

Rwanda Genocide: U.S. Citizen Falsely Accused

Millions of U.S. Taxpayers Dollars Fund Fabricated Rwanda Genocide and Asylum Cases

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On June 24, 2010, U.S. agents in Manchester, New Hampshire arrested Rwandan genocide survivor Beatrice Munyenyezi, a Hutu and a U.S. citizen since 2004. Charged with lying on her immigration documents to conceal her alleged major role in genocide in Rwanda, Ms. Munyenyezi is also charged with rape as a war and genocide crime. Meanwhile, a federal prosecutor for the case is known for misconduct, falsification of evidence and perjury. Is it a crime to have a FACEBOOK profile? Is it a crime to use a computer?

“If the road would speak, then I wouldn’t be scared, if the birds would sing, then I would vow to never vanish,” wrote Beatrice Munyenyezi, “I wouldn’t be lost in the woods, a place where sound and noise is unheard of, and the sky, the sky is not even there to guide you, to guide me.”

So begins Beatrice Munyenyezi’s personalized account as a refugee who survived the slaughter of millions of people in Rwanda, in Zaire/Congo, and in neighboring countries, between 1990 and 1998—always erroneously defined as “the 1994 Rwanda genocide” where brutality is universally attributed to the Hutu ethnic group and Tutsis are always the only victims.

Ms. Munyenyezi has been transforming her ordeal of unspeakable brutality and terror into a book tentatively titled *Life in the Middle of Nowhere: Surviving Genocide in Rwanda and Zaire*. It is her version of *Surviving the Slaughter: The Ordeal of a Rwandan Refugee in Zaire* (2004) a renowned non-fiction book published in Europe by Marie Beatrice Umutesi, a Hutu and genocide survivor.

On Thursday June 24, 2010, this project abruptly came to a halt when Federal agents from U.S. Immigration and Customs Enforcement (ICE) confiscated all of Ms. Munyenyezi’s texts, notes, documents, computers and other personal items. (ICE is the largest investigative agency in the U.S. Department of Homeland Security.) Now her private testimony as a refugee and survivor will likely be used against her in another case of politically motivate genocide charges.

The U.S. Department of Justice has suggested that Beatrice Munyenyezi might be deported to face genocide charges in Rwanda. But Ms. Munyenyezi will be a milestone case: the first international legal proceedings in the United States involving a female of any ethnicity or nationality charged with rape as a genocide and war crime.

On June 24, 2010, Beatrice Munyenyezi (MOON’-yen-yenzi) was arrested in Manchester, New

Hampshire (USA) and charged, according to U.S. prosecutors, with “procuring U.S. citizenship unlawfully by misrepresenting her activities during the 1994 Rwandan genocide.”

According to the government of Rwanda, Beatrice Munyenyezi, 40, allegedly “participated in, committed, ordered, oversaw, conspired to, aided and abetted, assisted in and directed persecution, kidnapping, rape and murder during the Rwandan genocide of 1994.”

These are generic genocide charges used by the Rwandan military regime against all Hutus.

According to U.S. prosecutors, Ms. Munyenyezi allegedly concealed these facts in order to obtain immigration and naturalization benefits and lied about her connection to the genocide when seeking citizenship. Ms. Munyenyezi’s husband and mother-in-law are in custody at the International Criminal Tribunal on Rwanda (ICTR) in Arusha, Tanzania on genocide charges.

If convicted of the two counts of procuring U.S. citizenship unlawfully, Munyenyezi faces up to 10 years imprisonment, followed by 3 years of supervised release and a \$250,000 fine, along with revocation of her U.S. Citizenship.

Beatrice Munyenyezi survived the invasion of Byumba Prefecture by Rwanda Patriotic Front (RPF) guerillas in 1990, and the years of RPF persecution and genocide that saw entire Hutu villages in Byumba razed, massacres of scores of thousands of people, and the internal displacement of some 2 million Hutus into a life-and-death refugee existence inside Rwanda between October 1990 and April 1994.

Ms. Munyenyezi then survived the so-called ‘100 days of genocide’ in Rwanda from April to July 1994. She fled Rwanda with family members on July 18, 1994, part of the massive exodus of millions of Rwandans, mostly innocent Hutu women and children, after the RPF won the civil war in Rwanda in July, to eastern Zaire (Dem. Rep. of Congo), where she survived the slaughter of hundreds of thousands of Hutu civilians by the RPF.

Contrary to popular propaganda, the sound bite claiming that the RPF ‘stopped the genocide against Tutsis’ in Rwanda is a gross mischaracterization of the nature of genocide versus civil war in Rwanda. It is also a sound bite that deflects attention from the RPF role in mass atrocities in Rwanda and Congo. The Kagame regime is able to get away with anything it wants—plunder minerals, arrest and torture opponents, persecute refugees—because Kagame has provided the Pentagon its biggest centralized base for the U.S. Africa Command, AFRICOM.

Ms. Munyenyezi fled to Kenya at the advice of her brother, Jean-Marie Vianney Higiho. In Tanzania and then Kenya she survived RPF agents hunting refugees and assassinating dissidents (including former RPF official Seth Sendashonga).

Evacuated to the United States in March 1998, Beatrice Munyenyezi was first assisted by a Catholic charity in New Hampshire. She later worked for the Manchester Housing and Redevelopment Authority, which owns and manages 1,271 public housing apartments for low-income families, elderly, and adults with disabilities, from March 2001 to March 2005. MHRA spokeswoman Michelle Desmond would not comment on Ms. Munyenyezi’s service record, but she has regularly worked with other groups to assist refugees of many nationalities. She taught herself English and pursued degrees in a local community College and at the University of New Hampshire.

