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REPORT
BY EXPERT WITNESS Dr. HELMUT STRIZEK
IN THE CASE AGAINST CASIMIR BIZIMUNGU *et al.*
BEFORE
THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

ICTR-99-50-T
02-02-2007
(23795-23720)

Rwandan interim government
faced with
provoked genocide

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Bonn, November 2006

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Summary

- *The 1994 anti-Tutsi¹ genocide² is the condemnable result of ceaseless provocations³ of the Rwandan civilian population through the application of a guerrilla strategy in the war for the conquest of power by rebels of the Rwandan Patriotic Front (RPF) between 1990 and 1994.*
- *The deadly reactions of the “provoked” could have been limited by joint actions of the various Rwandan governments and of the international community up to the time of the assassination of President Habyarimana and his Burundian counterpart, Cyprien Ntaryamira, on 6 April 1994.*
- *The RPF offensive of 8 February 1993 gave a free rein to anti-Tutsi hatred in internal refugee camps whose population had risen to one million persons.*
- *These internally displaced persons surely lived under deplorable conditions following the catastrophic economic situation caused by the war.*
- *The RPF military success for the conquest of power was unthinkable without the Clinton administration decision’s, made around 5 October 1993, to favour the RPF guerrilla victory.*
- *The absence of an international community reaction to the assassination of Burundian President Melchior Ndadaye on 21 October 1993, which disrupted the regional balance, encouraged the RPF to chose the option of military conquest of power instead of power-sharing, in accordance with the Arusha Accords.*
- *The 6 April attempt destroyed any checks to contain the “human beast” which, consequently, was set free.*
- *In view of the foreseeable harmful reactions of the million strong internally displaced persons, the RPF and its allies prepared a set of measures and explanations aimed at diverting international opinion from its responsibility for the consequences of the 6 April 1994 attempt and the resumption of war.*
- *For about 12 years now, the refusal of almost the entire “international community”, including the Prosecutor of the International Criminal Tribunal for Rwanda (ICTR), to carry out serious investigation on this attempt, in conjunction with the justifications found in the “Délivrance de Mandats d’arrêts internationaux”(issuing international warrants of arrest) by Judge Jean-Louis Bruguière on 17 November 2006, prove the responsibility of the RPF and its allies for this attempt⁴.*

¹The term genocide is used here according to general practice without however taking a stance as to whether the type of crimes committed against the Tutsi population totally corresponds to the definition of the 1948 Convention for the Prevention of Genocide.

I also wish to underscore the fact that when talking of the mass killings of Hutus in RPF-controlled zones, I use the term massacres to avoid the controversial discussion as to whether they qualify or not as genocide. I think, though, that these massacres fit the definition of the 1948 Convention. I equally apply the term genocide for the extermination of a major part of the Hutu intelligentsia of Burundi in 1972 by referring notably to LEMARCHAND 1996.

When I refer to exactions perpetrated against Hutu refugees in Zaïre in 1996/1997, I use the term massacres in order to avoid being caught up in a legal debate while being convinced that these killings satisfy the conditions of the 1948 Convention concerning genocide.

² I insist on the fact that the usage of the terms “Hutu” and “Tutsi” is in no way the expression of a racist mentality, as the present Rwandan authorities are fond of saying. Furthermore, it should be noted that the words “Hutu” and “Tutsi” are used in this report always (except in quotations) in an uninflected form.

³ See the title of an article written by Alan Kuperman: Provoking genocide: a revised history of the Rwandan Patriotic Front (KUPERMAN 2004). I share this analysis by Kuperman for the most part, but I refuse his assertion that the genocide against the Tutsi was “a retaliation by the state’s Hutu regime”, because this genocide was possible only after the destruction of that State by the RPF.

⁴ The attempt at diversion undertaken by the CIA, through a Canadian organisation ISTO, to ascribe responsibility for the attempt on France is narrated in PEAN 2005: 337/338 and ONANA 2005: 148 -160.

- *The involvement of the then American administration in preventing action in favour of Tutsis who were under threat due to the Security Council decision of 21 April 1994 no longer needs demonstration.⁵*
- *In pursuance of the 1948 Convention, the International Community would have and could have prevented the massacres of the two camps, but refused to do so in favour of the victory of the rebels for not clearly explained reasons.*
- *The constitution of the interim government was the unavoidable result of the RPF plan to prevent the establishment of a government of national unity on the basis of the 4 August 1993 Arusha Accords.*
- *The hypothesis of a planned genocide by persons who would never have acceded to power without the 6 April 1994 attempt is consequently to be excluded.*
- *Considering the subsequent ups and downs, it should be noted that the initial "confession of guilt" by Jean Kambanda is unacceptable because, by preventing a trial, it has been prejudicial to the search for truth. His subsequent explanations should, however, be seriously taken into consideration.*
- *It stands out clearly that the interim government and the Rwanda Armed Forces (RAF) had the duty to fight an illegal military aggression. Calling the population to fight these aggressors was legitimate.*
- *The simple fact of having been member of the interim government, which had intended to organize such resistance, does not in any way allow for asserting any guilt whatsoever for having planned massacres against the Tutsi population.*
- *According to documents available to me, Casimir Bizimungu had never incited to massacres and the Prosecutor's accusations in reference thereto are groundless. The Prosecutor had allegedly accused him for internal political reasons of the "new order of Kigali" after the RPF military victory.*
- *In conclusion, it should be noted that the anti-Tutsi massacres, where were condemnable and condemned by the interim government, were consequences of RPF provocations by wiping out the shabby camps of the million internal refugees and by massacring – the population had rapidly gained knowledge of these facts – in large numbers the civilian population in territories under its control.*

⁵ Former President Clinton's unconditional support for Paul Kagame to this day (see his visit to Kigali on 14 July 2006) is a present-day pointer to that.

Preliminary Remarks

Opinions expressed in this report are the result of long research undertaken since 1994. They reflect a *sine ira et studio* impartial approach. They can in no way be interpreted – as has occasionally been the case – as negationist, anti-Tutsi, pro-Hutu, pro-French or anti-American. I undertake to interpret historical facts in a spirit of strict research neutrality, which does not rule out appreciations based on general values as contained in the United Nations Charter.

I drew my conclusions on the basis of publications and information to which I had access, *inter alia* from a part of expert hearing transcriptions before the Tribunal and material which the defence could make available to me.

Since my hearings before the ICTR from 5 to 8 May 2003 and from 8 to 13 May 2005, the public has been able to obtain knowledge of – as a supplement to General Dallaire's narration (DALLAIRE 2003) – important material. Special note should be taken of books presented by Abdul Ruzibiza (RUZIBIZA 2005), Pierre Péan (PEAN 2005) and Charles Onana (ONANA 2005).⁶ They confirm the findings of the preliminary investigations conducted by French examining judge Jean-Louis Bruguière which were reported by the international press in March 2004⁷. This report holds the RPF and its allies – on the basis of far-reaching research and astounding testimonies – responsible for the 6 April 1994 attempt. For long the report was not published, but the contents were not refuted by the judge. Finally, on 17 November 2006 Bruguière, first vice-president of the Paris High Court, signed an ordinance requesting the Public Prosecutor to issue international arrest warrants against 9 persons and to appeal to the Secretary General of the United Nations – because France respects the immunity of a Head of State – for prosecution of General Paul Kagame by international justice. This 64-page ordinance is a major development and ought to lead the ICTR to conduct a full investigation on this fateful event.⁸

This report is within the confines of the line of reasoning I had developed in the expert reports submitted to the ICTR in 2003 and 2005⁹.

The working hypotheses therein are summarized as follows:

- the responsibility of the RPF for the 6 April 1994 attempt,
- the non-existence of a general plan for genocide hatched by the persons accused by the ICTR,
- the creation and sustenance of a void at State level by the RPF and part of the international community to prevent the interim government from ensuring order and to facilitate the military victory of the rebels,
- the existence of generalized massacres in the RPF-dominated territories as from 1992/1993 causing generalized anti-Tutsi ethnic hatred,
- the characterization of Jean-Pierre Turatsinze as an RPF agent,
- the questioning of most of the anonymous documents submitted as proofs in support of the planning thesis by the Prosecutor and Alison Des Forges.

⁶In that connection, mention should also be made of the valuable reports by expert witnesses Serge Desouter (DESOUTER 2005 and DESOUTER 2006) and Bernard Lukan (LUGAN 2006).

⁷ On 6 March 2004, Mrs. Des Forges advised me to take cognizance of the contents of this report which she considered as being « very serious ». However, on 10 June 2005 before the ICTR, she denied having any knowledge of it prior to the MONDE article of 10 March 2004.

⁸ Considering the fact that this document was made available on the day this report was completed, it was not possible for me to include a detailed analysis in this report.

⁹ STRIZEK 2003 and STRIZEK 2005.

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I can now observe that these working hypotheses have proven right.

Compared to previous reports submitted to the ICTR, this third expert opinion examines in greater detail the fact of intentional provocation by the aggressors to incite "Hutus" to commit crimes with a view to the *ex-post* justification of the military conquest of Rwanda by the RPF. By that fact, this guerrilla warfare movement sought to detract from the idea that this conquest was a violation of the power-sharing principle which governs the Arusha Accords signed on 4 August 1993.

The current report equally examines in greater detail the critical remarks¹⁰ concerning the impartiality and quality of Alison Des Forges' innumerable testimonies. She can henceforth be considered, by virtue of her close cooperation with Rakiya Omaar¹¹, as having already belonged, in 1993, to a kind of undeclared RPF "network"¹². The most important accomplishment of Mrs. Des Forges prior to the publication of the book "Leave none to tell the story" – drafted on behalf of Human Rights Watch and the International Federation of Human Rights (FIDH) – was the organization of the "International Commission of Inquiry" (ICI) of January 1993. Pierre Péan should take credit for having discovered the close collaboration of Mrs. Des Forges with Jean Carbonare who – RPF member – was the "mastermind" behind this pro-RPF propaganda action¹³. In order to denigrate Péan's book, Alison Des Forges said on 5 October 2006 before the ICTR: "*Pierre Péan, as I understand it, made 65 errors of fact in his book, including the astonishing assertion that the French national assembly inquiry had paid no attention to the shooting down of Habyarimana's air plane when, in fact, the published reports of that inquiry include an entire chapter on the subject. On that basis, I find Mr. Péan's research methodology lacking and would not be inclined to rely upon him, unless he were to put forward something which I had independently verified.*" This assertion smacks of dishonesty, since Mrs. Des Forges knows full well that the National Assembly of France did not conduct any inquiry. The Parliamentary Information Commission only made an "ASSESSMENT OF EXISTING THESESES". The report finally notes on page 243 "*The impossibility of an immediate inquiry.*"

¹⁰ See my open letter addressed to HRW on 16 May 2006 concerning the performances of Mrs. Des Forges. In addition, I share the opinion of Serge Desouter expressed in the annex of his Report submitted to the ICTR within the framework of the so-called "Butare" Trial. That annex appears in this report as annex 2.

¹¹ Rakiya Omaar and his organization, "African Rights", right from the onset, supported the objectives of the Tutsi rebels. After the RPF victory, she transferred the head office of this organization to Kigali.

¹² Testimony of Alison Des Forges before the ICTR on 9 June 2005:

"A. Rakiya was the head of the African division of the Watch committee conglomerate

Q. Good. Therefore you have worked with Rakiya Omar?

A. That is correct." (Extract of the cross examination transcription).

¹³ The involvement of Filip Reyntjens for having presented the lies of a certain Janvier Afrika concerning the "death squads" as credible sources is a deplorable fact.

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I. Brief reminder on historical facts up to 6 April 1994 attempt

Given that a series of reports which narrate the history of Rwanda in general and the post-colonial era have been submitted to the ICTR¹⁴, I shall limit myself here to a few points which, in my opinion, are crucial to understanding the Rwandan tragedy in 1994.

The issue of ethnicity

I have just published in German the history of the Rwandan and Burundian kingdoms under "indirect" German domination between 1897 and 1915¹⁵. I can clearly demonstrate therein that the social groups who refer to themselves as Hutu, Tutsi and Twa truly existed before the arrival of Count von Götzen in 1894. He was the first German visitor to one of the territories attributed by the 1884/1885 Berlin Conference to the German influence zone. He and his successors came as fact finders in a bid to inform the German government and public on these "gift-colonies", since nothing was known of them and the German government had not even made efforts to settle there.

All those early visitors unanimously observed that relations of the social groups, often referred to as races and latter as ethnic groups, were characterized by a pyramid of domination. The noble Tutsi stock breeders, representing a minority of the inhabitants of the two kingdoms, appeared at the top of that social and political pyramid. The Twa minority, hunters and potters, were scorned by the two other components of the population. According to German observers, the Hutu peasant majority did not like the Tutsi domination, but appeared to have resigned themselves to their fate. For the Germans, the Tutsi kings, notably in Rwanda, appeared to have the situation properly under control. It was for that reason that they opted for collaboration with the monarchy in a system which they called "*Residentursystem*"¹⁶ and fought any Hutu resistance to the monarchy and German colonizers. The height of this coordinated suppression was the joint military campaign comprising German soldiers and a royal army to crush for ever any actions towards independence by northern Hutu kingdoms in 1911/1912. The Nyiginya dynasty had been saved from a dangerous threat.

