

Prosecutor vs. Georges Ruggiu

Case overview and indictment

Case background: The conflict in Rwanda (1994)

Rwanda, a country in the Great Lakes Region of Africa, gained independence from Belgian colonial rule in 1959. By 1961, the traditional Tutsi-dominated monarchy was abolished. The Rwandan republic was proclaimed and a new President elected, who was a member of the Hutu group. Violent struggles broke out, and many Tutsis fled the country over the following years.

In 1973, following renewed clashes, General Juvénal Habyarimana took over the government by staging a military coup and thus replacing the civil Hutu government with a military Hutu government with himself as president. At the same time, Mr. Habyarimana founded the “Mouvement républicain national pour la démocratie et le développement” (Republican national movement for democracy and development - MRND) as the unique party in Rwanda.

On 1 October 1990, the armed wing of the RPF (Rwandan Patriotic Front), an exile Tutsi organisation, deserted their posts in the Ugandan army and invaded northern Rwanda. After initial gains in threatening Kigali, the offensive was turned back with the help of Zairean and French troops sent to reinforce the Habyarimana regime. The war reached a stalemate and the two sides (RPF and MRND) entered into peace negotiations. These talks resulted in the signing of the Arusha Accords in 1993 to create a power-sharing government. However, the deal left many MRND members dissatisfied, and specifically the violent youth-wing of the MRND party, the *Interahamwe*, protested in the streets and started arming themselves.

Violence broke out immediately after President Habyarimana was killed in a plane crash on April 6, 1994. Until today it is unclear who was responsible for shooting down the aircraft. The Rwandan Army Forces set up roadblocks around the capital Kigali to prevent anyone from fleeing. During the next about 100 days until mid-July, it is estimated that about 800.000 to 1.000.000 Rwandans were killed, constituting 70 % of the Tutsi population and 20 % of Rwanda's total population. The killing ended when the RPF defeated the army and the MRND militias and took control of the Kigali.

Hutus and Tutsis

There is an ongoing debate as to whether the Hutu and Tutsi are really separate groups or not. The perceived difference between the Tutsi and Hutu populations however is a major issue in the histories of Rwanda and Burundi, as well as the Great Lakes region of Africa. While the Hutu are generally recognized as forming the majority of Rwanda, in racist ideology the Tutsi were often identified as foreigners that settled amongst and intermarried with the Hutu Bantu population.

The relationship between the two modern populations is in many ways derived from the perceived origins and claim to "Rwandan-ness". Several wars were fought between the groups, and the conflict is still ongoing. In any case, in 1959, the exclusive Tutsi rule was then for the first time challenged by the Hutu majority within the framework of the democratic elections.

There are numerous explanations for the (perceived) difference. It is yet unclear if the Tutsi migrated to Rwanda, or if societal changes around the fifteenth and sixteenth centuries led to a gradual, natural split, as those who owned cattle became known as Tutsi and those who did not became Hutu. Some studies point out that the Tutsi and Hutu lived side by side for centuries and practiced extensive intermarriage. The notion that current Rwandans can claim exclusively Tutsi or Hutu bloodlines is thus questioned.

In trying to explain the complex societies in sub-Saharan Africa, colonial scholars developed the *Hamitic hypothesis*, namely that "black Europeans" had migrated into the African interior, conquering the primitive peoples they found there and introducing civilization. This hypothesis led to massive support for the pre-existing Tutsi kingdom by the colonial powers and the Catholic Church, giving them better access to schooling and state institutions since the 19th century.

One of the key features used as a distinction by the colonial powers was the idea that Tutsi are pastoralists (cattle herders), whereas Hutu are farmers. Therefore, The Belgian colonial power designated people as Tutsi or Hutu on the basis of cattle ownership, physical measurements and church records. The ID cards that were issued based on such distinction formed the basis for the mass killing of Tutsi at roadblocks in 1994.

The role of the radio

Radio Télévision Libre des Mille Collines (Thousand hills free radio and television - RTLM) was established in 1993, primarily railing against the peace talks between President Habyarimana and the RPF. It became a popular station since it offered frequent contemporary musical selections, unlike state radio, and quickly developed a faithful audience among youth-aged Rwandans, who later made up the bulk of the Interahamwe militia. The station also hosted talk shows with an entertainment character. It is reported that frequently the hosts were smoking Marihuana during their shows.

RTLM distributed messages of division, amongst others calling on the population to "go and cut the tall trees", and to "finish off the 1959 Revolution". There were frequent references to Tutsi as *inkotanyi* (fighters) or *inyenzi* (cockroaches). The rhetoric was placed alongside sophisticated use of humour and popular music. Even though there were international forces in Rwanda, they failed to pick up on these messages, because many were in Kinyarwanda, and the radio station did not appear as a major threat.

Georges Ruggiu

Georges Ruggiu is a Belgian citizen of Italian origin. A social worker in Belgium, he befriended a Rwandan Hutu, was drawn into the Rwandan expatriate community and was soon seen in the company of Rwandan diplomats and officials of the MRND. He began visiting Rwanda and moved there in 1993.

From January to July 1994, Ruggiu worked in Kigali as a journalist and producer for RTLM. He had no experience in journalism and did not speak Kinyarwanda. During his broadcasts, Ruggiu argued that the "graves were waiting to be filled". He broadcast programs inciting Hutus to kill "cockroaches". Airtime filled by Ruggiu accounted for approximately 8% of RTLM's broadcasts. On 18 June 1994 he mentioned the village of Gitwe Hill in Mutara Commune. Two days after this broadcast, the *interahamwe* killed members of some 70 families in that location.

Indictment

Georges Ruggiu is charged with direct and public incitement to commit genocide, punishable under Art. 6 (a), (b) and 25 (3) (e) RS.