The Associated Press and other news outlets splashed Ms. Munyenyezi's arrest across the news on June 24, 2010. "An estimated 800,000 people were murdered during the 1994 Rwandan Genocide, which took place over the course of approximately 100 days," these outlets universally reported.

The official narrative on 'genocide'—distilled to the simple sound-bite above—is maintained by the current government of Rwanda and its military, political and economic partners to silence debate and manufacture a version of events that protects the perpetrators and criminalizes victims like Beatrice Munyenyezi and her family members.

The military dictatorship in Rwanda is run by President Paul Kagame and his closest military associates from the former Rwandan Patriotic Front/Army (RPF), now known as the Rwanda Defense Forces. In October 1990, the RPF guerrilla army invaded northern Rwanda from neighboring Uganda. Over the next four years the RPF terrorized Rwandan civilians as they slowly seized the country and overthrew the Hutu-majority government of President Juvenal Habyarimana.

Predominantly comprised of hardened Uganda guerrillas of the Tutsi ethnicity who fought to bring Uganda's strongman Yoweri Museveni to power in Uganda (1980-1985), these guerrillas, backed by London and Washington, have perpetrated massive genocide, war crimes and crimes against humanity on millions of innocent civilians in Uganda, Rwanda and the Dem. Rep. of Congo.

PERSECUTING OPPOSITION AND SURVIVORS

On June 24, 2010, the Kagame regime in Rwanda violently suppressed dissent in Rwanda as the three primary political parties standing in opposition to President Paul Kagame and his Rwandan Patriotic Front saw their members and leaders physically harassed, barred from leaving their residences, and in some cases arrested. Reports were of 'mobs' of government supporters at each location where the harassment occurred.

This follows an assassination attempt last week in South Africa of exiled Rwandan General Faustin Nyamwasa, who fled Rwanda after being accused of opposing the Kagame government. Nyamwasa is one of over 15 leading military officers and Ambassadors who have been imprisoned or forced into exile in recent months.

On June 24, Rwandan journalist Jean-Leonard Rugambage, from an opposition newspaper, was shot dead by assailants when returning to his home in Kigali.

On May 23, U.S. attorney and ICTR defense counsel Peter Erlinder was arrested and illegally detained for twenty days in Rwanda. Mr. Erlinder flew to Rwanda to represent his client Victoire Ingabire, a Hutu woman also persecuted by the Kagame regime. Erlinder, charged with 'genocide denial' and denied bail twice, was released on medical grounds after 21 days incarceration but faces charges with punishment up to 25 years.

Victoire Ingabire arrived in Rwanda in January 2010 to prepare to contest the upcoming presidential elections. She and her aides were immediately arrested and she has been charged with genocide denial and other thought crimes.

The military and intelligence apparatus directly run by President Paul Kagame maintains

elite networks of death squads inside and outside Rwanda. Tasked with hunting and neutralizing any dissidents, critics, intellectuals, writers, human rights activists, or other 'opposition' to Kagame's regime, these agents operate freely throughout Africa, Europe, Canada and the United States. Anyone critical of the Kagame military regime is falsely accused of involvement of genocide, 'genocide negationism' or 'genocide denial'.

The Kagame government has infiltrated agents into western countries posing as asylum seekers:

"The Kagame government is trying to frame my sister now," says Professor Jean-Marie Vianney Higiroy. "They are trying to get to me. They have tried to accuse me of lying on my immigration forms, but I was evacuated from Rwanda [1994] as a family member of a U.S. citizen. Probably I will be arrested soon."

Jean-Marie Vianney Higiroy is a U.S. citizen who was evacuated by the U.S. Embassy in Rwanda and U.S. marines from Bujumbura, Burundi, on April 9, 1994.

The war in Rwanda was escalated by the Rwandan Patriotic Front on April 6, 1994, after the plane carrying Rwandan president Juvenal Habyarimana and Burundian President Cyprien Ntaryamira was shot down by the RPF with surface-to-air missiles, killing both presidents, their chiefs of staff, the French pilots and other top Rwandan and Burundian officials. The United States and its allies, including the United Nations and the Rwanda Tribunal (ICTR), have blocked all investigations into this major act of international terrorism.

The Rwandan Patriotic Front and Ugandan People's Defense Forces (UPDF) marched through Byumba Province clearing the land of its people, whether Hutu or Tutsi. Attacks against Byumba began with the RPF invasion of October 1990, another act of international terrorism that remains opaque and unpunished, though it set the stage for the death of more than ten million people in Central Africa since.

"I was born in Northern Rwanda, a province of Byumba, a place that perhaps many of you have never heard of," the introduction to Ms. Munyenyezi's book continues. "Yes, it is in the middle of nowhere. It is a place where your cry, echoes and echoes but still is not heard, a place where you cry and the tears refuse to come, a place where you wait for someone, anyone to come and save you, but instead the ghost of your failure, of your misery shows up on your doorstep. No one can hear your cries, your sobs, for you are alone."

Associate Professor of Communications at Western New England College in Springfield, MA, Dr. Higiroy is one of few remaining Hutu intellectuals not arrested or killed by the RPF regime. He has been a constant source of tension to Kagame, who in turn maintains intense pressure on the U.S. government—its leading military and economic partner—to arrest Higiroy.