It should therefore be noted that any assertion to the fact that Hutu, Tutsi and Twa groups were the invention of the colonizers or of Christian missionaries is erroneous. And any claim in

¹⁴ It is highly recommended to read the expert reports submitted to the ICTR by Bernard Lugan (LUGAN 2006) and Father Serge Desouter in 2005 and 2006 (DESOUTER 2005 and DESOUTER 2006) for detailed explanations dating from the colonial era. Readers wishing to acquire deeper knowledge of changes that had taken place with the arrival of the colonial authorities should refer notably to NSENGIMANA 2003).

Lugan has provided the best concise description available concerning the origin of the "major human components" in Rwanda. (LUGAN 2006: Part One: Hutu-Tutsi relations in Rwanda from ancient times to 1990). In this report, I frequently refer to Bernard Lugan's analyses. Nevertheless, I wish to underscore that I do not share his "right-wing" political opinions with regard to French politics. What should be noted is the fact that Bernard Lugan, in his works as a rather pro-Tutsi historian, certainly did not take an anti-Tutsi stance. Pierre Erny assessed Bernard Lugan's conclusions in the following manner: "*In spite of differences of opinion that I have shown with regard to the author's presuppositions, in spite of the rash statements, also strongly tinted with ideology making it difficult to take his thought into consideration, it seems to me that B. Lugan should be credited for jostling, with the authority conferred on him by his direct, wide and fine knowledge of Rwanda, a certain number of taboos which clutter, indeed block, a sound evolution of this country.*" (ERNY, Pierre, "*Races*" et "*Ethnie*" au Rwanda selon l'historien Bernard Lugan, DIALOGUE No. 234, July-August 2004, p. 13).

¹⁵ STRIZEK 2006.

¹⁶ The colonial power was represented by a resident at the royal court which retained most of its ancient prerogatives.

respect of a harmonious coexistence between these groups over the centuries is unconfirmed by historical facts, in spite of their common language and religion.

There has been much speculation regarding the influence of religion, notably the Catholic Church, on the Rwandan tragedy. It is a fact that the Catholic Church hierarchy, on the basis laid by the Germans and maintained by the Belgians, had long opted¹⁷ for giving preference to the Tutsi oligarchy. When Catholic missionaries sided with the majority population in a bid to create a national church after the predictable independence, the disappointment of the Tutsi nobility was great and irreparable to date. It refused to embrace the political option of the population, went into exile and founded a terrorist tradition with the creation of the "inyenzi"¹⁸ to overturn historical results. Independence was stained by their incursions up till 1967 (see the "summary statement" of these exactions in Annex 4).

The reaction of the Hutu population was equally brutal, notably in 1963/1964, and this gave birth to a system which has prevailed to date. Any provocative action from the exiled has been met with a strong reaction from the Hutu population, with an increasing anti-Tutsi tendency. The genocide against the Hutu elite in Burundi first reached a peak in 1972. However, the take over of power by General Habyarimana with western country support in 1973 had a tempering effect, and Juvénal Habyarimana remained, till his assassination on 6 April 1994, a kind of Tutsi "protector". Any comparison of Habyarimana with Hitler, who indeed conceived, planned and executed acts of genocide, as Alison Des Forges has made in "Leave none to tell the story"¹⁹, is therefore absurd for someone who came to power to protect the threatened Tutsi social group. At the same time, he was considered by the western international community during the cold war period as a "developer-President" and was admired compared with several anti-communist allies of the time, starting with Mobutu, his neighbour. But, under the influence of the world coffee market crisis from 1985 and the scarcity of fertile land as a result of rapid population growth, his "military democracy" showed signs of fatigue²⁰. Having lived in Rwanda between 1980 and 1983 and having been in charge of handling German cooperation dossiers for Rwanda and Burundi between 1987 and 1989, I am an eye witness to these facts.

The International Environment at the time of the Rwandan Patriotic Front (RPF) Invasion²¹ on 1 October 1990

Compared to most researchers²², I have always laid special emphasis on the effects of foreign interference in the affairs of the States concerned. The disaster in the Great Lakes Region of Africa is not solely – not even in the first place – an African affair. This assertion is buttressed first of all by the fact that all the weapons used in the wars had to be imported and they were, for the most part, financed by foreign partners. Rwanda, Burundi and Congo-Kinshasa have one

¹⁷After an initial phase of cooperation with the poor Hutu peasants.

¹⁸It should be noted straightaway that this term, which can equally be translated as cockroach, had been coined by Tutsi rebels themselves in 1961. Ngurumbe Aloys, one of the best known "inyenzi" activists, explained in KANGUKA No. 52 of 12 February 1992 the origin of the word and the actions of the inyenzi after having been jailed in Rwanda between 1981 and 1991. Also see Chapter VII and Annex 6.

¹⁹ Alison Des Forges characterizes Habyarimana and the dignitaries of his regime as "Hitler admirers" ("*It may have been Habyarimana and his intimates instead who were the admirers of Hitler.*") DES FORGES 1999: 80. During my hearing before the ICTR in May 2003, I was able to observe the consequences of such defamations when the young prosecutor asked me if Habyarimana could not be compared to Hitler.

²⁰ See the chapter on "*Un régime fatigué*" (a tired regime) in DESOUTER 2005.

²¹ In this report, I use almost as synonyms the Rwandan Patriotic Front (RPF) and the Rwanda Patriotic Army (RPA) which is the armed wing of the RPF.

²² The excellent report submitted to the ICTR by Barrie Collins in 2006 entitled "The international dynamics behind the Rwandan tragedy" is almost an exception to the rule. These analyses echo opinions I had published since 1996.

common denominator, namely: they had all been under Belgian domination and had gained independence rapidly, and therefore ill-prepared, under pressure from the outside world. Rwanda and Burundi, having been under UN trusteeship, were already during the preparatory phase of independence involved in the ideological struggle of the cold war period. The Soviet Union was in favour of immediate independence without the transformation of the dynastic structures. The West, on the other hand, was in favour of a democratic structure. Moreover, the republican and “social revolution” of 1959-1961 had the Catholic Church as ally in Rwanda because Archbishop André Perraudin wanted the transformation of the “Tutsi church” into a “people’s church”²³. In Burundi, the dynasty was kept in place in 1962 in the form of a constitutional monarchy before being overthrown by a military coup led by Michel Micombero in 1966. Throughout the cold war period, one could observe a kind of sympathy shown by the Soviet Union and the People’s Republic of China – and through this, by part of the leftist West – towards the deposed oligarchy (which had become anti-Catholic Church) in exile in Uganda and in Burundi notably. The Kigali regime had always been denounced as being “under papal influence” by socialist and liberal circles in Western Europe. In the 1990s, some ultra protestant groups (evangelicals) in the United States and Great Britain joined forces with the anti-Hutu opposition, in other words anti-Catholic, within the framework of the “Prayer Breakfast Network”. These groups always highlighted the momentary employment²⁴ of Archbishop Vincent Nsengiyumva in the MRND Central Committee, which served more to prevent Habyarimana from implementing an efficient family planning policy than to favour an anti-Tutsi policy, as can often be read.

Early September 1990, the Pope “exhorted” Habyarimana to be more committed to the return of Tutsi exiles to Rwanda. The negotiation process already started was then strengthened. The Catholic Church moreover supported the democratization process advocated as from March 1990 – in a rare dialogue – by France and the United States. This dialogue was not appreciated by the Tutsi “young-Turks” in exile. Following the traditions of “the left”, they had opted for a “war of liberation” and for the establishment in Rwanda of a “maoïst-type”²⁵ authoritarian regime, like the military regime called “non-partisan democracy” set up in Uganda by Yoweri Museveni.

The final end of the cold war in November 1989 and the disappearance of the Soviet Union had profound repercussions on Africa in general and on Rwanda in particular. No one was prepared for such a quick change in customary alliances. Already in the month of March 1990, the American Secretary of State, James Baker, visited Marshal Mobutu, letting him know that the cold war alliances were supposed to undergo transformation in future²⁶. The allies of France heard the same message from President Mitterrand in the month of June 1990 during the France-

²³In a long chat that I had with Mgr. Perraudin on 8 April 1995, he explained that he did not opt in favor of the “Hutu” but in favor of a church where all believers are equal. When the Tutsi nobility refused such an option in 1957/1958 he supported Grégoire Kayibanda whom he replaced however by Justin Kalibwami, a Tutsi, as editor of *KINYAMATEKA*.

²⁴Lugan is mistaken in dating this period of employment up to 1989. Under the pressure from Rome, he had quit the MRND Central Committee by 23 December 1985 (see LINDEN 1999: 379).

²⁵Chinese influence on Tutsi exiles and the African left (e.g. on Laurent Kabila) is described in KENNES 2003. Note should also be taken of the influence of Gerard Prunier who fought for a while in the ranks of the Ugandan rebels and who was sent to Mulindi in May/June 1994 to negotiate with Kagame the organization of the *Opération turquoise* (“*Gérard Prunier, East Africa adviser to the Socialist Party in France and a onetime active ally of Museveni’s NRA, was sent to Mulindi and Kigali to negotiate with the RPF. Prunier’s message was the Opération Turquoise would not interfere with the RPF’s war outside Zone Turquoise and that the RPF could profitably stay clear of engaging the French. (p. 43) (...) According to Prunier, who handled the negotiations, RPF members quickly came to realize that (France) ... did not intend to attack them and that they could avoid a high-cost battle simply by staying out of Turquoise-occupied territory. (p. 125)*” JONES 2001.

²⁶A few weeks later, Mobutu resigned as President of the single party.

Africa summit at La Baule. During that period, France and the United States again exchanged views on the following exigency: Any support should thenceforth be subject to a greater democratic justification by allied regimes. The issue was not the introduction of "democracy" at all cost. The idea was rather of "gentle democracy" that satisfied the democratic demands expressed by several indigenous organizations. The UDPS in Zaïre and FRODEBU in Burundi were the most glaring examples. The creation of such parties as the MDR, PSD and PL in Rwanda corresponded to these historic upheavals.

Repercussions of post cold war changes in alliances on the State and exiles of Rwanda.

a) The Rwandan State

President Habyarimana was quite conscious of the dangers of such an upheaval on the international scene. He feared that this might encourage all sorts of rebels to forcibly seize power. But Habyarimana had given up. In substance, he told Mr. Aurillac, French Minister for Cooperation from 1986 to 1988: "I will democratize my regime (...) and I will be assassinated"²⁷. Mitterrand tried to assuage his pessimism by giving him guarantees against these dangers and promising military support if necessary within the framework of existing military cooperation agreements. But there were other serious threats to the Rwandan "military democracy" which was based on the MRND single party and the army. As earlier stated, the fall in coffee prices from 1985 disrupted the economic situation. Till then, the Habyarimana regime had demonstrated greater control over its economy than most States in the region by avoiding large-scale indebtedness. The lack of land due to rapid population growth and the reduced income of coffee producers constituted a real challenge. Rwanda depended almost entirely on revenue from the exportation of agricultural produce (coffee and tea) since the closure of the mining company, SOMIRWA, and the tin foundry in 1985. The bankruptcy of that Belgian/Rwandan company was a kind of "menetekel" for the stability of the established order. (But it should never be forgotten that, all to itself, the war imposed by the RPF had plunged Rwanda into appalling poverty.)

Opposition against Habyarimana developed within the army²⁸. "The Mayuya affair"²⁹ and the exile of Pastor Bizimungu, a Hutu "heavy weight" of a sort, and of Valens Kajeguhakwa, the rich Tutsi with very close links with the family of the president, in 1989, were ominous warning signs at the political level. In addition, Habyarimana was increasingly losing the support, almost unconditional hitherto, of NGOs of protestant leaning. An article written in November 1992 by Helmunt Keiner, a German Pastor who was serving in Rwanda, entitled "*Allmählich schwand die Bewunderung für Habis Regime*" (gentle disappearance of admiration for 'Habi' regime)³⁰, which denounced Habyarimana as a horrible dictator, was a kind of "war cry" from the German protestant side.

This trend was strengthened by part of the catholic world when Father André Sibomana, who had been publishing very critical articles in the Catholic journal *Kinyamateka*, became the "hero" of the opposition against the established regime. Christian Terras of GOLIAT (pro-left catholic journal) began singing praises for the RPF.

²⁷ See Eric Fottorina: *Dans le piège rwandais*, an internet dossier of *Le MONDE*, August 1997.

²⁸ I take the liberty to cite Colonel Nsekalije who was removed from office because he was considered corrupt by public opinion. This did not prevent the RPF from entrusting him with important duties after its victory.

²⁹ Colonel Mayuya, President Habyarimana's right-hand man, was assassinated on 18 April 1988 by Major Biroli (tutsi). Biroli was killed by an unknown person immediately after his arrest. (See GASANA 2002: 48/49).

³⁰ *Frankfurter Rundschau*, 5 November 1992.

