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CLIIR, un regard impartial

Brussels, August 27, 2014

Mr. Ban Ki-Moon,
United Nations, SA-1B15
New York, NY 10027

Re: Urgent Appeal for a more human solution to the problem of Rwandan refugees in DRC

Dear Secretary-General,

CLIIR (Brussels-based Centre to Fight Impunity and Injustice in Rwanda) is deeply concerned about the fate that could be soon reserved to Rwandan refugees settled in the eastern Democratic Republic of the Congo (DRC). We request your high intervention to various political authorities in charge of this problem or in connection with it.

Indeed, after the UN Security Council had passed the 2098 Resolution and after Nairobi agreement was reached, MONUSCO is now there to eradicate armed groups operating in eastern DRC. As such, we welcome and encourage this brave decision which should put an end to the cyclical conflicts in the African Great Lakes Region.

However, the specific case of FDLR leads us to a moderate enthusiasm and to a warning of the MONUSCO against any precipitation controlled by the Rwandan authorities who find here the way to finally get rid of the Rwandan refugees in DRC.

Your Excellency,

Due to pressure from the Rwandan government, some people have begun to think that the FDLR should in turn undergo military strikes by the MONUSCO intervention brigade, after the defeat of the M23 movement and the Rwandan defense forces (RDF) that supported it.

For CLIIR, we believe that it would be a huge mistake to blindly target FDLR combatants who are maliciously and falsely equated with Rwandan refugees in DRC.

You will recall that these refugees are exclusively civilians who fled the bloody repression of the Rwandese Patriotic Front (RPF) and its army during the military conquest of Rwanda in 1994 and who were driven into the forests after the destruction of refugees' camps and after the military operations such as Umoja wetu, Kimya I, Kimya II, and Amani Kamilifu jointly conducted by the Rwandan and Congolese armed forces.

1. According to statements by Martin Kobler, the special representative of Ban Ki-Moon, there would be currently 240,000 refugees and 1,600 FDLR combatants in DRC. Fearing for their lives jeopardized by the RPF who was thirsty for revenge, these refugees most of whom are women, children and old men, were forced to leave their country of origin, Rwanda. They went to seek asylum in the DRC. They should be protected in accordance with the July 21, 1951 Geneva Convention. They are human beings to protect and not to hunt down and to kill, much less by UN forces or under its order. As we are used to point it out through our statements, "Rwandan refugees are not dangerous, they are rather in danger".

2. The vast majority of them were born or grew up in the DRC and have never experienced Rwanda in their adulthood. They were victims of large-scale massacres which were qualified as acts of genocide in 2010 by the UN "Mapping report" on DRC. Yet, they are human beings with the right to life, asylum and peace. In desperation, they were forced to take up arms to defend themselves and protect theirs against relentless attacks from the Rwandan government army or armed groups created by Rwanda. The creation of the FDLR originates in this willingness of self-defense for their dependents and families.

More importantly, the FDLR have stated to put to put an end to the armed struggle since March 2003 to favor a negotiated political solution. Therefore, attacking them would be nothing else but the denial of their legitimate claim and the legitimization of the use of force.

3. On the sidelines of the African Union Summit held in Addis Ababa on 25 June 2013, Mr. Jakaya Mrisho Kikwete, President of the United Republic of Tanzania, whose wisdom is recognized throughout the Great Lakes region of Africa, suggested to give priority to negotiations between the Rwandan and Ugandan governments and their respective opponents, as the only solution to ensure a comprehensive and lasting peace in the region.

Despite insults and death threats made by President Paul Kagame and his Minister of Foreign Affairs, Mrs. Louise Mushikiwabo against President Jakaya Mrisho Kikwete, it is now obvious that negotiating with the FDLR remains the best solution. It is a wise and human solution consonant with the UN ideals.

4. This proposal of the President of Tanzania was supported by Rwandans of all persuasions, Hutu and Tutsi, anonymous and members of the Rwandan opposition through a rally initiated by CLIIR, on June 15, 2013, in front of the Tanzanian Embassy at Brussels, in Belgium . All political opponents including Mr. Théogène Rudasingwa of RNC (Rwanda National Congress) , a Tutsi dissident and former Secretary General of the RPF and the former Prime Minister under the RPF regime, Mr. Twagiramungu Faustin have, separately, made a clear statement in support of the Tanzanian President 's proposal that finally suggested areas of possible solutions to problems that Rwanda has long been facing.

