

# [Introduction their rival clan. the genocide also only](https://assignbuster.com/introduction-their-rival-clan-the-genocide-also-only/)

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Introduction            On October 19th, 2005, seven charges were filed against Desire Munyaneza, a Rwandan citizen whofled to Canada after leading a genocide in Rwanda. He was charged with twocounts of genocide meaning he deliberately killed a large group of people ofone ethic group. In this case he lead the Hutu clan to murder all those apartof the Tutsi clan. He was also charged with two counts of crimes againsthumanity because he intentionally murdered and sexually assaulted Tutsicivilians. Lastly, he was charged with three counts of war crime because heintentionally murdered, sexually assaulted, and robbed people who were notdirectly part of the genocide.   Genocide            The Rwandangenocide was intended to murder any Tutsi in Rwanda by the Rwandan Hutu poweredgovernment. The genocide started with the death of the second president ofRwanda, Juvenal Habyarimana. Habyarimana’s plane was shot down on Kigaliairport on April 6th, 1994 and only a few hours after this newsspread the killing of Tutsis began.

The Hutu commanders blamed the president’sdeath on the Rwandan Patriotic Front, which is the current political party inRwanda, and influenced the angry mob of Hutu’s to kill all of the Tutsimembers. The genocide spread throughout 6 provinces of Rwanda on just the firstday. When peace officers received calls Kigali, the capital and largest city inRwanda, they spread a hoax that the RPF had killed Habyarimana.

This wasbelievable due to the tension between the Tutsi and Hutu clan, it would makesense for a political party run by the Tutsi group to assassinate the presidentwho was not only of the opposing party but also the opposing ethnic group. Bykilling the president, the Tutsi group could not only get in political powerbut also kill the leader of their rival clan. The genocide also only affectedareas that were under the National Republican Movement for Democracy and Developmentparty and not the RPF. Meaning that the party leaders in those areas wereactually the ones who encouraged the Hutu citizens to kill the Tutsi.              In just the firstsix weeks of the genocide 800, 000 Rwandan citizens were murdered which makesthis genocide compete with the Holocaust because five times more Tutsi werekilled within the first six weeks than Jewish civilians. Now so did the killersidentify the Tutsi and Hutu? When in small neighborhoods where everyone knewwhat clan, each individual was apart of it was easy for the Hutu to eliminatethe Tutsi. But in industrial areas, road blocks where set up as if they werecrossing the border of your country, and they would be required to youridentity card which included their ethnic group.

Anyone found to be with aTutsi were killed on the spot. However, Tutsi members weren’t the only oneskilled, Hutu members showing mercy in any form were also killed. As thekillings started to occur in the northwestern part of Rwanda the RPF started toget things slightly under control near the end of April in the areas of Kigaliand Byumba. But what could the RPF do there now, all the Tutsi civilians werenow dead. On June 23th, about 2500 United Nations soldiers entered thesouthwestern part of Rwanda to carry out Opération Turquoise. Although themission wasn’t very successful it was intended to try and stop the violence andcreate a safe zone for the remaining Tutsi members. In July, the RPF had gottencontrol of the country, excluding the area used by the Opération Turquoisesoldiers. The genocide ended on July 18th, when the RPF took controlof the northwestern part of Rwanda.

Once the Tutsi had got control over thecountry, the Hutus fled to Burunadi, Tanzania, Uganda,  SexualViolence            Throughout theRwandan genocide about half a million Tutsi women were raped, sexuallymutilated, or murdered. However, these rapes aren’t the type of rapes you hearabout in Canada. They were sexually assaulted one on one rape, gang raped, forcedto serve as sex slaves, and were forced to marry their rapist. The women who marriedtheir rapist were forced to stay with them even after the genocide.

Along withthe rape of Tutsi women, any Hutu women found to be married to a Tutsi or washiding a Tutsi was also raped. Hutu men who had HIV actually used it as aweapon by raping women so that the virus could be transmitted. Also, althoughrape did occur in the in the victims’ houses, it commonly took place in publicwhen the women could be seen naked in front of everyone. The InternationalCriminal Tribunal for Rwanda, which was an international court established in1994 by the United Nations to find and decide who the leaders of the Rwandangenocide, handed down its first conviction for the use of rape during a civilwar. The goal of the Hutu members against Tutsi women was to destroy, in wholeor in part, a particular ethnic group, this was the first time genocidal rapewas committed. Someone falls under this conviction if they take part in any ofthe following: a)      Killingmembers of the group; b)      Causingserious bodily or mental harm to the members of the group; c)      Deliberatelyinflicting on the group conditions of life calculated to bring about itsphysical destruction in whole or part; d)      Imposingmeasures intended to prevent births within the group; e)      Forciblytransferring children of the group to another group. These half a million rapes were done by theInterahamwe, which is a Hutu semi-militarized organization, the Rwandanmilitary, and regular Hutu civilians. The mass amount of rapes were lead bypolitical and military leader as a part of their goal to make the Tutsi memberssuffer.