Dr. Higiroy was critical of both the Habyarimana and Kagame governments, and he has published articles and given talks about the media climate just prior to the events of April-July 1994, and about the commodification of genocide used to advance the political and economic objectives of the Kagame military regime and to hide the RPF's organized criminal activities and war crimes in the Democratic Republic of Congo.

Prior to April 1994, Higirowas director of the Rwandan Information Office (ORINFOR). The RPF government has tried to arrest and extradite Higirowince Dr. Higirow's refusal to accept the RPF government appointment of Minister of Information, in July 1994, after seeing reports of RPF massacres against scores of thousands of Hutus.

"They arrested my sister Prudence Kantengwa in Boston in 2008. Her case resulted in lengthy trials costing U.S. taxpayers a lot of money. Now they have arrested Beatrice. But she [Beatrice] was not a government official in Rwanda, she was not with the Interahamwe [militias], she is just a young Rwandan woman who survived the genocide and made it to America."

FALSIFICATION OF EVIDENCE

Prudence Kantengwa was arrested in Boston in 2008. Also a Hutu and the sister of Jean-Marie Vianney Higirowand Beatrice Munyenyezi, Ms. Kantengwa applied for asylum in the United States in 2001, but she was initially denied.

U.S. immigration judge Eliza C. Klein granted asylum to Prudence Kantengwa against the U.S. government prosecutor's wishes. U.S. immigration then appealed to the Immigration Review Board who confirmed Judge Klein's ruling in June of this year.

But prior to the first favorable asylum ruling by Judge Klein, the U.S. immigration prosecutors saw that the Kantengwa asylum case was not going their way. ICE then arrested and accused Prudence Kantengwa of lying on her visa application. The resulting U.S. Federal Criminal Court case is ongoing.

Jeffrey Auerhahn is a U.S. prosecutor on Prudence Kantengwa's criminal court case. The case was investigated and reported in detail by Boston's WBUR News journalists David Boeri, Lisa Tobin, Jesse Costa and Andrew Phelps. "Federal Judge Mark Wolf called the conduct of Jeffrey Auerhahn 'A fraud upon the court'," they reported.

U.S. prosecutor Jeffrey Auerhahn is one of two federal prosecutors on the Beatrice Munyenyezi case, also a Federal Criminal Court case because Beatrice Munyenyezi is now a U.S. citizen and the asylum system no longer can be used against her. Auerhahn was never disciplined or disbarred for his unscrupulous actions. The case raised troubling questions from critics—including judges—who worry that withholding evidence has become a tactic of some federal prosecutors.

"Unfortunately, this U.S. prosecutor Mr. Auerhahn is still exhibiting the same misconduct in my case," says Prudence Kantengwa. "The discovery process, which usually takes no more than 3 months, has taken more than a year and is still going on because prosecutors have refused to share the information they have that contradicts their allegations. And my guess is that they are hiding written information—such as investigation made about me which took 6 months before I was granted a visa to the US in 2001—and plan to bring witnesses in collaboration with the Rwanda government [whom] they have trained on what to fabricate against me."

Rwandan asylum hearings in the U.S., Canada and Europe also suppress evidence that

would exonerate the accused. Instead, prosecutors and judges rely on disinformation and falsified evidence, including the U.S. State Department's annual Human Rights Country Reports on Rwanda, which are extraordinary documents that suppress critical facts and information and protect the Kagame regime.

U.S. asylum hearings also rely heavily on testimonies collected by Rwandan military and intelligence officials using intimidation, bribery, torture and the threat of being accused of genocide and tried before the so-called 'people's courts' in Rwanda, the Gacaca courts. Communities and family members in Rwanda are also retried for the same offenses at Gacaca trials where intimidation is used to force a verdict that satisfies the Kagame regime. People are also routinely disappeared in Rwanda, and assassinated in other countries.

In *United States of America vrs. Francois Karake, et al*, a U.S. court dismissed all charges brought by the U.S. and Rwanda governments against three Rwandan defendants, all Hutus, accused of the murder of two U.S. and other tourists in Uganda's Bwindi National Park in March 1999. The investigation spanned four years and involved the Federal Bureau of Investigation (FBI). The U.S. District Court for the District of Columbia ascertained that the defendant's testimonies had been extracted through physical torture with the involvement of U.S. agents. The prisoners were incarcerated and interrogated at Kami Military Barracks, notorious for RPF torture operations, in Rwanda.

Terror is a strong incentive to make people collaborate with Rwandan government officials to produce convincing documentary 'evidence'. In the fall of 2009, Human Rights Watch documented the case where more than 300 Rwandans fled southern Rwanda to Burundi in fear of being falsely accused or genocide, sent back to Gacaca for retrial, or disappeared.

"Jeffrey Auerhahn continues to work as a federal prosecutor in Boston," WBUR News David Boeri reported in February 2010. "He's been praised by the last U.S. Attorney. There's never been a public action by the Justice Department to discipline him."

The evidence used by U.S. prosecutor Jeffrey Auerhahn against Prudence Kantengwa was in part marshaled in Rwanda by investigator Thomas Brian Andersen Jr., a special agent with U.S. Immigration and Customs Enforcement (ICE) in Boston, MA.

Agent Anderson traveled to Rwanda on U.S. taxpayer's money to investigate the case of Prudence Kantengwa for the Federal criminal hearing. In his notarized affidavit to the court, Andersen provides facts that seriously discredit his claim to expertise on Rwanda or the case in question.

