

Introduction their rival clan. the genocide also only

[Countries](#), [Canada](#)



**ASSIGN
BUSTER**

Introduction On October 19th, 2005, seven charges were filed against Desire Munyaneza, a Rwandan citizen who fled to Canada after leading a genocide in Rwanda. He was charged with two counts of genocide meaning he deliberately killed a large group of people of one ethnic group. In this case he led the Hutu clan to murder all those apart of the Tutsi clan. He was also charged with two counts of crimes against humanity because he intentionally murdered and sexually assaulted Tutsi civilians. Lastly, he was charged with three counts of war crime because he intentionally murdered, sexually assaulted, and robbed people who were not directly part of the genocide.

Genocide The Rwandan genocide was intended to murder any Tutsi in Rwanda by the Rwandan Hutu powered government. The genocide started with the death of the second president of Rwanda, Juvenal Habyarimana. Habyarimana's plane was shot down on Kigali airport on April 6th, 1994 and only a few hours after this news spread the killing of Tutsis began.

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

This was believable due to the tension between the Tutsi and Hutu clan, it would make sense for a political party run by the Tutsi group to assassinate the president who was not only of the opposing party but also the opposing ethnic group. By killing the president, the Tutsi group could not only get in political power but also kill the leader of their rival clan. The genocide also

only affected areas that were under the National Republican Movement for Democracy and Development party and not the RPF. Meaning that the party leaders in those areas were actually the ones who encouraged the Hutu citizens to kill the Tutsi. In just the first six weeks of the genocide 800,000 Rwandan citizens were murdered which makes this genocide compete with the Holocaust because five times more Tutsi were killed within the first six weeks than Jewish civilians. Now so did the killers identify the Tutsi and Hutu? When in small neighborhoods where everyone knew what clan, each individual was a part of it was easy for the Hutu to eliminate the Tutsi. But in industrial areas, road blocks were set up as if they were crossing the border of your country, and they would be required to show their identity card which included their ethnic group.

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

Once the Tutsi had got control over the country, the Hutus fled to Burundi, Tanzania, Uganda, Sexual Violence Throughout the Rwandan genocide about half a million Tutsi women were raped, sexually mutilated, or murdered. However, these rapes aren't the type of rapes you hear about in Canada. They were sexually assaulted one on one rape, gang raped, forced to serve as sex slaves, and were forced to marry their rapist. The women who married their rapist were forced to stay with them even after the genocide.

Along with the rape of Tutsi women, any Hutu women found to be married to a Tutsi or who had a Tutsi husband was also raped. Hutu men who had HIV actually used it as a weapon by raping women so that the virus could be transmitted. Also, although rape did occur in the victims' houses, it commonly took place in public when the women could be seen naked in front of everyone. The International Criminal Tribunal for Rwanda, which was an international court established in 1994 by the United Nations to find and decide who the leaders of the Rwandan genocide, handed down its first conviction for the use of rape during a civil war. The goal of the Hutu members against Tutsi women was to destroy, in whole or in part, a particular ethnic group, this was the first time genocidal rape was committed. Someone falls under this conviction if they take part in any of the following: a) Killing members of the group; b) Causing serious bodily or mental harm to the members of the group; c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; d) Imposing measures intended to prevent births within the group; e) Forcibly transferring children of the group to another group. These half a million rapes were done by the Interahamwe, which is a Hutu semi-militarized organization, the

Rwandan military, and regular Hutu civilians. The mass amount of rapes were lead by political and military leader as a part of their goal to make the Tutsi members suffer.

A large amount of propaganda was used through print ads and the radio to make people think that the Tutsi women were untrustworthy, and that they were against the Hutu group. Out of the half a million women that were raped nobody really knows how many war babies were born, but advocates believe there could be about 20, 000 or more. However, it would be completely wrong to say that only women were raped during the genocide. Men were also sexually assaulted and were left naked on the streets. They were also forced to rape Tutsi women or were raped by Hutu women. It was clear that genocide was more than just killing the Tutsis, the Hutu also wanted to humiliate them the most they could before they eventually killed them. Synopsis Born in December 1966 in Rwanda, Désiré Munyaneza was one of the leaders of the Rwandan genocide that killed about 800, 000 Tutsis.

Once the genocide was over he fled to Canada in 1997 to avoid any punishment he might have been given. Almost immediately after coming to Canada he filed a refugee claim, arguing that he might be killed if he were to go back to Rwanda. That claim was denied three years later largely due to the testimony of an RCMP war crimes investigator. The officer tracked Munyaneza to the genocide, where the Immigration and Refugee Board panel found three reasons to believe that he took part in crimes against humanity during the genocide. Munyaneza was living in Toronto when the RCMP

arrested him on October 19th, 2005. Désiré Munyaneza faced seven charges under the Crimes against Humanity and War Crimes Act, including two counts of genocide, two counts of crimes against humanity and three counts of war crimes. He was accused of committing murder, causing psychological terror, physical attacks, and sexual violence to further his goal of wiping out the Tutsi clan.

Trial of 2007 On January 12th, 2007, a group of crown lawyers, defence attorneys, and a judge from Montreal went to Rwanda for five weeks of hearing from 14 witnesses who could not come to Canada. The evidence gathered by the witnesses was used in the Montreal trial in March, where more than 100 witnesses spoke against Munyaneza. The media said that, after two years of being locked up in jail, he was beaten on a regular basis in the spring of 2007. The prison guards also significantly reduced the amount of time Munyaneza could talk to his wife.

The Sentencing & Appeals Munyaneza was declared guilty on all seven charges, which included genocide, crimes against humanity, and war crimes, on May 22nd 2009, by the Quebec Superior Court. His sentencing hearing was to be held on the 15th and 16th of September but was pushed to October 29th. When he was sentenced to life in prison with no chance of parole for 25 years, the harshest sentence available in Canadian law. He immediately filed an appeal against the Judge's decision, arguing poorly defined charges, his misunderstanding from the Judge, and that the witnesses were not reputable. The hearing for the appeals took place in April 2013 until the judge dismissed all of the defences arguments on May 7th, 2014. Controversy

Regarding the actual case it was easy to determine who was at fault in this case due to the large amount of evidence against the accused, but it is controversial on whether it is reasonable for a country's legal system to take responsibility for a crime that happened in another country. Governments currently do have the right to trial some people on such cases such as this one because it involved a criminal who was a part of one of the biggest genocides of all time and fled to Canada to escape punishment from his country's government. However, the Tutsi Rwandan government might have wanted to make Munyaneza pay for what he did instead of giving him life in prison.

Impact on Canadian Law & Culture This case has a significant impact on Canadian law and culture was very because it was the first time someone was tried under the Crimes Against 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, in Rome, Italy states that national courts must try war cases such as this one under their jurisdiction. Meaning they will be tried under Canada's laws, rather than the laws of the country in which they committed the crime. This case shows that Canada is becoming more aggressive towards war criminals who come to Canada for safety. Canada has a terrible reputation for allowing war criminals to live here without facing a significant punishment for the bad deeds they did in the past. In the 1980s, Canada had 774 suspected Holocaust criminals living in the country without making them pay for what they had done to the Jews. Out of the 774 criminals only four were charged but not even one of them were convicted.