States - I am personally acquainted with the German attitude³¹ - for a long period kept the diplomatic attitude and even defended Habyarimana against his critics. "Regarding human rights, the 1990 report of Amnesty International shows that the organization is satisfied with the situation of human rights in Rwanda. In its 1990 report on Sub-Saharan Africa, the World Bank states that Rwanda has been able to increase production without such injustices which sometimes accompany development in other countries."³² The "official" wind started to blow in his face from the month of October 1993.

b) The situation of Tutsi exiles

The change of the international setting equally alerted the Tutsi opposition in exile in Uganda and in Burundi. The exiles aspiring, in their capacity as spiritual successors of the "inyenzi" of the 60s, to regaining power, feared for the disappearance of their ideological bargaining chips, namely the absence of democracy in Rwanda and President Habyarimana's limited inclination to find a solution to the problem of Tutsi refugees in Uganda. Even before the fall of the Berlin wall, it was predictable that the Kigali regime would have to yield to the imminent "wind of change". It was also predictable that Habyarimana would be subjected to strong pressure for a solution to the refugee problem. In anticipation of events which indeed took place later on, their international network decided, during a conference organized in Washington by Prof. Alexandre Kimenyi in 1988 - with the support of Roger Winter, President of the "US Committee for Refugees"³³ - to prepare to gain power again using arms, because they knew that they had no chance of winning through democratic elections. Those circles were quite conscious that the wind of democratization would prevent them from winning back power. It was therefore necessary to act fast and to conceal their true plans. In that connection, they presented their movement "Rwandan Patriotic Front" as a "pressure group" for national liberation which sought "democratic change" in Rwanda and the overthrow of the MRND "dictatorship". The network functioned well, and Paul Kagame³⁴ is quite right when he observes: "We have fought the war of communication and of information better any one else"³⁵.

But since events were rushed in 1990 at international level, they were obliged to hurriedly launch their offensive on 1 October, following American and French initiatives already mentioned and following the near-concluded implementation of a settlement for the return of Rwandan exiles in Uganda. The premature offensive ended in a fiasco.

The solution to the problem of Tutsi exiles

The first sign of flexibility on the part of President Habyarimana came in a speech delivered at Semuto, Uganda, on 5 February 1988. Habyarimana proposed a Rwanda/Uganda joint commission to seek a solution. In Rwanda, Casimir Bizimungu chaired, in his capacity as Minister of Foreign Affairs, a Special Commission. In July 1990, in collaboration with the UNO, the OAU and Uganda, a framework for the solution of the Rwandan refugee problem was successfully elaborated. In that connection, I shall take the liberty to reproduce the explanations given in my report submitted to the ICTR in 2005:

³¹ In 1989, I had to prepare German/Rwandan intergovernmental negotiations. The Rwandan delegation was led by Minister Casimir Bizimungu and I can testify to the esteem he enjoyed, as well as Ambassador Juvénal Renzaho, who was on duty in Bonn at the time and who was assassinated on 6 April 1994.

³² Quoted from the English version of DESOUTER 2006.

³³ Winter, a current USAID employee, was one of the early promoters of Paul Kagame and continues to do so.

³⁴ For years it was habitual to write Kagamé in French language publications. For some time now, everyone writes Kagame in the English fashion. I equally use in this report the form Kagame

³⁵ Quoted by REYNTJENS 1999: 64.

“The RPF feared that the implementation of the Rwanda/Uganda bilateral agreement on a peaceful solution to the Rwandan refugee problem, which was signed on 31 July 1990³⁶ in Kigali, under the auspices of the HCR and the OAU, could compromise the argument by which the Rwandan government prevented Rwandan exiles from returning home.

This line of argument had won the rebels incredible international support, from the time of the Washington conference in 1988. To prevent the loss of this trump card, the RPF had every interest to cause to abort the meeting that was scheduled in Kigali on 24 September 1990 for the purpose of resolving outstanding issues. The RPF went as far as openly inciting the refugees in Uganda to boycott the first phase of the agreement, which called for a census of the exiled population so as to determine the magnitude of the problem. The census was to provide reliable data on the number of those who wished to return to Rwanda, those who wanted Ugandan nationality, as well as those who desired to keep their Rwandan nationality, while obtaining a permit for permanent residence in Uganda.

It was becoming increasingly clear that Habyarimana, who had repeatedly declared that an unconditional and massive return of the exiles could cause serious problems in Rwanda, was showing increasing signs of flexibility, especially following the visit to Rwanda of Pope John Paul II in early September 1990.

The meeting scheduled in Kigali on 24 September 1990 was cancelled. A week later, RPF rebels indeed invaded Rwanda, and the refugee problem could never be peacefully resolved.”

Therefore, this problem could no longer serve as a pretext for Tutsi exiles to take up arms in October 1990. Nevertheless, they ventured into a war for reasons explained above.

The unfolding of the war to regain power by Tutsi exiles

Before the RPF attack, President Museveni did everything to calm the fears of President Habyarimana concerning an invasion by “his Rwandan boys”. Habyarimana had sent Casimir Bizimungu, then Minister of Foreign Affairs to the Ugandan President to notify him of intelligence available in Kigali. Museveni allegedly asked Casimir Bizimungu to tell his President “*not to spend time worrying about this problem*”³⁷

The invasion of Rwanda by an armed group from Uganda, on 1 October 1990³⁸, bears all the hallmarks of an unprovoked aggression, which is prohibited by international law³⁹.

³⁶Cf. MUSABYIMANA 2003: 37/38. On 21 April 1991, Habyarimana mentioned the agreements before the CND: “*The problem of refugees, especially those in Uganda and who are behind the Inyenzi-Inkotanyi, had found a final solution during negotiations that assembled delegates from Uganda, Rwanda, the OAU and the UN High Commission for Refugees*” (Quoted by GASANA 2002: 72).

³⁷ MUSABYIMANA 2003: 50

³⁸ Mrs. Des Forges has mentioned several times, and without presenting any proofs, that rumours circulated about an agreement reached between President Habyarimana and the then RPF leader, General Fred Rwigema: “*There is evidence that President Habyarimana knew there were going to be attacks. But he did nothing to thwart them.*” (Arusha, 31.5.2005). The same hypothesis is advanced by General Rusatira, but without any proof. (RUSATIRA 2005:127). In an “*Open letter to Brigadier General Léonidas Rusatira*” dated 23 April 2006, and signed by Generals Ndingilijimana and Kabiligi, Colonel Renzaho, Lt. Colonels Nsengiyumva and Setako, and Major Ntabakuze, his former “*comrades in arms*” categorically refute this affirmation. They write: “*People wonder why Rusatira would spread an unfounded rumour on a play of war agreed upon in advance between Uganda and Rwanda, with the aim of finding a solution to the issue of Tutsi refugees. We think that this kind of fairy tale has no place in discussions involving a tragedy like the one the country has suffered since the month of October 1990, due to an invasion of Rwanda from Ugandan territory by an NRA/RPF coalition. No one has the right to question the political will of the Rwandan authorities to find a peaceful solution to the Rwandan refugee problem. It suffices to read the report on the official visit of President Habyarimana to Uganda from 4 – 6 February 1988 and on the talks held after this visit within the framework of the joint commission on the refugee problem to realize that the*

Consequently, by mutual agreement, the United States and France supported the Rwandan government against this aggression of 1 October 1990, within the framework of "mild democratization". At the end of October 1990, everybody thought that the attempt by the "inyenzi"⁴⁰ to reclaim power had failed, like many others. But things took a different turn. The Ugandan President, while refuting that he lent his support to the "deserters" of his army, had a vital interest to get rid of "his Rwandans" for reasons of internal stability⁴¹. He was trying to convince his friends, starting with the British and then Americans, Dutch and Scandinavians, that the stabilization of his country would equally be in their interest, following return of the "inkotanyi" as an ally in the war against Khartoum in South Sudan.

To achieve this, a number of stages had to be covered. Since securing reliable support to regain power appeared inconceivable, the RPF and its allies publicly opted for an arrangement with Habyarimana. Every provocation of the Rwandan State weakened its internal order and at the same time its external support. Habyarimana government's reaction to the offensive of 1 October 1990 greatly tarnished the Rwandan president's image. The massive arrest of Tutsis, starting from 6 October 1990, was manna for RPF propaganda. No one really knows yet the exact reason for the rumours of an imminent attack of Kigali by the RPF⁴². The Habyarimana regime took an unimaginably long time to correct the error of these detentions. It was only following a request from Casimir Bizimungu, then Minister of Foreign Affairs, to President Habyarimana that a Commission was set up and which Commission later recommended the release of the detainees. That recommendation was executed immediately following Sylvestre Nsanzimana's installation as Minister of Justice on 4 February 1991.

The capture of Ruhengeri on 23 January 1991, in violation of the ceasefire concluded on 28 October 1990 between Rwanda and the RPF, provoked exactions against the Bagogwe population. The Rwandan government was able to halt those massacres, but the RPF network has successfully alerted the international community against "the Hutu fury". The internal stability of Rwanda was affected by growing external pressure in favour of a rapid democratization of the Rwandan state. The parties in favour of a peaceful settlement with the rebels had full confidence in their democratic words. A truce agreement was reached. The government, headed by Dismas Nsengiyaremye of the MDR opposition party, was installed in April 1992, and immediate contact was made with the RPF in view of solving the prevailing conflicts. But by June 1992, the RPF was looking for a pretext to sabotage the arrangements with this government and launched an offensive in the north of the country. A successful democratic government was not at all in their interest.

This offensive was a military and political success. The RPF was able to permanently occupy a piece of territory in the north and terrorized the local population, which ended up fleeing the

Rwandan Government wanted a peaceful solution to the refugee issue. The scenario put forward by Rusatira is therefore unimaginable."

I agree with the cautious approach of Lukan (LUGAN 2006: 24) which considers such a tactic by Habyarimana as highly improbable, though James Gasana (GASANA: 69-71) seems to take it seriously.

³⁹ Cf. Desouter's Report: "By resolution 3314 of 14 December 1974, the United Nations General Assembly, by consensus, provided the definition of aggression and a list (which is not exhaustive) of what it considered acts of aggression."

⁴⁰ In the beginning, Rwandans used this term of the 1960s to refer to the invaders. Later, they used the name "Inkotanyi", which the rebels themselves had adopted in memory of a royal army of the pre-colonial era.

⁴¹ See MAMDANI 2001.

⁴² Information on the "false attack" during the night of 4-5 October 1990 – often attributed to the military by interested circles – which led to those arrests is too contradictory (see, for example, RUSATIRA 2005: 134) to allow for such suspicion. See also PEAN 2005: 50

area. But this did not stop the “parties of peace” in their quest for a global arrangement with the RPF. A new truce agreement was concluded on 12 July 1992 and, from 18 August 1992 to January 1993, a series of agreements were signed. But this situation, for the RPF, had the inherent risk of turning their allies away from the fight against the “Habyarimana dictatorship”. Therefore, they had to convince them that the exactions against the Tutsi population were untenable. A large-scale media campaign was launched. The “International Commission of Inquiry” (ICI)⁴³ whose members had close ties with the RPF (in particular, Jean Carbonare, Eric Gillet, William Schabas, Philippe Dahinden, René Degni-Segui⁴⁴ and Alison Des Forges)⁴⁵, before leaving the country on 21 January 1993, made the infamous accusation that Habyarimana and the Nsengiyaremye government, though engaged in the Arusha peace process, were maintaining “death squads”⁴⁶ and preparing a “genocide”.⁴⁷ In particular, Jean Carbonare, this French “third-world leftist Nestor”, who had adopted the “national liberation war” ideology propagated by the RPF, produced a huge stir in France⁴⁸ by repeating these accusations on French television. Well before the publication of the ICI report on 8 March 1993, all western media had been talking of the horrors of the Habyarimana/Nsengiyaremye regime. The hidden objective of detracting public opinion from the 8 February 1993 military offensive in violation of the ceasefire was achieved.⁴⁹ On the basis of this impression, the international community was already to stopping, or at least reducing, financial assistance to Rwanda. (We shall return to the ICI report in Chapter III).

For an informed observer, it is evident that the RPF sought to sabotage a power-sharing agreement by discrediting any regime in Kigali, because it is entirely inconsistent to attribute to a government led by a man like Dismas Nsengiyaremye, who came from the democratic opposition and who was ready to negotiate a political settlement with the Tutsi exiles, the idea of planning the extermination of the Tutsi population in Rwanda. The 8 February 1993 attack was the turning point of the internal development which, in addition, was characterized by the marked expression of North-South regionalism.

⁴³ For the text of the report, see AFRICA WATCH 1993.

⁴⁴ Ivorian professor René Degni-Segui, one of the “fathers” of the ICTR in his role of Special Rapporteur of the United Nations Human Rights Commission, had submitted a report to this body on 28 June 1994 (Doc. K015 7888-7906) which designated the assassination of President Habyarimana as the key factor that triggered the genocide and called for an inquiry into this event. This was refused because the United Nations “had no budget for such an inquiry”! (Bruguière’s Order of 17 November 2006).

⁴⁵ A. Des Forges should have mentioned in “Leave none to tell the story” Carbonare and Schabas, both of whom at the time were already very close to the RPF as members of the Commission. See notably PHILPOT 2003:77 “William Schabas continuously shuttled between Canada and Kigali, bluntly acting as publicist for the RPF”).

On 18 March 2004, Stephen Smith wrote in LE MONDE: “Headed, in 1994, by Jean Carbonare, a Frenchman who was then adviser to Paul Kagame, the NGO “Survie”, now headed by François-Xavier Verschave, initiated, with other NGOs, including “la Cimade”, a “citizens’ commission of inquiry” which sought to examine, from 22-26 March 2004, all the available elements weighing against France causing suspicion about its multifarious complicity in one of the most serious crimes of the 20th century”

Those facts were later explained *in extenso* in Pierre PEAN’s book, which was published in 2005.

⁴⁶ Meanwhile, we now know that these accusations – unfortunately equally “carried” by Filip Reyntjens – made by a certain Janvier Afrika, were pure inventions.