- Paragraph 12: *"The vast majority of the Hutu elite, including the assassinated president, were from Byumba."* President Juvenal Habyarimana was from Gisenyi Prefecture, northwestern Rwanda, not Byumba Prefecture, northeastern Rwanda; the vast majority of the Hutu elite did not come from Byumba either; if anything Byumba was one of the *least* privileged provinces even though it was considered as President Habyarimana's fiefdom.
- Paragraph 12: *"The prime minister, who was a member of the RPF [Rwandan Patriotic Front] Tutsi party, was murdered."* Prime Minister Agathe Uwilingiyimana was a Hutu, never a member of the RPF party, but a member of

the MDR, or *Mouvement Démocratique Républicain*; further, the prime minister's murder remains shrouded in questions about RPF and United Nations Assistance Mission to Rwanda (UNAMIR) troop involvement as extensive ICTR trial documents make clear; the assumption and allegation that she was murdered by Hutu extremists is another example of the investigator's prejudice based on news media, falsified stories, and falsified human rights reports, and RPF propaganda;

- Paragraph 12: “[Prudence] Kantengwa was married to Athanse Munyemana, who was a minister in the extremist Hutu government.” Athanse Munyemana was never a Hutu government minister: he was a state intelligence bureau official and a magistrate who could not have belonged to a political party under the Rwandan constitution of 1991.

ICE AGENT THOMAS BRIAN ANDERSEN

In his June 2010 request for a warrant for search and seizure of property belonging to Beatrice Munyenyezi, ICE special agent Thomas Brian Andersen Jr. provided an affidavit that is a travesty of justice. He does not anywhere discuss his relationship with the Rwandan government, but nonetheless declares his independence from, for example, the Rwandan regime's Directorate of Military Intelligence: it is impossible to pursue the investigations he claims to have performed independently without the involvement, oversight, or monitoring of the notorious DMI.

Agent Andersen does not elucidate his relationship to Rwandan 'genocide survivor' organizations IBUKA or IVEGA, both known to be populated with bogus 'survivors' coached, paid and protected by the RPF government.

Basing his statements from witnesses whom he purportedly interviewed in Rwanda, purportedly without government interference, these being people whom he claims are independent and authentic witnesses, authentic genocide survivors and authentic convicted *genocidaires*, special agent Thomas Brian Andersen then testified:

“I believe these witnesses are reliable because they are eyewitnesses for whom it is a great personal risk to submit to being a witness and because there is no motivation to provide false information, given that many of these witnesses reside in Rwanda and have no contact with Munyenyezi.”

The above statement indicates that Andersen has no understanding of events in Rwanda in general, and, in particular, no understanding of: [1] the politics of genocide accusations; [2] motivations such as land, housing and other property disputes; [3] motivations such as personal or economic rivalry; [4] intimidation, accusation and the threat of physical violence used to coerce and fabricate witnesses and testimonies; [5] financial and other incentives used to induce testimonies that suit the Rwandan regime; [6] the motivations of Hutu prisoners accused or already convicted of genocide to produce false testimonies against other Hutus.

The fact that witnesses ‘reside in Rwanda’ is not evidence of their absence of bias, but rather evidence of their propensity toward bias. In particular, thousands of Ugandans currently occupy Rwandan homes and lands taken by force by the RPF from previous landowners of both Hutu and Tutsi ethnicity. (If agent Andersen went to Butembo in North Kivu province in the neighboring Democratic Republic of Congo he would find thousands of Rwandan RPF Tutsis occupying homes and lands there; it would be impossible and outrageous to conclude that their presence in Congo substantiated evidence of their veracity as ‘witnesses’.)□

Paragraph 11 of Andersen’s affidavit reveals the real reason that President Paul Kagame seeks to punish and imprison Beatrice Munyenyezi, with ICE support, and why Rwandan officials are pressing the U.S. government to intimidate, arrest and silence her:

“Over the several days in February 2006, Munyenyezi testified in her husband’s and mother-in-law’s trials at the ICTR.”

ICE agent Andersen offers ‘evidence’ of Beatrice Munyenyezi’s alleged criminality primarily based on guilt by association with her husband and mother-in-law, both involved in ongoing trials at the ICTR. Further, he alleges by association that Beatrice Munyenyezi, a witness who testified in her family member’s defense at these ICTR trials in 2006, is complicit in genocide merely because she testified on her sister’s behalf. Icing the cake of injustice, special agent Andersen alleges in his affidavit (paragraph 11) that Beatrice Munyenyezi committed perjury in her ICTR testimony. Finally, the modus operandi of the Kagame regime and RPF military is to arrest, convict, re-educate (through intimidation and terror) or disappear *anyone* who testifies contrary to the wishes of the Kagame regime or contrary to the established ‘Rwanda genocide’ narrative, as did Munyenyezi.

In paragraph 12, agent Andersen claims that Beatrice Munyenyezi manned roadblocks, organized killings, oversaw rapes, and gave public speeches inciting mass murder and rape and all the standard crimes that the Kagame regimes uses to criminalize Hutu people. On its face, the evidence produced by agent Andersen appears irrefutable. However, Mr. Andersen does not have all the facts, and it seems he has very few of them, and certain facts are being reserved for the defense arguments of Beatrice Munyenyezi in a court of law.

In attempting to make a case that Beatrice Munyenyezi lied on her immigration forms, ICE special agent Thomas Brain Anderson adduced that she was a member of the Rwandan political party *Movement Republicain pour le Developpment* (MRND), the party of President Juvenal Habyarimana that has been castigated as an extremist Hutu genocide organization, and she did not check the box declaring her membership in ANY organization.