A large amount of propaganda was used thorough print ads and the radioto make people think that the Tutsi women were untrustworthy, and that theywere against the Hutu group. Out of the half a million women that were rapednobody really knows how many war babies were born, but advocates believe therecould be about 20, 000 or more. However, it would be completely wrong to saythat only women were raped during the genocide. Men were also sexually assaultedand were left naked on the streets. They were also forced to rape Tutsi womenor were raped by Hutu women. It was clear that genocide was more than just killingthe Tutsis, the Hutu also wanted to humiliate them the most they could beforethey eventually killed them.  Synopsis      Bornin December 1966 in Rwanda, Désiré Munyaneza was one of the leaders of the Rwandangenocide that killed about 800, 000 Tutsis.

Once the genocide was over he fledto Canada in 1997 to avoid any punishment he might have been given. Almost immediatelyafter coming to Canada he filed a refugee claim, arguing that he might bekilled if he were to go back to Rwanda. That claim was denied three years laterlargely due to the testimony of an RCMP war crimes investigator. The officertracked Munyaneza to the genocide, where the Immigration and Refugee Boardpanel found three reasons to believe that he took part in crimes againsthumanity during the genocide.       Munyanezawas living in Toronto when the RCMP arrested him on October 19th, 2005. Désiré Munyaneza faced seven charges under the Crimes against Humanityand War Crimes Act, including two counts of genocide, two counts of crimesagainst humanity and three counts of war crimes. He was accused of committingmurder, causing psychological terror, physical attacks, and sexual violence to furtherhis goal of wiping out the Tutsi clan.

Trial of2007      OnJanuary 12th, 2007, a group of crown lawyers, defence attorneys, anda judge from Montreal went to Rwanda for five weeks of hearing from 14witnesses who could not come to Canada.  Theevidenced gathered by the witnesses was used in the Montreal trial in March, where more than witnesses spoke against Munyaneza. The media said that, aftertwo years of being locked up in jail, he was beaten on a regular basis in thespring of 2007. The prison guards also significantly reduced the about of timeMunyaneza could talk to his wife.

TheSentencing & Appeals      Munyanezawas declared guilty on all seven charges, which included genocide, crimesagainst humanity, and war crimes, on May 22nd 2009, by the QuebecSuperior Court. His sentencing hearing was to be held on the 15th and16th of September but was pushed to October 29th. When hewas sentenced to life in prison with no chance of parole for 25 years, theharshest sentence available in Canadian law. He immediately filed an appealagainst the Judge’s decision, arguing poorly defined charges, themisunderstanding from the Judge, and that the witnesses were not reputable. Thehearing for the appeals took place in April 2013 until the judge dismissed allof the defences arguments on May 7th, 2014. Controversy      Regardingthe actual case it was easy to determine who was at fault in this case due tothe large amount of evidence against the accused, but it is controversial onweather it is reasonable for a country’s legal system to take responsibility fora crime that happened in another country. Governments currently do have theright to trial some people on such cases such as this one because it involved acriminal who was a part of one of the biggest genocides of all time and fled toCanada to escape punishment from his country’s government. However, the Tutsilead Rwandan government might have wanted to make Munyaneza pay for what he didinstead of giving him life in prison.

Impacton Canadian Law & Culture   This case has a significant impact on Canadian lawand culture was very because it was the first time someone was tried under the CrimesAgainst Humanity Act and War Crimes Act, since they were founded on June 24th, 2000. The International Criminal Court which was established on July 17, 1998, inRome, Italy states that national courts must try war cases such as this oneunder their jurisdiction. Meaning they will be tried under Canada’s laws, rather than the laws of the country in which they committed the crime. Thiscase shows that Canada is becoming more aggressive towards war criminals whocome to Canada for safety.  Canada has aterrible reputation for allowing war criminals to live here without facing a significantpunishment for the bad deeds they did the past. In the 1980s, Canada had 774suspected Holocaust criminals living in the country without making them pay forwhat they had done to the Jews. Out of the 774 criminals only four were chargedbut not even one of them were convicted.