

Human Rights Advocates and Media Critics Question NBC News' Rwandan War Criminals Investigation

NBC News producers and a Rwandan prosecutor apparently joined forces for a series of surprise confrontations at Goucher College in Baltimore where a man they said was involved in the 1994 mass killings in Rwanda was working as a professor.

The unusual group first approached Goucher College President Sanford Ungar in his office on Dec. 10, 2008 and told him a visiting French professor at the small college was also a war criminal, *The New York Times* reported February 10. The producers confronted the professor, Leopold Munyakazi, in his classroom later that day.

"I think they wanted it to be an ambush, to be frank," said Kate Pipkin, director of communications at Goucher in the *Times* story. Pipkin was also interviewed by NBC on December 10.

As a result of the allegations, Munyakazi was suspended from his job and later arrested for overstaying his visa, the *Times* reported in separate stories published Feb. 6 and 10, 2009. Munyakazi denied allegations in the Rwandan indictment that he participated in genocide, saying the indictment was politically motivated and an effort by the Rwandan government to force his return. He remains under house arrest in Maryland, awaiting an April trial on the immigration charge and his asylum request.

The charges stem from a 1994 conflict in which 800,000 Tutsis and moderate Hutus were killed during 100 days of intense violence, the BBC reported Feb. 3, 2009. Munyakazi, who is Hutu, spent five years in a Rwandan jail following the killings, but was never charged or tried.

He first came to the United States on a tourist visa for a 2004 academic conference in Atlanta, five years after his release from jail. He decided to stay because he feared persecution if he returned to his home country, the BBC report said. Munyakazi has been a frequent critic of the current political leaders in Rwanda, including a 2006 speech at the University of Delaware where he argued the 1994 killings were not genocide motivated by ethnicity, but civil war motivated by differences in social class, said an Oct. 25, 2006 story on *UDaily*, an online publication produced by the University of Delaware's public relations department.

He came to Goucher to teach French in the fall of 2008 through a program called the Scholar Rescue Fund, Goucher College President Sanford Ungar said in a Feb. 13, 2009 broadcast of National Public Radio's "On the Media."

"The Scholar Rescue Fund gets applications from many more people than it supports. It screens them and decides whom it will recommend to various colleges and universities to spend a year or two teaching and, in effect, being sponsored because for

one reason or another, wherever they're from around the world, they can't go home because they might be in danger," Ungar said.

But when Munyakazi was hired, Ungar did not know that a month after the controversial 2006 speech at the University of Delaware, a Rwandan prosecutor issued an indictment authorizing Munyakazi's arrest on charges of genocide, the Feb. 6, 2009 *Times* story said. Following the indictment, Interpol issued a "Red Notice" featuring Munyakazi's image on a wanted poster. Interpol, an international police organization, uses "Red Notices" to circulate arrest warrants issued by its member countries. They do not mean that the featured person is guilty of any crime, Interpol's Web site said.

According to a Feb. 3, 2009 story on Web site Inside Higher Ed, Human Rights Watch officials questioned the veracity of the charges against Munyakazi and the propriety of NBC's involvement.

"Any attempt to establish facts 15 years after a crime, especially for such as genocide, is difficult," Senior Adviser Alison Des Forges said in the Inside Higher Ed story. "The claims do not seem to be well substantiated. Based on my reading thus far of the two indictments, they have some serious failings."

"If a judicial authority wants to exercise its functions in another country, there are certain procedures that need to be followed," Des Forges told Inside Higher Ed. "In this case, they weren't followed. As I understand it, the Rwandan prosecutors were on visitors' visas and accompanied an NBC television crew around the country. This is questionable at best."

Kenneth Roth, the executive director of the New York-based Human Rights Watch, said in the February 10 *Times* story that he called NBC's general counsel to express his concerns. "I was worried that a journalist was making false accusations, due to some extent to his close collaboration with the Rwandan government," Roth said.

Ungar also criticized NBC's involvement in the confrontations in a Jan. 31, 2009 letter sent to Goucher professors, students, and parents, the Inside Higher Ed report said. The letter explained the decision to suspend Munyakazi from Goucher.

Ungar also described how he was confronted in his office by a Rwandan prosecutor and NBC News producers "working on a series about international war criminals living in the United States . . ." It goes on to note parenthetically "the unusual circumstance in which the prosecutor traveled around the United States with a television producer and camera crew, rather than talking with the appropriate U.S. government officials through standard channels."

Before joining Goucher College, Ungar worked as a journalist at *The Washington Post* and *The Economist* and hosted National Public Radio's "All Things Considered," his profile on Goucher's Web site said.

In a Feb. 10, 2009 media criticism column published by the online news outlet Slate, Jack Shafer wrote that the association of NBC and the Rwandan prosecutor searching for war criminals living in the United States "[s]ounds strange to my ears."

Shafer reported that award winning journalist Adam Ciralsky and documentary film producer Charlie Ebersol were both working on the series, but that an NBC News spokesman would not comment on the series or other “newsgathering” activities.

But according to the February 10 *Times* story, NBC defended its work on the series in a statement to the newspaper. “Any contact with foreign governments has been consistent with acceptable journalistic practices,” NBC News said in the statement.

Kelly McBride, the ethics group leader for the Poynter Institute, expressed a different opinion in the *Times* story. She said the association between NBC and the Rwandan prosecutor was “a classic case where a news organization teamed up with a special interest that had an agenda.”

“As journalists, we struggle to keep an arm’s length from all sorts of officials, whether they’re cops or prosecutors or diplomats,” she said according to the *Times*. “Because it’s really important that our audience view us as independent — not carrying water for someone else.”

Goucher president Ungar said in the *Times* story that the collaboration was likely arranged by NBC, not the prosecutor. “If the prosecutor has evidence or has concerns he wants to present, why is he doing it in the company of NBC News? . . . I don’t think it was the prosecutor’s idea. I don’t think he sat in Kigali and said, ‘Hmm, what would be the best way for me to achieve justice? I think I’ll call NBC and ask them.’”

During the February 13 “On the Media” program, Ungar explained further. “You would think if [the prosecutor] was coming to this country to finger some alleged war criminals from Rwanda that he would have gone to the Justice Department or the State Department, not typically to a television network. It just didn’t inspire confidence that I was dealing with a genuine law enforcement matter, if you know what I mean.”

But the Rwandan government insisted that reports suggesting its prosecutors tagged along with NBC News were “untrue,” according to a Feb. 15, 2009 report in the Kigali *New Times*. “Any information on wanted fugitives is provided to whoever seeks it by the Fugitive Tracking Unit and there is nothing wrong with a member of the unit being present when a media organization is present while interviewing a subject for a news report,” Rwandan Prosecutor General Martin Ngoga said according to the story.

According to Ungar’s letter, NBC producers indicated the show featuring Munyakazi would air in February or March. It had not yet aired as the *Silha Bulletin* went to press.

— Michael Schoepf
Silha Fellow