However, *everyone* in Rwanda was required to be a member of the MRND party for many years, beginning in 1975, soon after President Habyarimana seized power (1973), and lasting until 1991, when the Habyarimana government opened political space for opposition parties. Also, the fact that your brother and father are members of a certain political party does not confirm that you are also a member of that political party, certainly not in Rwanda, certainly not in the years between 1991 and 1994, when allegiances, alliances and memberships were highly in flux and highly politicized.

Additionally, any Hutu refugee fleeing the RPF terror apparatus and genocide against Hutus would have been suicidal to identify themselves as MRND members after July 1994. Further,

the assumption or suggestion that the U.S. State Department and its immigration and naturalization service agents would be impartial towards Hutus is unreasonable, and the immigration forms clearly take no account of the extreme conditions of mistrust, terror and basic survival that genocide and war crimes survivors (including Beatrice Munyenyezi) were subject to at the time.

In fact, special agent Andersen later confirms that he interviewed the official who granted Beatrice Munyenyezi her naturalization status would not have done so had he 'known the truth about' her statements—supposing she admitted she was a member of the MRND party—he would have denied her application. (The accusations of her 'involvement in genocide' etc. are not herein accepted to be amongst the set of 'truthful' statements that Ms. Munyenyezi might have provided).

Special agent Thomas Brian Andersen also unreasonably concludes that Beatrice Munyenyezi must have lied in answering the question "have you ever committed a crime of moral turpitude"? Here Andersen jumps from being an ICE investigator to judge and jury against Beatrice Munyenyezi with this conclusive statement of absolutes:

"In fact, as described herein, Munyenyezi had participated in the genocide, and had committed a number of individual crimes, including the assistance of murder, rape, assault and theft, against the Tutsi minority."

Perhaps the most outrageous statement of all, applied herein against Rwandan genocide survivor Beatrice Munyenyezi, is the Paragraph 28:

"In addition, on or about January 31, 2005, Munyenyezi was interviewed by the New Hampshire affiliate of National Public Radio to discuss the challenges which face African refugees in the Manchester, New Hampshire area. During the interview Munyenyezi said that she escaped a war in Rwanda with her family and husband. Munyenyezi described how there is discrimination against her in New Hampshire as an African refugee, and she also described herself as a 'fighter' against adversity."

Now it is a crime to be interviewed on National Public Radio? Or, is it a crime to be interviewed on NPR in New Hampshire only? Clearly it is a crime to 'escape a war' when the top officials for the victor's of that war, the Rwandan Patriotic Front, have been internationally indicted for war crimes, crimes against humanity and genocide. But the *coup de grace* comes in the possibility that the 'crime' or 'infraction' or violation that Beatrice Munyenyezi has committed in special agent Thomas Brian Andersen's mind is to have admitted so shamelessly that "she described herself as a 'fighter' against adversity."

The outrageous crimes of Beatrice Munyenyezi don't stop there however. In paragraph 29:

"Munyenyezi also appears to use a computer to correspond with others. An Internet search related to Munyenyezi reveals that on or about May 11, 2009 Munyenyezi submitted a story for publication to the National Endowment for the Arts website related to how she is persevering after her experience in Africa. In addition, a public Internet search as of June 21, 2010 reveals that

Munyenyenzi has a FACEBOOK account and is virtually connected with several on-line friends.”

Is it the *appearance* of using a computer or the actual *use* of a computer to correspond with others that agent Andersen finds incriminating? Are Africans not supposed to know how to use computers, or is it only Rwandan Hutus (even U.S. citizens) who are not supposed to use computers and/or correspond with others? Is having a FACEBOOK profile one of Beatrice Munyenyezi’s crimes? Or is her crime that she is “virtually connected with several on-line friends?”

Amongst the most egregious examples of the biases of special agent Thomas Brian Andersen—in favor of the current Rwandan Patriotic Front regime, and against Beatrice Munyenyezi, a former Rwandan national and a person of Hutu ethnicity, now a U.S. citizen, comes in Paragraph 35:

“Based on my training and experience and my discussions with other agents who have investigated similar offenses, I have reason to believe that people who were active participants in the Rwandan genocide were themselves Hutu extremists and that they have maintained an active Diaspora throughout the world in the hope of returning to Rwanda for the purpose of overthrowing the current government and re-instituting the policy of genocide, ‘to complete the work’ of killing every last Tutsi. To promote that effort and prove their long-term commitment to the cause—i.e., the extermination of the Tutsi race—Hutu extremists, like Munyenyezi, maintain documents, photographs and memorabilia, which link them to their past and their expected role in the future. The documents, photographs and memorabilia are particularly important to Hutu extremists because, to them, the items prove that the extermination of Tutsi is an act of self-defense.”

According to the above reasoning, every Hutu is a *genocidaire*; every Hutu must be denied any memorabilia of their past or hope for the future; and every Hutu dreams of exterminating Tutsis, and is nefariously plotting “the extermination of the Tutsi race.”

Thomas Brian Andersen’s bias is exhibited throughout the document, beginning with his summary of Rwandan history, e.g. in paragraph 5, where he destroys all context of Hutu-Tutsi relations in favor of the ‘Tutsis as victims’ narrative advanced by the RPF and its allies. He demonstrates his lack of knowledge of the simplest discernable facts, such as the October 1, 1990 date of the illegal RPF invasion of Rwanda (in paragraph 6 he states: “In or about the early 1990’s, the RPF invaded Rwanda”). He uses the label ‘Hutu extremist’ to mask his hatred against Hutu instilled in him by the current government in Rwanda and its one-sided historiography.

