

Lawsuit Alleges Rwandan President Triggered Rwanda Genocide

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[Oklahoma City](#) - On Thursday, 04.29.2010, three attorneys filed a wrongful death lawsuit, in an Oklahoma City federal court, alleging that Rwandan President Paul Kagame ordered the political assassinations that triggered the 1994 Rwanda Genocide.

The three attorneys are representing Madame [Agatha Habyarimana](#), widow of Rwandan President [Juvenal Habyarimana](#), and Madame Sylvana Ntaryamira, widow of Burundian President, Cyprien Ntaryamira. Both their husbands died when assassins shot their plane out of the sky, on April 6, 1994.

The two presidents were flying home from a conference between east and central African leaders in Tanzania, held to discuss ways to end violence between ethnic Hutus and Tutsis from Burundi and Rwanda, when their plane was shot out of the sky, with a surface-to-air missile, over Rwanda's capitol, Kigali, on the evening of 04.06.1994.

That evening the [BBC](#) reported:

The deaths of the presidents, both Hutus, look likely to make the situation in both states [Rwanda and Burundi] worse. Heavy fighting has already been reported around the presidential palace in Rwanda after news of the deaths spread. News agencies in Kigali said explosions have been rocking the city but it was not immediately clear who was involved in the fighting.

Between 800,000 and 1,200,000 Rwandans died before the fighting ended, largely in civilian massacres. At its end, current Rwandan President seized power in Kigali, as the victorious general in the [1990-1994 Rwandan Civil War](#).

Madames Habyarimana and Ntaryamira allege, in their wrongful death lawsuit, that Kagame, then leader of the [Rwandan Patriotic Front](#), ordered their husbands assassination, and, that his and his army's actions brought about the mass civilian massacre known as the Rwanda Genocide.

Earlier this week, French media reported that a Paris judge investigating the crash, Marc Trevidic, was planning to send experts to Rwanda. His predecessor, Judge Jean-Louis Bruguiere, had accused the RPF of shooting down the plane and called for his arrest of President Kagame.

The widows do not live in the United States, but argue that a federal court in Oklahoma City has jurisdiction over their claims because of Kagame's substantial contacts with [Oklahoma Christian University](#).

President Kagame appeared at the university in Edmond, Oklahoma on Friday, 04.30.2010, the day after the lawsuit was filed, to deliver the commencement address, but left the ceremony early, surrounded by bodyguards, avoiding process service.

Media outlets around the world report that Kagame avoided process service, but it's not yet clear that he has, because a defendant may be considered served if it can be demonstrated that he has intentionally avoided process service.

[Professor Peter Erlinder](#), Lead Defense Counsel for the International Criminal Tribunal on Rwanda, and one of the attorneys on the wrongful death case, said:

"The U.S. Secret Service and University staff informed Kagame that we had a valid summons and complaint that we wished to serve upon him. We were instructed we could not approach Kagame for security reasons, with which we agreed, but Secret Service informed us that security requirements permitted service on any authorized person on his staff."

"Rather than accept service, members of his staff refused to accept documents and the University ordered process servers, and lawyers, to leave campus....which is 'interference with service of process,' a misdemeanor under Oklahoma law. Also, because the University has now involved itself in the conspiracy to cover-up Kagame's crimes, they have exposed themselves to liability. The president of the University has been served with a copy of the complaint and summons for Mr. Kagame."

A university spokesman said, "President Kagame is at Oklahoma Christian as the head of Rwanda to honor the 10 outstanding [Rwandan Presidential Scholars](#) who are graduating today.

"We do not want to distract from their remarkable accomplishments by getting involved in the politics of Rwanda and surrounding countries. We cannot comment on pending lawsuits.

Attorneys in the lawsuit stated that, "There is no independent functioning judiciary in Rwanda and any suit against defendants there would have been and would still be futile and would result in serious reprisals."

Carla del Ponte, Lead Prosecutor for the International Criminal Tribunals on Rwanda and Yugoslavia, in her book "[Madame Prosecutor: Confrontations with Humanity's Worst Criminals and the Culture of Impunity](#)," tells the story of how she was fired by the UN after announcing her intent to prosecute sitting Rwandan President Paul Kagame for the assassination of Presidents Habyarimana and Ntaryamira that triggered the genocide.

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