5. We believe that the path of negotiations and of inter-Rwandan dialogue remains the best and only possible solution for a lasting and comprehensive peace in the Great Lakes Region. It is high time that President Paul Kagame in turn agreed to listen to the legitimate demands of his armed and unarmed opponents in the same way as the RPF had also got that right in the 1990's-1994's, at the time when the same RPF was still an armed rebellion at the border between Rwanda and Ugandan.

6. These negotiations will further allow to establish a rule of law and appropriate national institutions for the Rwandan people without any discrimination. They will also remove any pretext for President Paul Kagame to resume attacks against the Democratic Republic of the Congo and, consequently, will put an end to all sufferings of the populations of both countries. They will be a solid foundation for a lasting peace in the region. The FDLR problem is political in nature. It must be resolved through negotiations and dialogue, not through arms.

7. By hearing these statements made by Martin Kobler, one might be tempted to wrongly believe that Rwandan refugees wallow in living a difficult life in the Congolese forests. CLIIR cannot conceal his dismay when we know full well that these thousands of refugees are living in very precarious conditions

not by life choice but by need for survival. By encouraging them through blackmail and pressure to return and live a quiet life at home, Mr Kobler is pretending to ignore that present-day Rwanda is regularly pinned down by NGOs and international institutions such as the United Nations for whom he works, for recurrent violations of human rights which primarily affect vulnerable populations. A situation of violence that is far from reassuring Rwandan refugees' peaceful return and life.

8. We strongly believe that the military option is unnecessary and even ineffective. The means that would be wrongly used to terrorize once more these already bruised populations should, instead, be wisely used to repatriate Rwandan refugees when the agreement will be reached between the Rwandan government and his opponents. The same means will also enable the Rwandan refugees to reintegrate the political, social and professional life in Rwanda.

Your Excellency,

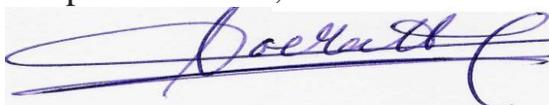
Rwandan and Congolese people are eager to recover peace and to work for the development of their nations. Anything that can save them from another war is undoubtedly welcomed. We are addressing you this appeal to denounce any misuse of force which would pull the UN forces into a war against men, women and children whose sole aspiration is to return home with dignity and be able to enjoy the same rights as any other Rwandan citizen.

Finally, we want to send a warning to anybody who supports these military adventures; he/she will be equally held accountable for crimes and collateral damages likely to be caused by such an armed conflict.

In the hope that you will exercise your authority and use your wisdom so that the problem of Rwandan refugees in the Democratic Republic of the Congo can be resolved peacefully, please accept, Excellency, the assurances of our highest consideration.

Done at Brussels, Augustus 27, 2014

For CLIIR,
Joseph MATATA, The Coordinator



CC:

- Mr. Antonio GUTERRES, UN High Commissioner for Refugees;
- Mr. Martin KOBLER, Head of MONUSCO in Goma;
- Ms. Navanethem PILLAY, UN High Commissioner for Human Rights;
- Mr. Adam DIENG, UN Secretary General's Special Advisor on the Prevention of Genocide;
- Mr. Barack Hussein OBAMA, President of the United States of America;
- Mr. Herman Van ROMPUY, President of the European Council;
- Mr. José Manuel BARROSO, President of the European Commission;
- Ms. Nkosazana Dlamini ZUMA, Chairperson of the African Union Commission;
- Ms. Tax Lawrence STERGOMENA, Executive Secretary of the SADC;
- The permanent members of UN Security Council (All);
- Mr. François HOLLANDE, President of France;
- Mr. Elio Di RUPO, Prime Minister of Belgium;
- Mr. Jacob ZUMA, President of the Republic of South Africa;
- Mr. Jakaya Mrisho KIKWETE, President of the United Republic of Tanzania;
- Ms. Joyce BANDA, President of the Republic of Malawi;
- Mr. Joseph KABILA, President of the Democratic Republic of the Congo;
- Mr. Paul KAGAME, President of the Republic of Rwanda.