REAL REASON FOR THE ASSASSINATION ATTEMPT.

4. (U) NKUBITO HAS HELD THE POSITION AS CHIEF PROSECUTOR FOR THE APPEALS COURT IN KIGALI SINCE THE EARLY 1980'S, WITH THE EXCEPTION OF ABOUT 18 MONTHS

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SUBSEQUENT TO THE RPF ATTACK IN OCTOBER 1990. HIS  
ROLE IN ENGINEERING THE RELEASE OF THOUSANDS OF  
PARDONS, MOSTLY TUTSIS, ARBITRARILY ARRESTED AS RPF  
SYMPATHIZERS, RESULTED IN HIS TRANSFER TO ANOTHER  
COURT IN A LESS POLITICIZED AREA. HE WAS RETURNED TO  
KIGALI AFTER THE LIBERAL PARTY TOOK OVER THE JUSTICE  
MINISTRY WITH THE INSTALLATION OF THE MULTIPARTY  
COALITION GOVERNMENT IN APRIL 1992.

[REDACTED]

[REDACTED]

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5. (U) IN 1990, JUST BEFORE THE RPF ATTACK, NKUBITO  
LAUNCHED RWANDA'S FIRST HUMAN RIGHTS ORGANIZATION,  
ARDHO, AN ASSOCIATION CONSISTING PRIMARILY OF JURISTS  
AND MAGISTRATES EMPLOYED BY THE GOVERNMENT. HE HAS  
BEEN PRESIDENT OF ARDHO SINCE ITS INCEPTION AND IS  
CURRENTLY ALSO PRESIDENT OF A CONSORTIUM OF HUMAN  
RIGHTS GROUPS, CLADHO. BOTH ARDHO AND CLADHO HAVE  
BEEN EXCEEDINGLY ACTIVE SINCE IN INVESTIGATING HUMAN  
RIGHTS ABUSES, PUBLISHING REPORTS OF INCIDENTS, AND  
MAKING INTERVENTIONS ON BEHALF OF VICTIMS.

6. [REDACTED] COMMENT. NKUBITO'S LIFE HAS BEEN THREATENED  
ON SEVERAL OCCASIONS AND HE HAS DESCRIBED TO DCM  
INCIDENTS HE THOUGHT MIGHT HAVE BEEN ASSASSINATION  
ATTEMPTS. THIS TIME HE IS TRULY FRIGHTENED. SO ARE

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OTHER HUMAN RIGHTS ACTIVIST AND PERSONS WHO HAVE

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STOOD UP FOR JUSTICE AND DEMOCRACY IN RWANDAN  
SOCIETY. DESPITE INVESTIGATIONS, THE ATTACKERS ARE  
UNLIKELY TO BE FOUND, LET ALONE CHARGED AND FAIRLY  
TRIED. ALTHOUGH THE REASON FOR THE ATTACK MAY NEVER  
BE KNOWN, IT IS POSSIBLE THAT IT IS A RENEGADE EFFORT  
TO DERAIL THE PEACE PROCESS BY PERSONS RESISTING THE  
POWER-SHARING ARRANGEMENT SO CENTRAL TO THE ARUSHA  
ACCORD.

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