U.S. AGENT PERJURY, FBI DECEPTION

Did Thomas Brian Andersen commit perjury—at least once—in his affidavit signed June 22, 2010? And did the FBI use deception to gain access to Beatrice Munyenyezi’s home, under conditions of her trust and cooperation on an international matter completely unrelated to

her asylum status, with the intent of surveillance of both Beatrice Munyenyezi and her sister Prudence Kantengwa.

In paragraph 36 agent Andersen states: *"I am aware of the close relationship between Munyenyezi and her sister Prudence Kantengwa. I am also familiar with the ongoing proceedings before the Immigration Court related to Munyenyezi's sister, Kantengwa, and I know that Munyenyezi had appeared in court during those proceedings and was announced as a witness for her sister. In addition, on January 13, 2010, the FBI visited Munyenyezi at her residence at 73 Goffe Street, Manchester New Hampshire, and they were invited into the home. While present, the FBI noticed that Kantengwa was present at the home, and appeared to be living or at least sleeping there."*

To begin with, agent Andersen is more than simply "familiar with the ongoing proceedings" related to Prudence Kantengwa but he does not disclose these and instead diminishes their importance: He is also the ICE agent who has investigated the Kantengwa case in Rwanda and his investigations, affidavits and testimonies are evidence for the Kantengwa case in Boston. So there is an absence of full disclosure in this affidavit to New Hampshire U.S. Magistrate Judge Daniel J. Lynch, who is likely very unfamiliar with the Boston cases or deeper issues.

Second, special agent Thomas Brian Andersen has added a very curious footnote to his affidavit that begs explanation. From December 18, 2009 to January 10, 2010, Munyenyezi was traveling to and from Arusha, Tanzania, Nairobi, Kenya, and the United States. On her return entry to the U.S. Munyenyezi volunteered information about, apparently, Jamaican Muslim cleric Sheikh Abdullah al-Faisal (Trevor William Forrest), who was detained in Kenya during the same time period (creating a barrage of western mass media stories about his supposed terrorist profile). As noted in agent Andersen's peculiar footnote number 3, Beatrice Munyenyezi was interrogated on her return to Boston Logan Airport on January 10, 2010:

3 "At the time of her entry, Munyenyezi told the Customs and Border Protection personnel that she had important information to relate pertaining to someone she believes she saw in Kenya who had been in the news recently as an associate of a contemporary terrorist group. Munyenyezi was told that the FBI would follow up with her on a later date."

When FBI agents showed up at Beatrice Munyenyezi's Manchester NH home on January 13, 2010, it was not in the context of ascertaining her asylum status, as ICE agent Andersen falsely indicates, but rather as the follow-up to Munyenyezi's volunteered information at Logan airport. However, based on the above details, it seems that Beatrice Munyenyezi had long since been under surveillance, and the "invitation to her home" was used as a cover for surveillance of both Munyenyezi and her sister Prudence Kantengwa.

It seems that Beatrice Munyenyezi's attempt to demonstrate her allegiance to the U.S. war on terror backfired and was used against her. More importantly, it is clear that the search warrant of June 22, 2010 was used for an ICE fishing expedition with the hope that something incriminating (a computer, manuscript of surviving genocide, old photographs or other memorabilia) might be discovered and used against either Beatrice Munyenyezi or

Prudence Kantengwa or both.

But the surveillance was much more comprehensive. FBI agents were not only watching and photographing the Munyenyezi home, as agent Andersen indicates, but they were also spying on her, she alleges, by planting plain-clothes FBI operatives in her political science classes at the University of New Hampshire, where she was enrolled in an advanced degree program, in the spring of 2010.

Is Beatrice Munyenyezi a suspected terrorist? It appears that all Hutus outside of Rwanda have been designated *de facto* 'terrorists' by the U.S. government in its alliance with the Kagame regime.

Third, the evidence of Thomas Brian Andersen's perjury in his June 22, 2010 affidavit comes in his paragraph 36 statement: "*...and I know that Munyenyezi had appeared in court during those [her sister Prudence Kantengwa's immigration court] proceedings and was announced as a witness for her sister.*"

However, Beatrice Munyenyezi was never a witness at the immigration trial of her sister Prudence Kantengwa. Instead, the trial was interrupted when U.S. prosecutor Mary Kelly noticed Beatrice Munyenyezi sitting in courtroom taking notes. The judge had no problem with note-taking by Beatrice Munyenyezi. U.S. prosecutor Mary Kelly then apparently complained that she had planned to call Beatrice Munyenyezi as a witness. After discussions with the defense lawyer for Prudence Kantengwa, and a few questions to Beatrice Munyenyezi in a private chamber, the U.S. prosecutor dropped the issue of Munyenyezi's presence in the courtroom. Munyenyezi was never registered as a witness by either side, and she never testified.

ICE special agent Thomas Brian Andersen misrepresents the presence of Beatrice Munyenyezi at her sister's immigration trial to exaggerate a greater sense of collusion and conspiracy between these two 'Hutu extremists', no matter that the two women are sisters, or that it is common for someone to testify in behalf of a family member. If special agent Andersen was present in the court on the day that Beatrice Munyenyezi appeared to support her sister Prudence, either he was sleeping through this disturbance in court proceedings or he lied directly. If he was sleeping, he obviously fabricated this 'evidence' used as sworn testimony. If he was not present, then he used hearsay—incorrect information related by someone else—as sworn testimony in his affidavit.