⁴⁷ Historically, William Schabas is the first to have used the word “genocide” on 28 January 1993 during a press conference in Kigali. (See LUGAN 2006: 35).

⁴⁸ It seems that even President Mitterrand was impressed by this false evidence given by this leftist, which explains his distance vis-à-vis President Habyarimana from that moment.

⁴⁹ James Gasana already referred in 2002 to a letter written by an “RPF personality to ISIBO newspaper on 26 December 1992, in which he was informing the editor that the RPF would not attack before the publication of the report of the International Commission” (GASANA 2002: 183). But above all, Pierre Péan (PEAN 2005) describes in detail the political background of this “Commission”. In 2003, Robin Philpot (PHILPOT 2003) had already provided valuable information on the ICI.

Before the 8 February 1993 offensive, a part of the Hutu community of the South had for long been considering President Habyarimana as the “foremost enemy” with regard to the RPF. But the resumption of war in February 1993, which led to the death of about 40,000 Hutus,⁵⁰ upset the internal political scene. For most of the Rwandan political class, including a part of the Tutsi population, the RPF became “the enemy number 1”.

The effect of that offensive was catastrophic. One million internally displaced persons were now parked in squalid refugee camps around Kigali. Since the State no longer had adequate means to provide decent accommodation for those refugees, due to the catastrophic economic situation caused by war, those camps became the cradle for all kinds of radicalism⁵¹.

The RPF military success reduced in the will of its leaders to seek a reasonable compromise with the Authorities in place. A majority of the Hutu population started placing their trust in those who, right from the onset of the war, had affirmed that the RPF was out to reinstate the pre- 1959 order.

Shortly after the 8 February 1993 offensive, all the “peace parties” broke up into a pro-RPF wing and an anti-RPF wing. Within the MRND, fighting increased between the various factions (“conservatives” vs. “liberals”, “northerners” vs. “southerners”). The role of the Rwandan political right, represented particularly by the Coalition for the Defence of the Republic, CDR (which was founded in March 1992), became greater. In the words of James Gasana, this situation was summarized as follows: “*The 8 February 1993 attack marked the beginning of the bipolarization of the society on the RPF phenomenon*”.

This analysis is confirmed today by an unexpected voice. Abdul Ruzibiza, former member of the RPF armed forces and member of the Nyiginya royal family, who provides a detailed description of RPF action in a book published in 2005 (RUZIBIZA 2005), said in 2004: “*Meanwhile, there was the 8 February 1993 attack whose objective was to test the capacity to march on Kigali, to evaluate the work accomplished by the network in the search for motives to reopen hostilities, even though negotiations were underway. Atrocities were committed at the time, because where I happened to be in certain communes of Ruhengeri, I remember that at “Base” in February, soldiers who were there killed a number of people and burned their corpses. Not having been buried, those corpses started decomposing along the roadside and along the River “Base”, until when the NMOG soldiers arrived. They were shocked by the state of decomposition of the corpses and wondered whether we were not ashamed to live with decomposing corpses. We called the population to come and help in burying the corpses, but when the NMOG soldiers left, those people were equally killed. It was then that cruel acts of destruction of infrastructure began, such as destruction of electricity pylons at Ntaruka, grenade attacks on houses of authorities; I remember that the house of Rucagu and that of Colonel Gasake were destroyed in this manner, at Nyarutovu and at Cyeru. No one can forget the atrocities committed in Ruhengeri when the Inkotanyi were unable to occupy the town. People know what happened in Musanze, Itiru and Karwasa, Kigombe and Kinigi; what happened in that locality shall never be forgotten by the inhabitants of that region. And no one is ignorant of the atrocities committed by the Inkotanyi in Ngarama, Buyoga and elsewhere.*” (RUZIBIZA 2004).

⁵⁰ See table 2, p.185, GASANA 2002.

⁵¹ It is, above all, this reservoir of persons full of hatred which perpetrated the genocide, when the circumstances created by the attack on the presidential plane and the decisions taken by the Security Council on 21 April 1994, pushed them in that direction.

Even an American observer, whose perspective was influenced by his Tutsi fiancée, had to admit that the danger of a new outbreak of war was noticeable: *"In January 1994, I was driving my closest Rwandan friend, Victor, and his wife home from work. They lived on the side of Mount Kigali in the Nyamirambo section of Kigali. Although their house was not a palace, it was pleasant, surrounded by a beautiful garden, and was high enough on the mountainside to enjoy a magnificent view of Kigali below and the hillsides in the distance. On some of these distant hills one could make out white specks dotting the landscape. With Victor's high-powered binoculars, one could readily discern that the white specks were tents – tents that had been placed there to accommodate the large number of internally displaced people from northern Rwanda who had fled the RPF's 1993 February offensive. (...). That Rwanda was a country in the throes of war was hard to ignore when one could see its consequences from a vantage point within Kigali's city limits."* (TAYLOR 1999: 7)

In addition, it is particularly revealing to read on this subject what Dallaire wrote after the first visit to these camps in August 1993.

"And then, in the middle of this rural idyll, we came across a hellish reminder of the long civil war. We smelled the camp before we saw it, a toxic mixture of feces, urine, vomit and death. A forest of blue plastic tarps covered an entire hillside where 60,000 displaced persons from the demilitarized zone and the RPF sector were tightly packed into a few square kilometers. When we stopped and got out of our vehicles, we were swarmed by a thick cloud of flies, which stuck to our eyes and mouths and crawled into our ears and noses. It was hard not to gag with the smell, but breathing through the mouth was difficult with the flies. A young Belgian Red Cross worker spotted us and interrupted her rounds to guide us through the camp. The refugees huddled around small open fires, a silent, ghostlike throng that followed us listlessly with their eyes as we picked our way gingerly through the filth of the camp. I was deeply impressed by the young Belgian woman's calm compassion as she gently administered what aid she could to these desperate souls. It was obvious that she could see through the dirt and despair to their humanity. The scene was deeply disturbing, and it was the first time I had witnessed such suffering unmediated by the artifice of TV news."⁵²

However, in spite of its military success, the negative effects of the 8 February 1993 offensive were forcing the RPF and its allies to make a tactical and temporary retreat. One last time, with the Clinton administration not having yet developed its future anti-French policy, an agreement between France and the USA forced the RPF to withdraw its forces to positions held before the attack.

In spite of strong internal opposition, a media campaign organized by the RPF network and an unprecedented pressure from the international community finally succeeded in convincing the Rwandan State to sign the Arusha Accords on 4 August 1993. The visible expression of this opposition was the creation, in July 1993, of the private radio station *"Radio-Télévision des Mille Collines"* (RTL) by circles close to President Habyarimana. This station's vocation was to offset the anti-government propaganda broadcast by Radio Muhabura, the station created in the territories "liberated" by the RPF after its offensive in 1992. Radio Muhabura was the first "hate radio", but the outside world did not care about this. On the other hand, RTL was immediately presented by the RPF Network as a racist radio station because it was calling on the population – by referring to the 8 February 1993 offensive – to be vigilant with regard to the implementation of the Arusha Accords. All the massacres that occurred during the war were attributed by Radio Muhabura to extremist Hutu groups getting ready for anti-Tutsi genocide.

⁵² DALLAIRE 2003: 63/64.

An international public opinion favourable to these hypotheses was created. Today, we are able to affirm that this propaganda was based mostly on misrepresentation, as proven for example by the assassination of Gapyisi and Gatabazi (see below).

The little-known role – and even misunderstood by Habyarimana himself – of the *Prayer Breakfast Network*, represented by American David P. Rawson and German Rudolf Decker⁵³, contributed – by conveying President Museveni’s goodwill message – in a non-negligible way to weakening the Rwandan State. As if by mere chance, Rawson arrived in Kigali as American ambassador in December 1993, just when Museveni and Kagame were preparing the “final solution” for Habyarimana. Rawson must have prepared the evacuation of his embassy from 7 April 1994, after the arrival of Colonel Charles Vukovic on 6 April 1994, six hours before the attack⁵⁴. His presence was surely not by chance. This is a clear indication that American secret services were aware of the planning of this event. Rawson has never exposed what he knows about this⁵⁵.

Globally, the Arusha Accords favoured the RPF, but they included the obligation to organize democratic elections after a transitional period. The RPF and the Ugandan president, encouraged by the Tutsi army of Burundi, immediately tried to avoid implementing these Agreements. At that time, it was perceptible that France desired to withdraw – especially under the influence of the cohabitation government led by Edouard Balladur – without delay from the “Rwandan mess”. When France achieved its goal shortly before Christmas 1993⁵⁶, before the transitional government agreed upon in Arusha in August 1993 was formed, the way for preparing the final assault was wide open. Propaganda began to present President Habyarimana as Africa’s greatest dictator. International opinion was finally ready to believe that, as an “African Hitler”, he had deserved his death. After his visit to Rwanda on the initiative of Jean Carbonare⁵⁷, in 1997, former French prime minister, Michel Rocard, a protestant, contributed greatly to maintaining that image in view of the commencement of ICTR proceedings, with his lengthy mission report paraphrasing the “tropical Nazism” of the Habyarimana regime⁵⁸.

During the period from 8 February 1993 to 6 April 1994, events were dominated by a deadly dialectic. While the Hutu right-wing, mistakenly named “Hutu power”⁵⁹ by its adversaries,

⁵³ See publications by Rudolf Decker in German: DECKER 1998a and DECKER 1998b.

⁵⁴ “*In a strange coincidence of timing, an American military officer, Colonel Charles ‘Chuck’ Vukovic, was already in Kigali and had an evacuation plan*”. MEL VERN 2000: 140.

⁵⁵ David Rawson expressed what he knew in a very evasive manner in an interview with FRONTLINE on 1.4.2004. He only criticized the Arusha Accords which was executed in “concert” by the Prayer Breakfast Movement: “*In reflection, I think that the agreement was fundamentally flawed. It was, in essence, an agreement between party leaders [that were] self-appointed. There was not much reference to a political base, and in the wake of the Burundi events, the parties began to break apart.*”

⁵⁶ I share Colonel Hogard’s opinion when he deplores that withdrawal and writes: “*I will go even further; it was exactly because there were no French soldiers in Rwanda at that turning point that it was possible for the genocide to occur.*” HOGARD 2005: 73.

⁵⁷ “That mission was initiated by Jean Carbonare, an applied arts and crafts engineer, with a long anti-colonialist militant career behind him, beginning in Algeria with Germaine Tillon and Robert Buron, and continuing after 1962 in international technical cooperation in agriculture and reforestation.” (Rocard’s Report).

⁵⁸ Rocard wrote, among others, “*For the 1994 genocide in Rwanda is not one of those incomprehensible change of fortunes peculiar to the African continent. It is the result of the image that Rwanda’s first German colonizers gave it, which its Belgian administrators and missionaries applied to it, which its elites had adopted, (and) which a threatened regime transformed into ‘tropical Nazism’.*”

⁵⁹ The famous speech by Froduald Karamira, a Tutsi and vice-president of MDR, who had once collaborated with the RPF and even received financial assistance (see DESOUTER 2006), made shortly after the assassination of Burundian President Ndadaye, was a reaction to the rebels’ battle cries of “Power” in October 1990 (see GASANA 2002: 222), and demanded “Power” for the coalition parties, which in the meantime had been disappointed by the

manifested its displeasure with the negotiations and the results of the Arusha Accords, the RPF was able to dissimulate its own dissatisfaction - for dissimilar reasons - with these Agreements.

For instance, the speech made by Léon Mugesera on 22 November 1992, mostly pouring out hatred against partners of the MRND in the coalition government, did not achieve its objective of discrediting the opposition parties. On the basis of an anti-Tutsi phrase, this speech turned out to be an unexpected “present” for the RPF. The speech was largely exploited by the “International Commission of Inquiry” (ICI). Lukan has clearly demonstrated, in addition, that Habyarimana never referred to the initial Arusha Accords as “scrap of paper”⁶⁰.

Hiding behind such accusations, the RPF eliminated, with a brutality that the media thought impossible, those who – both Tutsis and Hutus alike – worked in favour of the implementation of the Agreements. We know now that Emmanuel Gapyisi and Félicien Gatabazi⁶¹, both considered as the voice of reason, had been killed by the RPF on 15 May 1993 and 21 February 1994 respectively⁶². For a long time, the RPF led the public to believe that the Habyarimana regime was responsible for those murders. Gatabazi’s assassination was a huge “success” from the RPF point of view, because it led to the assassination of Martin Bucyana of the CDR, given that the public thought that Gatabazi had been killed by the CDR, which effectively did not at all like this politician suspected of being part of the RPF’s fifth column. Lukan detected that, during the initial negotiations with the RPF, “Hutu politicians” on their part, had tried to “use the RPF against President Habyarimana”, a manoeuvre which finally backfired on them. (LUGAN 2004: 131)

5 October 1993 – crucial date for the preparation of the final assault by the RPF and its “Rwandan Patriotic Army” (RPA)

The French withdrawal, just before the setting up of the transitional government provided for in the Arusha Accords, was preceded by a kind of “historic happenstance”. On 3 October 1993, 18 US marines were killed by soldiers of warlord Aidid in Mogadishu. American TV viewers witnessed a brutal treatment of the soldiers’ corpses. And President Clinton immediately “fled from Africa”, with unforeseeable consequences.

