

Coming trial of Rwanda's "terminator" may embarrass Great Lakes leaders and UN
By Patrick Smith, The Africa Report
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Why did Bosco Ntaganda, the Rwandan militia leader wanted on war crime charges, decide to walk into the US Embassy in Kigali on 18 March and surrender? Was it simply that Ntaganda had no where left to go?

The International Criminal Court (ICC) had issued a warrant for Ntaganda's arrest in 2006 on charges of murder, rape and sexual slavery dating back to 2002-2003 when he ran the Union de Patriotes Congolais with Thomas Lubanga in the Democratic Republic of Congo's north-east Ituri region. Although Lubanga was arrested and convicted of war crimes in March 2012, Ntaganda evaded capture and had continued to run militias in eastern Congo.

Last July, a team of UN investigators accused Ntaganda and Sultan Makenga of launching the Mouvement du 23 Mars, which launched a devastating attack on Congo's Kivu-Nord province, with strong backing from Rwandan and Ugandan officials and politicians.

However, on 24 February in Addis Ababa, Congo's President Joseph Kabila signed a new regional agreement with Rwanda's Paul Kagame, Uganda's Yoweri Museveni and South Africa's Jacob Zuma for the deployment of 4,000 soldiers from Southern Africa to police the Rwanda/Congo border. Just as the regional leaders were negotiating in Addis Ababa, Ntaganda and his former ally Makenga started a new round of militia in-fighting in eastern Congo.

Ntaganda's troops have been getting the worst of the fighting over the past two weeks – and that may be what prompted him to give up. Pressure had been mounting on President Kabila's government to hand over Ntaganda to the ICC over the past year.

The Rwandan government denied that Ntaganda had been allowed back in their territory, let alone that they had used him to set up the M23 militia as the UN had claimed. Yet Congo's Communications Minister Lambert Mende claimed on 19 March that Rwandan troops had escorted Ntaganda across the Congo/Rwanda border to the US Embassy in Kigali. And indeed, Louise Muskiwabo, Rwanda's Foreign Minister, broke the news of Ntaganda's surrender on her twitter account on 18 March.

That may not stop Ntaganda from trying to embarrass some of his former allies and sponsors. First in line might indeed be the Rwanda government.

Following the UN investigators' report about the links between Ntaganda, M23 and Rwanda's Defence Minister James Kaberebe, some rights organisations have called for further investigations in Ntaganda's other military operations.

Yet the UN itself may have to answer some questions about claims of collaboration between its peacekeeping force in Congo, Monusco, and another militia led by Ntaganda in eastern Congo, the Congrès national pour la défense du peuple (CNDP).

After yet another peace deal two years ago, Ntaganda became regional military commander of the official Congo army, Forces armées de la République démocratique du Congo (FARDC).

UN officials insisted that they had no dealings with Ntaganda – either as the CNDP militia commander or as FARDC commander but those assertions could well be put to the test.

Ntaganda claimed, and Congolese officials such as Mende back him, that he has been a "promoter of peace" in the region and as such had regular dealings with UN peacekeepers at the highest level.

Finally, Ntaganda's surrender raises an awkward problem for the USA.

It is not a member of the ICC, not a signatory to the Rome statutes which set it up.

But it offered a US\$5 million reward for information leading to the arrest of Ntaganda.

Who – if anyone – will receive that reward?

And what will be the attitude of Rwanda's government – itself a vehement opponent of the ICC and all its works in Africa – when the US has to grant safe passage for Ntaganda through Rwandan territory to the ICC?

All the signs are of an extensive undercover deal. But Ntaganda may not be the only loser as events unfold.

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