An evaluation of the overall methodology employed by special agent Andersen, according to his own affidavit, suggests he has little or no training in international human rights and genocide investigations. Indeed, Mr. Andersen has been with the Boston Bureau of ICE for approximately two years, coming from five years duty with law enforcement in Vermont State. After less than two years with ICE in Boston, Massachusetts, USA, special agent Thomas Brian Andersen, a Vermont State cop, purports to have gained expertise on Rwanda and 'genocide' (as related in paragraphs 5-21 of his affidavit) and the operations of the International Criminal Tribunal on Rwanda that ICTR defense attorneys—trained in human rights law, some having more than ten years full-time and dedicated experience with ICTR trials and the government of Rwanda—would never claim.

All the genocide charges in the Thomas Brian Andersen affidavit signed June 22, 2010 are generic charges that have been leveled over and over, against all Hutus, and the Thomas

Brian Andersen is not credible or impartial: he should be rejected as a witness in all Rwanda hearings.

Instead, special agent Thomas Brian Andersen should be deposed under oath and interrogated about his relationship to RPF officials and RPF intelligence agents, He should be interrogated about his relationship to the Rwanda 'genocide' front-organizations IBUKA and IVEGA. And he should be interrogated about ties between ICE, the Department of Homeland Security, and the Directorate of Military Intelligence and other secretive organizations of the state of Rwanda.

PUBLIC BRANDING OF GENOCIDAIRES

As in the asylum trials of Dr. Vincent Bajinya and three other Rwandan Hutu men in the U.K., and Dr. Leopold Munyakazi, in Maryland, VA, where all defendants were accused *genocidaires*, and similarly for every other Rwandan asylum hearing in the U.S., Europe or Canada, any investigators traveling to Rwanda for the *defense* discovery would not be able to pursue independent investigations. Even cases at the ICTR in neighboring Arusha, Tanzania, have seen serious interference from the Rwanda regime. Similarly, ICE agent Thomas Brian Anderson would not have been able to travel to Rwanda without the direct involvement and highest authorization of the RPF regime, and his actions would have been monitored from beginning to end.

Usually the RPF regime provides 'handlers' that manage investigations and spoon-fed investigators with information fabricated or cleared by the regime. Rwanda experts for the defense at asylum hearings, including lawyer Peter Erlinder and Filip Reyntjens, a prominent Belgian academic, have testified to the problems of the Gacaca hearings, the manipulation and threats against witnesses, and the interference by the Kagame regime in court cases in Rwanda and at the ICTR.

Dr. Vincent Bajinya was arrested in London, many years after he arrived and gained citizenship in England and was framed.

Dr. Leopold Munyakazi was a professor employed at Goucher College in Maryland until 2008, when he was arrested by ICE agents after making a public speech decrying the abuses of the Kagame regime, the falsification of genocide charges and the lies of the official RPF genocide narrative.

Dr. Munyakazi was framed by the Kagame regime and publicly branded as a *genocidaire* by a short-lived NBC News television program that sought prime-time ratings by tracking down and 'exposing' supposed *genocidaires*. The program was titled '*The Wanted*', and the morality of 'good versus evil' was underscored by the choice of the show's commentator, Scott Tyler, an ex-Navy Seal, while the wanted man, Dr. Leopold Munyakazi, was their embodiment of evil. The zealous NBC News team acted as accuser, judge and jury against Dr. Munyakazi.

U.S. prosecutors in Rwanda asylum cases are generally very ignorant of the politics of genocide, war crimes, and crimes against humanity in Rwanda, or they have been irreconcilably swayed by the propaganda of the Kagame regime and its partners, which is everywhere in the western media.

In two related U.S. court cases (where the Rwandan defendants' hearings are underway and

they do not wish to be named) two U.S. prosecutors traveled to Rwanda and later testified in court to that it was very easy to get the information they wanted, they did not need a clearance from the Rwanda government, and that they went to the countryside and met witnesses without government assistance or monitoring. They even went to prisons to talk to prisoners without Rwanda government help, they claimed, and reported to the court that conditions of prisoners were excellent.

While U.S. government prosecutors who have worked in Rwanda under these supposed 'independent' conditions have not been deposed under oath, their claims are impossible under the current military regime in Rwanda.

THE GENOCIDE RAPE CHARGE

Beatrice Munyenyezi's husband, Shalom Ntahobari, and mother-in-law, Pauline Nyiramasuhuko, remain in detention at the ICTR in Arusha, Tanzania. Both have been on trial at the ICTR for more than ten years and are awaiting decisions on genocide and rape charges for more than a year now.

The same 'Tutsi victims' of rape who testified in the ICTR hearing against Shalom Ntahobari also allegedly testified in the case of Hutu businessman Désiré Munyaneza, the first alleged Rwanda genocidaire tried in Canada, who was convicted and sentenced to life in prison in October 2009. In Shalom Ntahobari's case, the women could not even recognize the defendant in court, no matter their allegations of having been repeatedly raped.

Pauline Nyiramasuhuko was the first woman internationally charged with rape as a war crime or act of genocide. The former Minister of Family Affairs, she is accused of ordering *Interahamwe* militia to rape members of the Tutsi minority.