On 5 October 1993, during the debate on the creation of UNAMIR, US Permanent Representative to the United Nations, Madeleine Albright, most have informed the Security Council that her government would no longer abide by its commitments in favour of UNAMIR, made during the signing of the Arusha Accords on 4 August 1993. And effectively, starting from that time, the Clinton administration opted for an RPF victory⁶³.

RPF. In addition, Karamira had to explain, under pressure from his party the MDR, on Radio RTLM on 21 January 1994, that a “Hutu power” political coalition did not exist. (See document K0221520).

⁶⁰ President Habyarimana’s detractors used a manipulated translation of his speech of 15 November 1992. See LUGAN 2006: 55

⁶¹ Stephen Smith, LE MONDE of 7/5/2004: “Minister of Public Works and Energy in the opposition-led government, Félicien Gatabazi, founder and leader of the Parti Social-démocrate (PDS), had distanced himself, by the end of 1993, both from President Habyarimana and the RPF, the rebel movement led by Paul Kagame. His party was not ready to be the “valet” of neither of the two, he explained during a rally in February 1994. A few days later, on Monday 21 February, while returning from a meeting of the opposition at the Kigali Meridian Hotel, he was killed in his car on the flyover leading to his residence, around 10.45 pm. According to evidence gathered by the International Criminal Tribunal for Rwanda (ICTR) and by Judge Bruguière, and confirmed to André Guichaoua, two RPF soldiers allegedly were the authors of this crime: Lieutenant Godfrey Kiyago Ntukayajemo, who is serving a life sentence for other offences, and Sergeant Eric Makwandi Habumugisha, who reportedly had already assured the “cover” of the murder of another opposition leader, Emmanuel Gapyisi, in May 1993.”

⁶² See established evidence in an article by André Guichaoua in LE MONDE of 6 May 2004.

⁶³ I refer the reader to annex 4 which carries a portion of my publication: STRIZEK 2004

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To protect its interests in Africa, the Clinton administration began cooperating with “willing” military regimes, referred to as “the new generation of African leaders”. This “new generation” was supposed to defend western interests “by proxy”, following the withdrawal of American forces from Africa after the Mogadishu debacle of 3 October 1993. Kagame and Museveni immediately understood that a weakened UNAMIR would no longer represent a major obstacle.

Not being a member of this “new generation”, President Habyarimana soon found himself being eyed by the Anglophone world. At the same time, following the assassination of Burundian President Melchior Ndadaye, on 21 October 1993, America’s silence was the first step of the execution of a policy in favour of a military takeover by the RPF. Ndadaye’s assassination provoked among others, a flow of Burundian Hutu refugees who joined, especially in the Rwandan south, the “human beast” responsible for the anti-Tutsi genocide.

Following this assassination, the application of the Arusha Accords was no longer on the agenda in Washington and London. General Dallaire’s mission was organized in such a way as not to impede that policy and to let international opinion believe that the execution of those Agreements remained a United Nations objective. Already, in the autumn of 1993, General Dallaire’s first report presented to the United Nations General Secretariat was partisan and suggested support for the military victory of the RPF⁶⁴

⁶⁴ See particularly par.33 and 43 of the Report of the UN Reconnaissance Mission to Rwanda (L0022645A).

II. The “national liberation” propaganda

The European left and a large part of the Anglo-Saxon protestant movements are in the habit of presenting the action of the RPF as a “national liberation”, justified as a legitimate anti-colonial struggle. Whereas, to qualify the RPF aggression of October 1990 as an act of “national liberation” is absolutely aberrant, in view of the fact that the State of Rwanda had thrown off the colonial yoke way back in 1962. How come exiled Tutsi were being presented as such a movement?

The idea came into being with a group of “young Turks” who splintered off from the first generation of Tutsi exiles, following the military victory of Yoweri Museveni in Uganda in 1986. These young people had joined ranks with the Ugandan resistance fighters and largely contributed to their victory. That had given them confidence in their military capacities to resume the struggle to regain the power that their parents had lost in Rwanda. The “hero” of this new generation was Fred Rwigema. His friend Paul Kagame was a founding father of their organization “*Front Patriotique Rwandais*” (FPR, or in English, Rwandan Patriotic Front, RPF). The RPF was born as a result of the reform of UNAR party abbreviated as RANU. Compared with RANU which is royalist, RPF had from the onset broken ties with the monarchy without saying so openly.

Under the influence of Roger Winter, Chairman of the US Committee for Refugees - whereby he had long-standing ties with Tutsi exiles in Uganda - and Alexandre Kimenyi, a Tutsi professor based in the United States, the new revolutionary movement presented itself as an organization that was out to “free” Rwanda from the dictatorship of President Habyarimana. RPF wanted to pass for a national union democratic movement. That is why, from the onset, it formed a sort of “Hutu auxiliary forces”, represented notably by Colonel Kanyarengwe and Seth Sendashonga, who had been opposed to the regime since his student days at Butare in the 70s.

RPF went into action during a conference organized by Roger Winter and Alexandre Kimenyi in 1988 in Washington. On that occasion a close circle - excluding the Hutu participants - took the decision to launch an armed struggle to regain power, following in the footsteps of Museveni. The “national liberation” ideology - albeit illogical - was very successfully brought to the fore.

Pierre Péan (PEAN 2005) and Charles Onana (ONANA 2005) notably⁶⁵ have successfully described the political propaganda system that produced this “anti-colonial” sympathy in favour of the RPF.

The RPF Diaspora succeeded in creating a “white”⁶⁶ network to get this message across. The key figures of the said network, as identified by Péan and Onana, were Jean Gol and Jean Carbonare, the ex-Chairperson of the organization known as SURVIE.

⁶⁵ Attempts to denigrate these works by the parties concerned such as Alison Des Forges (see footnote referring to her statements before the ICTR on 5 October 2006 at the beginning of this report), Alain Desthèxe, Jean Pierre Chrétien, Colette Breackman, Marie-France Gros and others are understandable, but cannot invalidate the substance of the messages contained in the said works.

⁶⁶ As “White members” of this “network”, the following non-exhaustive list of persons could be considered examples in :

(a) France

Jean Carbonare, François-Xavier Verschave (who succeeded Jean Carbonare at the head of SURVIE), Gérard Prunier (until his break-up with Kagame), Jean-Pierre Chrétien (Lecturer at *Ecole des Hautes Etudes en Sciences Sociales* EHESS), François Misser (journalist), Christian Terras (editor-in-chief of GOLIAS), Patrick

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Concerning Jean Gol, Pierre Péan writes:

“Jean Gol is an atypical politician who started his career in the far left; close to the Trotskyist movement, he later joined the Wallon regionalist movement before joining the liberal movement, that is the secular right, and ended up in the right. (...) Deeply influenced by the Shoa - his parents had been exiled to Great Britain during the Second World War and his grandparents had been killed - Jean Gol had throughout his life militated for Israel and the zionist cause. (...) His second deep commitment is humanistic. He was initiated on 26 November 1966 at the Delta lodge, in the liege Orient. (...) I don't know when his Rwandan commitment sparked off; It remains that several persons approached him in the late 80s, to convince him of the justness of their cause (...) They all emphasized the similarity between the Tutsi threatened with genocide and the Jews who were genocide victims: Tutsi were to be considered the “Jews of Africa”, always persecuted, always threatened by the racist Hutu.”⁶⁷

The anti-clericalism of the Belgian liberals also contributed to the adoption of the Tutsi cause, given that the exiled Tutsis were bitterly anti-catholic since the social revolution of 1959.

For the adoption of the RPF cause by the European left, Jean Carbonare played an even more important role than Jean Gol. Carbonare was a renowned anti-colonialist, who came into the limelight during his struggle against the French war in Algeria, and was the ideal person to contact the European left. Through the organization SURVIE, he was able to influence notably

de Saint Exupéry (journalist), Michel Rocard (former Prime minister), Jean-François Dupaquier (journalist), Jean Gouteux (writer), Jean Hatzfeld (writer)

(b) Belgium

Jean Gol (liberal minister who died on 18 September 1995), Alain Desthexte (liberal senator), Eric Gillet (lawyer), Louis Michel (European Commissioner and former Minister of foreign affairs) and the journalists Marie-France Gros and Colette Breackman

(c) United States

Alison Des Forges, Roger Winter, David P. Rawson (prior to his appointment as Ambassador, Rawson supported the RPF as a member of the Prayer Breakfast Network), Philip Gourevitch (journalist)

(d) Canada

William Shabas (lecturer), Gil Courtemanche (writer), Carol Off (writer)

(e) Switzerland

Jean Ziegler (lecturer), Philippe Dahinden (journalist)

(f) Great Britain

Linda Chalker (conservative minister), Claire Short (Labour minister), Caroline Cox (Christian Solidarity Worldwide), Linda Melvern (journalist/researcher; after she had started collaborating with the Prosecutor of the ICTR)

(f) Netherlands

Jean Pronk (socialist ex-minister)

(g) Germany

Harald Ganns (in his capacity as Director for Africa, he was, following the military victory a sort of social-democrat propagandist for the RPF within the ministry of foreign affairs, headed at the time by Klaus Kinkel who belonged to the same “political family” as Jean Gol), Rudolf Decker (the German representative of Prayer Breakfast Network), Joachim Tappe (ex-social democrat member of the Bundestag and activist of the Prayer Breakfast Network), Ursula Eid (Green party member of the Bundestag, who is to date - under the influence of the “Clinton clan” - the most effective propaganda instrument for Paul Kagame in Germany), Walter Zuber (for many years in his capacity as officer-in charge of Rhineland-Palatinate), Dominic Johnson (journalist), Christian Scherrer (researcher), Winrich Kühne (researcher), Gerd Hankel researcher at the Hamburger Institut für Sozialforschung, a private institute founded by Jan Philipp Reemtsma who published the book by Alison Des Forges entitled “Leave none...” in German;

⁶⁷ PEAN 2005 : 71/72

the French protestant left (eg. ex-Prime minister Michel Rocard), but also that of Germany (eg. Ursula Eid of the Green party⁶⁸).

Concerning Jean Carbone, let us once again look at what Pierre Péan says:

“Convinced of the justness of the cause of the RPF by members of the Tutsi diaspora, he recovered his old instincts, those that he had when militating for the FLN and against France. An old protestant anti-colonialist, he reactivated previously tested networks, strummed a few distended cords among old notables of the left, such as Jean Lacoutre or Michel Rocard, and renewed links with some protestant personalities... In a very short time, he became the influence agent of Paul Kagame in France.”⁶⁹

It was not surprising for Jean Carbonare⁷⁰ to surface on the Rwandan scene in January 1993, as a member of the “International Commission of Inquiry”- earlier mentioned - organized by Alison Des Forges. Subsequently, Jean Carbonare surfaced as Special Adviser to Paul Kagame in Kigali.⁷¹

⁶⁸ As a student, she militated while a member of a protestant students' communist organization

⁶⁹ PEAN 2005 : 133

⁷⁰ In academic circles, Professor Jean-Pierre Chrétien played a role similar to that of Jean Carbonare.

⁷¹ Stephen Smith and André Guichaoua in “*Le Quotidien*” of 13 January 2006 :

“A member of the international commission which investigated in January 1993 the anti-Tutsi pogroms in Rwanda, Jean Carbonare had obtained the testimony of Janvier Africa. On returning to Paris, he was a guest on the 8pm TV news of France 2, during which he accused the French government of being an “accomplice” in genocide under preparation. While presiding over the SURVIE association, which has not yet stopped developing the “complicity” issue since 1994, Jean Carbonare joined General Kagame's services as Adviser to the President's Office in Kigali, after the regime change. This is written by none other than Péan”

III. Anti-Tutsi genocide planned prior to President Habyarimana's assassination?

For twelve years, I had been studying the question as to whether there were any indisputable indications of the assumption of the planning of the anti-Tutsi genocide by "Hutu extremists", and I cannot but note in all honesty that no one has been able to produce any such evidence.

To underscore this fact, I would like to briefly analyse some of the main assumptions advanced, even recently⁷² by Alison Des Forges and the Prosecutor in favour of such planning. (Note: The issue of the definition of the enemy often presented as evidence of preparation of the genocide is not discussed in this chapter but in chapter V11 which deals with the issue of "self-defence").

(a) *The accusations of the "International Commission of Inquiry on human rights violations in Rwanda" (ICI) in January 1993.*

The findings of the inquiry conducted by the ICI⁷³ were presented by HRW and IHRF as evidence of a genocide⁷⁴ planned long before by "Hutu extremists". That was the first time such an accusation was being made against President Habyarimana and the government of Dismas Nsengiyaremye. The defamation strategy used by the RPF to date was introduced.

With the help of this commission, the RPF without any qualms accused the Habyarimana regime of a series of political murders that took place around the country. Accordingly the violence in Kibilira in early 1991, the killings of the Bagogwe in early 1991 and the Bugesera killings in early March 1992 were mentioned as evidence of the beginning of training to commit the genocide. Not only have inquiries been conducted to determine those responsible and punish them, but neutral investigations (Lugan, Desouter et al;) confirm that RPF always instigated this violence in order to discredit the Habyarimana regime. The ICI also exploited the "information" given from prison by a certain Janvier Afrika on the existence of "death squads"⁷⁵. As is now known through a repentant Janvier Afrika, attributing responsibility for their organization to Habyarimana was purely a fabrication. To accuse the Nsengiyaremye government, which had undertaken to negotiate with the RPF, of preparing for genocide does not make any sense. However, this plot achieved its purpose.

