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## **Rwanda Is Said to Seek New Prosecutor for War Crimes Court**

By MARLISE SIMONS

THE HAGUE, July 25 — With the quiet support of the United States, the Rwandan government has been campaigning to have Carla Del Ponte replaced as chief prosecutor for the tribunal dealing with the mass killing in Rwanda in 1994, Western diplomats and tribunal officials have said in recent days.

They said Rwanda was furious that Ms. Del Ponte had been investigating several senior civilian and military members of the present Tutsi-led government for reported atrocities at the time of the bloodshed.

As many as half a million Rwandans, mostly Tutsi, were believed to be killed in the Hutu-led slaughter that lasted three months. But Tutsi troops who subsequently seized power are believed to have killed more than 30,000 civilians in reprisals.

Until now, all those indicted have been Hutu, and Ms. Del Ponte has often denounced Rwanda for obstructing her efforts to investigate crimes by Tutsi. But she has insisted that the tribunal's mandate is to deal with atrocities on both sides and that she must continue investigating to safeguard the court's credibility and to ward off future revenge killings.

Now Rwanda has apparently won support from the United States and Britain in trying to separate Ms. Del Ponte from the tribunal, which is based in Arusha, Tanzania. The decision is up to the United Nations Security Council, which must debate the issue before Sept. 15, when her four-year mandate ends.

On Monday, she will meet with Secretary General Kofi Annan. Her mandate as prosecutor for the Yugoslavia war crimes tribunal is expected to be renewed. But several diplomats said that both Britain and Rwanda were pressing for a resolution to create two separate prosecutors, effectively dismissing Ms. Del Ponte from the Rwanda tribunal.

"We and others have been heavily lobbied by the Rwandan government complaining about Del Ponte, saying her work has lagged behind because she is too busy in The Hague," said a diplomat from a Security Council member country.

But tribunal officials contended that Rwanda wanted her replaced to try to block several pending indictments of members of the government. Both the United States and Britain insist that they want all investigations to end by next year, and British diplomats have said that will mean dropping the Tutsi investigations. The United States, apparently concerned about stability in troubled central Africa, has privately pressed Ms. Del Ponte

in recent months to drop these investigations and let the Rwandan government itself deal with them, court officials said.

Some human rights advocates and court officials fear that such a move is tantamount to granting impunity. "Rwanda has had nine years to deal with such cases, and it has not done a significant job," said Alison des Forges, a specialist in Rwandan affairs at Human Rights Watch.

Tension between Rwanda and the court is not new. Rwandan and other human rights groups have said the whole institution, not just the prosecutor's office, has made slow progress and suffered from numerous management problems, varying from the incompetence of judges and administrators to shortages of translators and prosecutors. Court staff members said many problems had been remedied in the past year.

But even human rights advocates, critical of the court, said that Rwanda had long resented the tribunal and its ample funding and that it had boycotted its work. Tribunal investigators in Arusha said the Rwandan government had regularly intimidated witnesses and refused travel documents for anyone suspected of cooperating with the tribunal in cases linked to crimes by Tutsi. Last year, it imposed such broad travel restrictions, even for witnesses in Hutu crimes, that the tribunal had to suspend hearings in three trials.

When Ms. Del Ponte complained to the Security Council about Rwanda's obstructions last July, the Council took six months to respond and issued what the court viewed as a mild reprimand.

Laurent Walpin, the tribunal's former director of investigations, said that among the numerous problems, he found the "erratic cooperation with Rwanda" the most difficult. To appoint a new prosecutor, with investigations due to close next spring, he said, "makes no sense at all now."

"You could have made that case a few years ago, but now it would only bog things down," he said.

It is still unclear when and how the Council will vote. Some countries, including the United States, are believed to be weary of having a public confrontation with Ms. Del Ponte. People close to her have said that the fiercely independent prosecutor may quit if her removal from the Rwanda court threatens to undermine her credibility.

One proposal is to renew her mandate for both tribunals for at least one year to allow her to conclude all ongoing investigations, even those linked to Tutsi officials. Ms. des Forges said it would be a serious mistake if the Rwanda tribunal prosecuted no Tutsi-linked crimes. "It would undermine the value of the tribunal and make the whole operation look like victors' justice," she said.

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