These rape charges were handed down immediately after then First Lady Hillary Clinton visited the International Criminal Tribunal on Rwanda (ICTR). When Ms. Clinton pledged \$600,000 to be paid after the first ICTR rape conviction was delivered, indictments at the ICTR were modified to include rape charges against most top alleged *genocidaires* on trial.

The case against Pauline Nyiramasuhuko was sensationalized in an eight-page feature in the New York Times Magazine (September 15, 2002). Penned by Peter Landesman and titled "The Minister of Rape: How Could a Woman Incite Rwanda's Sex-Crime Genocide?" the magazine ran an unflattering and blurred photo of Ms. Nyiramasuhuko bespectacled face on the cover.

"The 1994 genocide, one of the worst mass slaughters in recorded history," Landesman later wrote in "Out of Madness, A Matriarchy," another fictional account, this time in Mother Jones magazine, "was triggered by the assassination of Rwanda's Hutu president, after a lengthy civil war between the Hutu-led government and the Tutsi-dominated Rwandan Patriotic Front. It was a deliberate effort to eliminate the country's Tutsi 'problem'; books about Hitler and the Holocaust, and lists of potential victims, were later discovered in the offices of top government officials. In all, at least 1 million Tutsis and moderate Hutus died... Among the most nefarious tools of the genocide was a planned mass sexual assault on Tutsi women, with Hutu officials encouraging HIV-positive soldiers to take part in gang rapes."

First, these numbers of Tutsi's killed are highly disputed, and many of the Tutsis were killed by the RPF. Second, any 'deliberate effort to eliminate the country's Tutsi 'problem' was more the responsibility of the RPF than any other institution of power in Rwanda in 1994. Third, every western library and most all western human rights and media professionals, and academics, have books about Hitler, just as every western public and university library does. Fourth, these supposed genocide 'lists' have never been produced at the ICTR. Fifth, the reference to the Holocaust is part of the overall 'genocide' propaganda that defines the Tutsi minority as the sole proprietors of victim-hood in Rwanda and falsely defines them as "the Jews of Africa." Finally, there was no "*planned mass sexual assault on Tutsi women.*"

Notwithstanding the fictions, when the allegations against a branded *genocidaire* are repeated they are often no longer presented as allegations, but as absolute fact.

For example, Emily Heroy, the founder and executive editor of Gender Across Borders (A Global Feminist Blog), regurgitated the 2002 'Minister of Rape' story in 2009. "In 2002, Peter Landesman wrote an article in the [New York Times](#) about Nyiramasuhuko entitled '[A Woman's Work](#)' about her role in the genocide... Nyiramasuhuko ordered her son and militia to rape and kill thousands of women during the Rwanda genocide."

The falsification of rape testimonies by Rwandan 'survivors' of genocide used to accuse opponents or critics or others targeted by the Kagame government has occurred before. Supposed Tutsi 'genocide survivors' and 'rape victims' were used as witnesses against Rwandan Catholic Bishop Augustin Misago, who was cleared of all genocide and rape charges in 2000.

Bishop Misago's female Tutsi accusers cried on the witness stand in an effort to sway the court. They claimed to have been repeatedly raped by Misago over more than one day. When asked to identify a very remarkable physical feature of Bishop Misago's anatomy, these women were proven to be fakes who falsified testimonies with Rwandan government support.

One of the most suppressed facts about the realities of the RPF Tutsi extremists and their elite networks is the historical and contemporary existence of *ubwenge* (ou-WEN-gay)—a complex Kinyarwanda language term referring to wisdom, trickery, caution, cleverness, prudence, deceptions, lies, manipulations. It relates to the capacity to gain a clear understanding of situations and the capability to surround oneself with a network of profit generating social relations.

French author Pierre Péan discussed 'ubwenge' in his 2005 book *Noires Fureurs, Blancs menteurs* (Black Furies, White Liars), noting that Tutsis were affected by a "lying culture" and questioning the historiography of genocide in Rwanda. Péan alleged that Tutsis have systematically resorted to lying, while employing doubtful and fraudulent maneuvers, with the aim of misleading the international community relating to the accuracy of its genocide cause. Péan was immediately sued in French courts by *S.O.S Racisme*, an 'anti-racism' organization that has been very pro-Kagame and pro-RPF in France.

Ubwenge or the culture of deception was highly valued in traditional Rwanda, particularly in Tutsi aristocratic circles. Young Tutsi aristocrats were trained in *ubwenge* to help insure the Tutsi domination of Rwanda and the enslavement of the Hutu majority. By any name, the extremist RPF Tutsi regime and its leaders excel at *ubwenge*.

“They will bring into the U.S. court these women from Rwanda,” says Jean-Marie Vianney Higiyo. “They will say ‘I was raped’ and they will cry. The jury will think this is spontaneous and the judge and jury will believe them. But the jury will not understand that this is an exercise in ubwenge. Some Hutus will also use ubwenge. In the RPF kingdom ruled by Paul Kagame there are people who train people to lie in court. They are used in different trials to lie and frame and accuse. Westerners and judges in western countries do not grasp this.”

Beatrice Munyenyezi’s case will join those of other Rwandans accused by the Kagame regime that are costing U.S. taxpayers millions of dollars for hearings that have historically involved fraud, disinformation, and U.S. government manipulation. The U.S. government is fighting its own judiciary in its efforts to maintain the façade of the Paul Kagame government in Rwanda. This is not a successful entrepreneurial government, but an absolute military dictatorship whose grip of terror extends into the hearts and minds—as with Thomas Brian Andersen—of the United States of America.

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