Particularly, the books by James Gasana, by Robin Philpot, by Pierre Péan, by Bernard Lugan⁷⁶ and by Charles Onana extensively revealed the objective of this commission to divert the attention of the general public from the adverse effects of the offensive of 8 March 1993. Pro forma, the Commission criticized the RPF for its war crimes, which were always presented as a

⁷² See the paper entitled "The Rwandan genocide: how it was prepared. A Human Rights Watch briefing paper", which she presented on 6 April 2006 at New York. My response to HRW is reproduced in annex 3.

⁷³ AFRICA WATCH 1993.

⁷⁴ The formulation of the final report published only on 8 March 1993 was much more flexible. Concerning the genocide, it states: "*Certain jurists feel that the number of persons killed is an important factor for one to talk of genocide. The figures that we have mentioned, though significant for Rwanda, could in the eyes of some of those jurists fall below the required legal threshold. The Commission thinks that regardless of the legal descriptions, the reality is tragically the same: numerous Tutsis just because they belonged to this group, lost their lives, disappeared or were severely injured or maimed; were deprived of their property; had to flee from their homes and were forced into hiding, the survivors are living in terror*".

⁷⁵ It is unfortunate that Filip Reyntjens transmitted the "information" from Janvier Afrika concerning the "death squads" to the ICI before cross-checking. I have explained elaborately how Jean Carbonare was able to interview Janvier Afrika in prison in my report of 2005.

⁷⁶ See notably Lugan 2005.

reaction to the “genocidal” acts of the FAR. In fact, this report is squarely in line with the RPF strategy of misleading public opinion.

b) The anonymous letter from the so-called “AMASASU” group dated 20 January 1993.

This anonymous letter is part of the media preparation of the 8 February 1993 offensive. It should be noted that the said letter was prepared just at the time when the “inquirers” of the ICI were in Rwanda. On 28 January 1993, William Shabbas accused the Rwandan government of preparing for genocide against the Tutsis. Alison Des Forges made a simple equation: AMASASU letter = Bagosora⁷⁷. Whereas, there was no basis for such an assertion. Why would a “Commandant Mike”, the signatory, address a letter on behalf of hard-line officers to a president presented by Madam Alison Des Forges and also by Filip Reyntjens as the hardest of the hardliners? These military officers were regularly in contact with him and had every possibility of warning him of the danger represented by the RPF. In a country where news spreads rapidly, the existence of a group like AMASASU would be quickly betrayed. Would Bagosora and his friends take such a risk? It is unlikely. I attribute this document to the RPF in its bid to divert international public opinion from the adverse effects of its already programmed offensive at that date and which took place on 8 February 1993. The interesting point is that Prime Minister Nsengiyaremye was presented as “the good one”, unlike his “bad” ministers. This could have been an attempt to isolate Léon Mugesera who, in his speech of 22 November 1992, had slandered all allies of the MRND in the coalition government. The AMASASU letter furthermore achieved another goal: making the Minister of defence, James Gasana, believe he was threatened by his adversaries within the army and his party, the MRND. Gasana was dangerous for the RPF because he was able to put order within the ranks of the RAF and boost their combat readiness. In his resignation letter, Gasana had written:

*“I feel forced to take this decision on account of the persistent threats and acts of sabotage of which I have been a victim in my present position. These threats which place me as well as my family in a situation of permanent insecurity are the work of an anonymous political /military group calling itself “AMASASU” and whose intentions remain unclear”.*⁷⁸

This extract shows that James Gasana took these personal threats seriously, but that he had no clear idea of the identity of those threatening him, as the latter remained anonymous.

(c) The letter of 3 December 1993 from “moderate soldiers” to General Dallaire

The letter addressed to General Dallaire relating a “machiavellian plan” prepared by Habyarimana is also anonymous, and no one has ever accepted or claimed responsibility for it. The letter falls squarely in line with the defamation strategy applied by the RPF, for, there are strong indications that it is from the RPF since the writer announces the assassination of Félicien Gatabazi. This assassination did take place subsequently, but according to the findings of André Gouichoua, it is known that the RPF was responsible for it (a fact that is confirmed by Abdul Ruzibiza). The ICTR is in possession of a report from the Belgian Military Tribunal drafted following a mission to Rwanda at the end of 1994. The Rwandan Minister of Justice, Alphonse Nkubito, told Belgian inquirers that that letter was fabricated by Mr. Twagiramungu. I cannot confirm that assertion by Mr. Nkubito. It only shows that, already at the time, a minister of the first RPF- dominated government, which he left subsequently, had given a lead pointing to the RPF, Mr. Twagiramungu being very close to the RPF at the time.

⁷⁷ “Commandant Mike was a pseudonym, of course, but it seems likely that he is either Col. Théoneste Bagosora or someone working closely with him.” DES FORGES 199:104.

⁷⁸ GASANA 2004 :213.

(d) *The testimony of 10 January 1994 by "Jean Pierre" and that telex of 11 January 1994 from General Dallaire.*

Jean-Pierre the "witness", whose widow stated that he returned to the RPF headquarters in Mulindi, may today be safely⁷⁹ described as an agent of the RPF⁸⁰. The testimony of Joseph Bukeye before the ICTR on 8 September 2006, during the "Military 1" Trial Case, confirms the identity of "Jean-Pierre". Aboukabar alias "Jean-Pierre" Turatsinze was his driver for some time and he maintained contacts with the Turatsinze family. It was no surprise that "Jean-Pierre" should have been considered by the RPF as the man who knew too much and that he died in circumstances unknown even to his wife.

One wonders why international public opinion did not take into consideration in the appropriate manner, the sensational confession of his wife. Koffi Annan should have officially withdrawn the Carlsson report (UNO; CARLSSON 1999) - which was prepared at his request - since it is based mainly on the accusations of this RPF agent; It was no surprise to learn⁸¹ that even the telegram of 11 January 1994 from General Dallaire to Maurice Baril, his favourite interlocutor at the UNO military headquarters, by sidestepping the official channels, could have been falsified to suggest a planned genocide. That was a scandalous chapter of history closed. An entire system of lies had collapsed.⁸²

(e) *Machete imports*

I would like to briefly look at the issue of machetes imported in preparation for the genocide. Although Desouter has very well revealed this as nonsense, the story fabricated by Des Forges et al. is still being spread to date.⁸³

Here is what Serge Desouter says about it:

"A few weeks before the genocide, "the Government"(?) allegedly imported imihoro machetes. This "evidence" was, to say the least, grotesque, given that every Rwandan at least owns a machete which is a common and daily work implement in that entire region of Africa. Of what significance was an order of US\$525,000 to the entire population of Rwanda?⁸⁴ Tens of thousands of machetes? Moreover, during the Monsignor Augustin Misago case in Kigali, the issue of machete importations turned out to be unfounded.⁸⁵ In her submission before Chamber 1 in the Akayezu case, Des Forges upheld the same accusation but without being really convincing and claimed that investigations were

⁷⁹ I had for some time expressed this suspicion. My report of 2003 already contained a long passage on the subject. For my observations contained in my report of 2005, the reader should refer to annex 8.

⁸⁰ The Prosecutor transmitted the text - though censored - of the written statement made on 3 April 2003 by the widow of Jean-Pierre Turatsinze. The Prosecutor felt obliged to no longer deny his knowledge of the fate of Jean-Pierre Turatsinze, following the revelation by Pierre Péan of the code K027631 of the text (PEAN 2005:220). Serge Desouter reproduced the censored text in his report during the Military 1 Trial Case.

⁸¹ See notably the statement by Mr. Chris Black (lawyer) "The Dallaire Genocide Fax: A Fabrication". December 1, 2005. www.sandersresearch.com.

⁸² All of this is also confirmed in LUGAN 2006, which adds a significant detail on page 54: "in a report addressed to General Dallaire, Capt. Claeys for his part wrote that Jean-Pierre was moving weapons from his home to the MRND headquarters in order to give the impression that they were being stockpiled there" (ICTR, D. NT 22, p.172, folio L0022613).

⁸³ See, for example, ESSOUNOUGOU 2006, p.26

⁸⁴ Pg.44 of the expert report by Alison Des Forges. (Yellow doc.1/234); P.7 of the report by Alison Des Forges (So-called Butare case).

⁸⁵ Cf. Alfred Pognon : the Mgr. Augustin Misago case, 11 May 2000, p. 125

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under way to provide further details.⁸⁶ Nearly eight years later, her investigations are yet to be concluded!..

Meanwhile, there were and still are several machete importers in Rwanda. They are even manufactured locally, notably by Rwandex and village craftsmen. Félicien Kabuga was not the only one importing them from China. There were several others, including even Tutsis such as Uziel Rubangura. A sizable importation was made in 1993 by the company "Jobanputras" which is still operating in Rwanda today. The said company has never been bothered, and rightly so!⁸⁷ And what about the Red Cross which, after 1994, had to freely distribute in refugee camps "survival kits" containing machetes among others?!...⁸⁸

Worth mentioning is one of the "side effects" of this story of machetes as a "genocide tool". Father Daniel Nahimana testified on 20 October 2000 on the site "Cercle solidaire":

"I was in Goma during the cholera epidemic. I set up a team to collect corpses and helped out in the excavation work: a nightmare. (...)

However, I must recall that this cholera would not have occurred if the machetes which had been presented by the RPF propaganda as genocide weapons had not been quickly taken away from the farmers by the Zairean customs.(...) The Rwandan farmer was so well trained in hygiene that he would never have drunk water from Lake Kivu without boiling it. However, with no machete to cut firewood and use it to boil water, he was easy prey to cholera."

(f) *Prepared lists*

Despite the information furnished by General Ndindiliyimana to Mrs. Des Forges on 19 October 1997, in her book of 1999, the latter persists in "*spreading inaccuracies*" concerning the issue of lists "of persons thought to be supporters of the RPF" found on 6 March 1993 in the car belonging to General Déogratias Nsabimana. Ndindiliyiman (sic?) wrote: "*On this issue, you could have, at least, informed your readers that you were the one who found the list. (...) Interviewed by me after his convalescence, the Army Chief of Staff, General Nsabimana answered that the list came from the RPF*⁸⁹." However, she does not provide this information to the reader and gives the impression that it was a list of Tutsis to be killed, drawn up by the RAF military!⁹⁰ It is a good example of the baseless nature of the so-called "hit lists" attributed to "Hutu extremists".

⁸⁶ Cf. transcription of 22 May 1977 pp. 130-145 (yellow doc. 1/236)

⁸⁷ Statement by Angélique Kabuga in TRIPOD on line s.d.

⁸⁸ DESOUTER 2005.

⁸⁹ Letter from General Ndindiliyimana to Mrs. . Des Forges dated 13 October 1993.

⁹⁰ See DES FORGES : 100.

IV. The 6 April 1994 attack and resumption of war by the RPF

The attack of 6 April and resumption of war by the RPF by annihilating the Arusha Accords are the key factors that sparked off the genocide of Tutsis. The attack was not at all a secondary element as Mrs. Des Forges, the RPF and the Prosecutor would want us to believe. The publication of Judge Bruguière's Ordinance of 17 November 2006 no longer makes it necessary to prove the RPF's responsibility for this attack. This judge confirmed the testimonies of many RPF dissidents, notably Abdul Ruzibiza before the ICTR on 9 March 2006, as well as of Aloys Ruyenzi, Jean-Pierre Mugabe, Christophe Hakizabera, Sixbert Musangamfura, Joseph Matata⁹¹ and Deus Kagiraneza.

We have a clear idea about some of the people targeted. From the RPF's viewpoint, above all, it was necessary to get rid of President Habyarimana and the most important segment of the RAF leadership. However, it is still unclear why the former Rwandan Ambassador to Germany, Juvénal Renzaho, was on board. Did he know too much about the close contacts between the German wing of the Prayer Breakfast Movement and the Habyarimana family?

The presence of the new Hutu President of Burundi on board was generally presented as an accident. In my opinion, his elimination was rather the outcome of careful planning by the RPF and President Museveni⁹². By leaving Burundi leaderless, like Rwanda on 6 April 1994, they wanted to enlist the support of the Burundian Army in the war the RPF had decided to resume in Rwanda.

Also, the adverse effects of the resumption of war by the RPF no longer need to be demonstrated. Since, it was simply the provocation of internally displaced Tutsis by crossing their camps and chasing them again that sparked off the unprecedented hatred of the "underprivileged among the underprivileged". Their flight across the country left an inconceivable trail of blood. The whole world watched, without appropriate reaction, this "genocide *sui generis*" perpetuated "by a mass against a mass", which is hardly attributable to individuals.

⁹¹ After distancing himself from the new order in Kigali, he set up the *Centre de Lutte contre l'Impunité et l'Injustice au Rwanda* (CLIIR) in Belgium.

⁹² This is because it was Museveni who arranged the visit of the Speaker of the Burundian Assembly, Sylvestre Ntibantunganya, in the morning of 6 April 1994 to Kampala, obliging him to use the only Burundian jet available at that time. He prevented this plane from returning in time to transport President Ntaryamira in Dar Es Salaam. This is what compelled the latter to board a small propeller plane. Against this backdrop, Museveni allegedly advised Ntaryamira late in the evening to travel with the President to Kigali, so that they could meet in Kampala the next day to continue discussions on issues they could not tackle in Dar Es Salaam due lack of time.

V. Rwanda during the period of the interim government

Preliminary remarks

*So far, to the best of my knowledge, there is no incontestable scientific study on the unfolding of the genocide against the Tutsi, which was nonetheless witnessed by American specialized services*⁹³. *The book: "Leave None to Tell the Story: Genocide in Rwanda", written in 1998 and published in 1990 by Alison Des Forges on behalf of HRW and the FIDH, had been written with the undisclosed objective of serving as a reference document for the Prosecutor of the ICTR. Despite its undeniable merits, it cannot be qualified as an unbiased research work*⁹⁴. *This is a partisan book and a large section of its statements have, in the meantime, been invalidated*⁹⁵.

*The book does not adequately take into account the provocation of the RPF. For the anti-Tutsi genocide, the RPF military offensive of 7 April 1994 was a decisive factor. From this attack, neither the civilian government nor the armed forces were any longer in a position to stop the massacres. The opinion of Colonel Marcel Gatsinzi, then RAF Chief of Staff, expressed in a meeting convened by Booh Booh on 15 April 1994, is relevant. The minutes of this meeting it is stated: Marcel Gatsinzi "however regretted saying that it was impossible to stop the massacres, so long as fighting was taking place. He swore that these massacres were not planned."*⁹⁶

There is no doubt that the massacres perpetrated against the Tutsi population in particular were criminal. However, the fundamental question remains: Why was this crime of crimes not prevented?

*That would have been possible. The "Masire Report", requested by the OAU, very appropriately documented this fact*⁹⁷. *Concerning the responsibility of the Security Council for the sacrifice of Tutsis, the truth can be considered to have been established among others*⁹⁸ *by the publications of Samantha Power*⁹⁹, *Linda Melvern*¹⁰⁰ *and Michael Barnett*¹⁰¹. *The testimony by various RPF dissidents (Abdul Ruzibiza, Alloys Ruyenzi, Jean-Pierre Mugabe, Christophe Hakizabera, Sixbert Musangamfura, Deus Kagiraneza et al.) and even that of General Dallaire before the ICTR in January 2004 have confirmed that Paul Kagame had considered these sacrifices "as the price to be paid."*

With this international background, an interim government formed on 9 April 1994 had to manage a leaderless State. This government lacked the international support necessary to enable it to check this deadly human avalanche.

⁹³ Thus, in the light of available information, André-Michel Essoungou wrote: "But just like the NSA, neither the Central Imagery Office, nor the National Reconnaissance Office, agencies that are specialized and involved in remote spying system were not yet ready to disclose the information gathered from Rwanda. Nonetheless, by carefully examining information made public, one could guess that the things that the large ears and eyes of American intelligence services heard and saw from April to July 1994 in Rwanda could not have been pleasant." ESSOUNGOU 2006: 38.

⁹⁴ Regarding various remarks I made concerning Alison Des Forges, see annexes 3 and 7.

⁹⁵ See, for example, my letter reproduced in Annex 3.

⁹⁶ Extract from the minutes of the meeting of 15 April 1994, as reproduced in BOOH BOOH 2005: 170.

⁹⁷ MASIRE 2000.

⁹⁸ Non-exhaustive list. It is interesting to note that André-Michel Essoungou, whose book scrupulously follows the "official interpretation" of the Prosecutor, had no other option than to denounce the role of the international community by refusing to protect Tutsis who were at risk. ESSOUNGOU 2006; see Chapter II «*Et tous se turent*» (And all were silent).

⁹⁹ POWER 2001 and Power 2002.

¹⁰⁰ MELVERN 2000.

¹⁰¹ BARNET 2002.

Forming the interim government

In his own words, Jacques-Roger Booh Booh, political head of UNAMIR, proposed in the evening of 6 April 1994 that Colonel Bagosora should meet Mrs. Uwilingiyimana “*who was legally in office*”. Dallaire supported this stance. Bagosora “*said emphatically that the military would not meet the Prime Minister who had been rejected by the Army, members of her own government and the Rwandan people*”.¹⁰² However, Dallaire tried to have her escorted to Radio Rwanda to address the population. This failed and Mrs. Uwilingiyimana was assassinated in the morning of 7 April.

I cannot say who was responsible for this assassination because, in my opinion, the soldiers who killed her have not been identified¹⁰³. In a book published in 2005, General Rusatira suggested that some of the soldiers who participated in the meeting of 7 April carried out this assassination to prevent most of the officers in that meeting from collaborating with Mrs. Uwilingiyimana¹⁰⁴. An open letter signed by General Ndindiliyimana and Kabiligi, Colonel Renzaho, Lieutenant-Colonels Nsengiyumva and Setako, and Major Ntabakuze, addressed to General Rusatira from their prison in Arusha on 23 April 2006, reads:

*“According to the declarations of witnesses before the International Criminal Tribunal for Rwanda, the Prime Minister, Agathe Uwilingiyimana, had been killed on 7 April 1994 at about 11 am when the ESM meeting was taking place. These same witnesses affirm that she was killed by a group of military mutineers of which investigations are still to determine exactly the military units to which they belonged. Therefore, Rusatira cannot claim that these alleged officers close to Bagosora left the meeting in which he himself participated, to command these mutineers. We can therefore say that, at the time of the setting up of this crisis committee, neither Rusatira nor these officers knew that the Head of Government had been killed by mutineers or RPF infiltrators who had clandestine cells in Kigali.”*¹⁰⁵

Nobody knows whether the majority of participants in the meeting in the morning of 7 April were indeed ready to accept the authority of Mrs. Uwilingiyimana. It is also not certain whether that was a political murder carried out by the RPF, as for example, in the case of Félicien Gatabazi. This hypothesis should not be excluded *a priori* given that the RPF was not ready to negotiate power sharing with anyone whatsoever.

Booh Booh produced a document which partly explained why Bagosora had challenged the possibility of Mrs. Uwilingiyimana winning the confidence of an army that was supposed to fight against the RPF. The following important incident was recorded in the minutes of a meeting held on 15 January 1994:

“From the onset, President Habyarimana sparked off fierce debate with his Prime Minister, Agathe Uwilingiyimana, whom he accused of having caused the failure of the swearing-in ceremony of MPs and ministers on 5 January. (...)

The Prime Minister, whose pride was obviously hurt, bluntly challenged the Head of State, and called him a cheat who was trying to destroy the Arusha Accords which he did not hesitate to call ‘rag paper’. Calling the Special Representative and the Tanzanian Ambassador as

¹⁰² BOOH BOOH 2005: 147.

¹⁰³ Des Forges only talks about “Rwandan soldiers”.

¹⁰⁴ RUSATIRA 2005: 53 and 156

¹⁰⁵ I received this text in PDF format through the Internet.

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witnesses, the Prime Minister, who was very indignant, declared that 'Rwandans are liars and that this was a part of their culture. At a very young age, they are taught not to tell the truth especially if that could hurt them', and concluded by saying that 'Habyarimana is the number one liar of the country,' at whom she pointed a finger".

Booh Booh commented that: "*The split between the President and the Prime Minister was complete.*"¹⁰⁶ In addition to this comment, the expression 'rag paper' was an insult to Habyarimana, given that he never described the first Arusha Accords as such. However, Habyarimana said on 15 November 1992:

"Myself, on behalf of the MRND, hereby state that the MRND supports the negotiations. I personally support them in the hope that they will restore us peace. However, peace is not paper, peace is the heart, peace will come when all Rwandans would have understood that person who speak on their behalf had voiced their aspiration, that he had not spoken on behalf of this or that party, that he respected the mandate of the Government. That is what we expect him to do. (Translation by Eugene Shimamungu. (See Lugan 2006:55).

Bernard Lugan lengthily described his reflections on the events that followed the attack. He concluded by saying that the constitution of the interim government was not the outcome of a military coup and that General Dallaire's declaration that Mrs. Uwilingiyimana was the interim Head of State was not justified. The rejection of this proposal by Colonel Bagosora "*led General Dallaire to say that a coup d'état was being planned and documents duplicated his statements. By saying this, the General was perhaps hasty. On 1 January 1994, the last day of the mandate of the interim government, Agathe Uwilingiyimana no longer had any legitimacy and her government was no longer in control, although, in principle, it dealt with routine matters. Since the Broad-based Transitional Government (BBTG) was not installed, it did not, by definition, have any institutional reality. Consequently, the Prime Minister, who was in office, but not acting, had a quite relative, if not doubtful 'legal existence'*"¹⁰⁷

The issue of whether Mrs. Uwilingiyimana was competent to rule Rwanda after the death of President Habyarimana became theoretical on 7 April 1994. Another solution had to be found, as the RPF did not take any initiative to form a government of national unity. If it had so wanted, Faustin Twagiramungu, who was under the protection of General Dallaire, would have been solicited. He was mandated by the Arusha Accords to head the "Broad-based Transitional Government" (BBTG). However, the RPF did not ask Dallaire to take steps in that direction.

Due to the absence of a positive RPF response, and especially owing to the fact that the RPF had launched an attack on all fronts in the night from 6 to 7 April 1994, thereby transforming a situation of peace (Arusha Peace Accords) into that of war, soldiers initially set up a Crisis Committee which governed the country from the evening of 6 April 1994 to 9 April 1994 at 10 a.m. They then asked the political parties that had been governing the country since April 1992 to form a government. The leaders of the five political parties met and adopted a political programme to form a new government which was sworn in on 9 April 1994. On the strength of available information, the hypothesis of the planning of a military coup could be excluded.

Any informed observer would today acknowledge that the personalities who had met in a Crisis Committee late in the night of 6 April 1994 were astonished. Let us read what an eyewitness, Colonel Marchal, said in a speech presented in Paris on 4 April 2003:

¹⁰⁶ BOOH BOOH 2005, p. 81.

¹⁰⁷ LUGAN 2004: 155.

“A follow-up committee comprising senior Army and Gendarmerie officers was set up to assess the situation and take necessary emergency measures following the demise of the Head of State and the Army Chief of Staff. At no time, I repeat, at no time, did I have the feeling that I was discussing with people who had organized a coup d'état. In spite of the late hour, the events of that historical moment are still very clear in my mind. I know that I was with men who were deeply distressed by what had just happened. Their behaviour, voice intonation, the expression of doubt, the expression on their faces, which depicted fear, were unmistakable signs. Without hesitation, I also include Colonel Bagorosa in this assessment, at least, during the first hours that preceded the shooting down of the president's plane. I firmly believe that had the organizers of the attack been present at the time at the table, that meeting would have been conducted very differently. What is more, in similar circumstances, UNAMIR had been candidly invited to take part in this meeting.”¹⁰⁸

After the swearing-in of President Habyarimana on 5 January 1994, in keeping with the Transitional Constitution, the assassins of President Habyarimana knew that the country was going through an institutional vacuum. Since the RPF, as a co-signatory of the Arusha Accords, had rejected the setting up of a transitional government provided for in these Accords, they were no longer applicable. Moreover, on 9 April 1994, Kagame issued an “*official communiqué over 'Radio Muhabura' which declared the outmoded nature of the Arusha Accords.*”¹⁰⁹ Thus in order to stay within a constitutional framework, there was almost no option other than to refer to the 1991 Constitution, while complying with the Arusha Accords to a certain extent. To show goodwill to the external world, President Sindikubwabo, who was not a Rwandan political “heavy weight”, was selected in accordance with the 1991 Constitution, while Jean Kambanda represented some continuity of the Accords of Arusha, where his party, the MDR, had already proposed him as Prime Minister of the transition, .

The Government that was sworn in on 9 April 1994 was determined to restore peace and security and to do all to ensure the setting up of a Broad-based Transitional Government within six weeks. This Government had expected the International Community to come to its assistance especially to help it establish a ceasefire rapidly. Besides, its emissaries such as Jerome Bicomupaka (Minister of Foreign Affairs), Casimir Bizimungu (Minister of Health) and André Ntagerura (Minister of Transport and Communication) were encouraged by various interlocutors during their diplomatic missions outside Rwanda. However, the International Community undermined the positive actions of the interim Government by withdrawing the peacekeeping forces, and in imposing an arms embargo against the government of Kambanda, while the RPF was receiving huge supplies of weapons.

Despite its good intentions, under the prevailing circumstances, the interim government was rather considered as a ghost government, since neither the RPF nor the International Community was willing to promote the restoration of peace and domestic order. Major world powers thwarted the establishment of a genuine government, as that would have jeopardized the military victory of the RPF.

Dallaire is an appropriate eyewitness to show that the authority of the government was very limited. He provided an eloquent description of the gloomy atmosphere just after the swearing-in ceremony:

¹⁰⁸ Text confirmed to the rapporteur by Luc Marchal.

¹⁰⁹ Bruguière's Ordinance of 17 November 2006.

*"I met a number of ministers and their families [at the Hôtel des Diplomates] who were packing their bags and putting their luggage in their vehicles. Nobody was willing to stop and talk to me, as everybody was very preoccupied with leaving the city (...) This scene reminded me of fall of Saigon, rather than of the installation of an interim government determined to take control over the country."*¹¹⁰

It is a fact that, during its existence, this government was almost always on the run. However, the Prosecutor tended to consider it fully responsible for the crimes committed against the Tutsi population in 1994.

Alison Des Forges repeated her credo many times: *"It was a period of serious conflicts, of serious stress, but it was not a situation of chaos or anarchy. The authorities continued to administer, military orders were followed, and civilians received directives from their bourgmestre, as usual through their advisers and their officials."* (ICTR, 9.7.2002). It seems she had forgotten that her organization, Human Rights Watch (HRW), had once more, in May 1994, talked about "'the President' of a ghost government, Théodore Sindikubwabo..." to later hold the Cabinet responsible for the outbreak of anti-Tutsi hatred, despite being aware that the international community and the Security Council, had refused to give him the means to check the deadly "rage".

Such a stance wilfully ignores all the actions of the RPF and international community aimed at preventing this government from working "as usual".

Interim government actions

Even if the existence of the government was formerly acknowledged, it should never have been forgotten that this "government was on the run" throughout its existence. The issue of knowing whether this flight was voluntary or whether the government had, according to Kambanda¹¹¹, "been chased out" by Marcel Gatsinzi, the interim Chief of Staff, is of secondary importance.

This government could have established some external signs of a government with its temporary headquarters near the town of Gitarama, but most observers were of the opinion that this government could not at all have control over the country. There was a complete official void with some decision-making centres forcibly occupied by the RAF in a war situation. Since the RPF rejected the proposals of the interim government to conclude a ceasefire, it was not possible for it to restore order throughout the country. The prevailing disorder was a precondition for the genocide and RPF victory.

The withdrawal of Belgian peacekeepers from the *Ecole Technique Officielle* (the official technical training school) and the massacres made possible by this departure on 12 April 1994 served as an encouragement to the assassins.

The government could no longer depend on a neutral support after almost all UNAMIR peacekeepers withdrew on 21 April 1994 in compliance with the Security Council decision.

¹¹⁰ Quotation by LUGAN 2004: 171.

¹¹¹ See his report written in 2000 in Scheveningen.

The interim government did not have the means to oppose the massacres. The presence of its representatives at New York was of no practical use, since the United States and Great Britain had foiled all intervention initiatives to counter the furious assassins. This applies even to France which is often accused of having supported the interim government. President Mitterrand was ready to intervene in favour of the Tutsi to avoid the genocide. But Edouard Balladur, his Prime Minister, was strongly opposed to this position. On 21 June 1994, he wrote a letter to President Mitterrand, refusing any further unilateral French military involvement:

"I am touched by our isolation. It is true that good words and encouragements are not lacking, but under no circumstances should we drag ourselves into this muddle alone, at 8,000 kilometres from France, in an operation which may cause us to be seen as targets in a civil war."

Balladur confirmed this position in an article published in the FIGARO newspaper of 23 August 2004:

"When the massacres started in Kigali in the night of 6 April 1994, after the plane carrying President Habyarimana was shot down, French military presence was made up of barely some thirty men, given that we had carried out a missile pullout as from October 1993. The following day, on 7 April 1994, ten Belgian soldiers of the UN peacekeeping force were assassinated and on 21 April, the Security Council decided to withdraw 2,500 soldiers of the UNAMIR. At the same time, within the context of operation Amaryllis, French forces evacuated about 1,250 French citizens and foreigners between 8 and 14 April, date on which the last French soldiers were repatriated.

On 8 April 1994, France decided to place an embargo on arms trade to Rwanda. In effect, the last 'authorisation d'exportation des matériels de guerre' (authorization to export war equipment – AEMG), which had already been restricted in 1993 only to the sale of pistols and parachutes, was granted on 6 April 1994. (...)

Some people, like certain military officials, believed that military intervention was necessary in Kigali, where RPF forces were stationed by virtue of the Arusha Accords. I have always rejected this solution, which would have involved us in the civil war, without any chance of success.

As a matter of fact, undertaking a military intervention would have unavoidably dragged France into a colonial-expedition type of operation, where she would inevitably have been seen as a supporter of the Hutu government. This result would have been disastrous and such a choice contrary to the position adopted by France, which, in implementation of the Arusha Accords, had withdrawn French military forces and decided to lend support neither to an individual nor a group, but to principles and a policy".

Analysing the situation 12 years later, one could blame the interim government for not having understood that the international community had opted for an RPF military victory and that the military resistance was doomed to failure. But the acquisition of such insightfulness was rendered difficult by the fact that the major world powers never publicly declared this objective. Kambanda and the RAF wanted to resist the RPF rebels up to when they would receive support from the international community in their struggle against such illegal invasion. Such hope was understandable but unrealistic, given the embargo mentioned by Balladur. The French Prime Minister limited to two months the "Opération Turquoise" at all cost, thus abandoning a part of the population that had been saved by that operation to deadly revenge. It is touching to read from Colonel Hogard the fate of the three persons of goodwill, namely the *sous-préfet* Théodore

Munyangabe, Major Austin Cyiza and Interior Minister Seth Sendashonga, who really wanted to put order in the Cyangugu *préfecture* following the defeat. All three were assassinated by the new regime¹¹².

Lugan summed up the situation in these words: “*In late May, the RPA stranglehold was tightening around Gitarama. On 2 June, the Kambanda government, completely overwhelmed, left Gitarama for Mayamba in the Gisenyi préfecture.*”¹¹³ It is at this moment that one can rightly say the interim government no longer deserved to be referred to as a “government”. A government which had existed for a period of time, but which never had the means to operate, was on the run and no longer existed in practice. To charge it with responsibility for public order is meaningless. General Rusatira’s assertion that Rwandans could have won the war if they were ready to fight – under his command of course – is equally void of common sense.¹¹⁴

Despite the abundant literature attributing to the interim government the responsibility for the genocide of the Tutsi, objective information on the daily life and on the political scheming of this government is rare. This is understandable in the sense that the international community was doing everything to present the government as the institution that organized the genocide.

But this is also as a result of the fact that the head of that government pleaded guilty before the ICTR. The “show trial” therefore did not take place, given that this statement enabled the judges to directly pass judgement. The fact that the judgement was quite contrary to what Kambanda had expected made it impossible for the truth to be brought out. His life sentence has for long been prejudicial to the other members of this government indicted before the ICTR. It could however be hoped that the era where the mere fact of being a member of the government was enough to be presumed guilty is past, with the acquittal of two former ministers of the interim government.

The idea here is not to get into the details of the fate and strange behaviour of Jean Kambanda¹¹⁵. For further information, see the books written by Thierry Cruvellier¹¹⁶ and Charles Onana¹¹⁷. What is important here is to know if the two objectives of the Kambanda government – described in the documents prepared after his sentence – namely:

- a) to support the RAF in the fight against RPF combatants, and
- b) to call on the population to combat the invaders and to help them inside the country in a kind of “massive enlistment”,

were illegal and if he could have stopped the massacres.

My conclusions are that Kambanda had no chance of succeeding in restoring order and stopping the “human beasts” unleashed by the RPF through the assassination of the country’s leadership on 6 April and provoked by the massacres perpetrated by the RPF of the internally displaced persons when the war resumed. In a small country with well-developed informal communication structures, these massacres became known by the population. In my opinion, even the speech

¹¹² See HOGARD 2005: 105 -112. Concerning Sendashonga, he informed me personally during a visit to Bonn in 1996 that it was exactly the fate of the persons saved by and gathered at Kibeho and assassinated by the RPA in 1995 that provoked his split with Paul Kagame – the cause of his assassination in May 1998 in Nairobi.

¹¹³ LUGAN 2004: 178.

¹¹⁴ General Rusatira nurtures this illusion up to date, when he wrote in 2005 that: “In July 1994, I did not understand how the army could have left the country without fighting, whereas half of the country was still free.” (RUSATIRA 2005: 69).

¹¹⁵ The most surprising episode is his abortive flight to the United States with the ISTO Company (CIA) from Nairobi, in January 1995. See PEAN 2005: 338 and ONANA 2005: 148 -160.

¹¹⁶ CRUVELLIER 2006.

¹¹⁷ ONANA 2005.

delivered by the interim President Théodore Sindikubwabo on 19 April 1994 in a situation he deemed very unpleasant¹¹⁸, cannot be interpreted as an inducement to the extermination of Tutsi. He had no choice than to call on the population to stage a resistance against the RPF invaders.

Relations between the interim government and the RAF

The demonstration of Rwandan army involvement in the genocide is one of the tasks attributed to trials against the accused soldiers. Because I had had the opportunity of testifying in one of such trials in 2005 and consequently having been obliged to conduct research on this issue, I cannot but observe that it has not yet been possible to establish this evidence.

Even though one could be tempted to admit that Jean Kambanda exaggerated when he said that the interim government was “chased out” of Kigali on 12 April 1994 by Marcel Gatsinzi, it gives certain information on the government’s weak position and also partly explains why Gatsinzi was replaced in his duties by Colonel Augustin Bizimungu on 16 April by the interim government. I refrain from speculating a great deal on that decision. I only refuse to interpret it as an act to plan the genocide. After signing the “Communiqué of the Rwandan Armed Forces Command of 12 April 1994”¹¹⁹ which was “published without the knowledge”¹²⁰ of the government, as stated by General Rusatira in 2005, it is understandable that Kambanda could no longer trust the man. The publication of the declaration without the knowledge of the government can even be seen as a coup attempt by the so-called moderate soldiers. But what is greatly more important is the fact that this call for dialogue with the RPF, repeated a few days later by the interim government itself, was rejected by Kagame.

The interim government and the militias

For the general public, it seems to be a fact that the militias, especially the MRND Interahamwe, bear very large responsibility for the organization of the genocide. Without any attempt at contradicting this assertion, it should however be pointed out that the ICTR, by convincing Dieudonné Niyitegeka to cooperate with the Prosecutor and by providing him with a new identity, gave up a great opportunity. It would appear the public never knew the contents of the twenty-six cassettes containing the recordings of his statements between 1997 and 1999.¹²¹ This is unfortunate and arouses suspicion that there is something to hide and that he did not say what was expected of him.

It is a fact that there was a complete twist in the role of the militias before and after 6 April 1994. Before this date, the militias of political parties took part in the brutal influence peddling (it should be said) between the parties. After this date, they were apparently often seen on the horrible road blocks. But it was not possible to establish with accuracy, as the prosecutors and Mrs Des Forges claim, that their actions were directed by the government. Before 6 April 1994,

¹¹⁸ It should not be forgotten that Sindikubwabo went to Butare to visit to his Tutsi concubine, who was killed on the same day. “*Opposite this house (NB that of Bwanakeye, a trader at Tumba) was that of Maria, the Tutsi concubine of Dr. Sindikubwabo, president of the Government during the sinister period. She was one of the first to be assassinated when, on 19 April 1994, her concubine President gave orders to kill in Butare*”. (KAREMANO 2003: 103/104). This quotation is very important although I do not agree with the part “...gave orders to kill in Butare”. The speech was a call to fight against the “enemy”, but not to kill the “Tutsis”. In addition, it should not be forgotten that his brother-in-law Augustin Iyamuremye, a PSD member, was suspected of collaborating with the RPF and of spying on the interim government. Indeed, he later became a minister in the RPF-led government.

¹¹⁹ The full text is found in RUSATIRA 2005: 54/54.

¹²⁰ RUSATIRA 2005, p. 56.

¹²¹ See especially CRUVELLIER 2006 : 84-94.

the militias of each party were separate and clearly identifiable as distinct entities with their own uniforms or identification signs. After 6 April 1994, the militias belonging to different parties wore no uniforms but had merged together (Interahamwe, Abakombozi, Inkuba and Impuzamugambi). A senior official working for the International Committee of the Red Cross (ICRC) in April 1994, witness WFQ1, noted that some persons who were active at the roadblocks during the period of the genocide came to him after the victory of the RPF in July 1994, wearing RPF military uniforms.

I cannot say anything better than what Bernard Lugan said on the matter. *“Does the creation of militias in 1992 make it possible, as Prunier writes, to posit that the genocide was under preparation on this date? No, because all parties were equipped with such back-up forces aimed, from the onset, at maintaining order during political meetings. (...) and even the party completely foreign to the genocidal ideology and more generally inclined to the ‘‘Hutu ethno-nationalism’’ like the PSD, had a militia, the Abakombozi (Freedom fighters).’’*¹²²

We can only add that the MRND party was not the first to create militias, contrary to widespread public opinion. It was in reaction to the MDR party which was the first to do so. In this regard, Eugène Shimamungu writes¹²³: *“The former Prime Minister Nsengiyaremye Dismas created the first militia, the ‘‘Inkuba’’ ‘‘lightening’’, contrary to principle no. 4 of the Political Charter ‘‘(...) it is in reaction to this violence that the Interahamwe would be created on the advice of a political adviser in charge of MRND strategy, Anastase Gasana (...), partisan of a strong league of MRND party youths.’’*¹²⁴

In his book, Shimamungu¹²⁵ even asserts that the founder of the Interahamwe is Anastase Gasana, who later on joined the MDR party, and became minister of foreign affairs in the government of Mrs. Uwilingiyimana. He was even reappointed under the RPF government. Nothing excludes that he could have been an infiltrator from the RPF, first to the MRND, then to the MDR, after his first contacts with Alexander Kimenyi¹²⁶, RPF’s ‘‘chief ideologist’’ who is believed to have inspired him to set up the Interahamwe organization¹²⁷.

In a letter to Kofi (sic) Annan on 5 May 2001, Félicien Kanyamibwa, General Coordinator of OPJDR (Organization for Peace, Justice and Development in Rwanda), pleaded to the United Nations Organization not to grant accreditation to Gasana Anastase as Rwanda’s representative in the United Nations, in the light of his political past which leaves much to be desired¹²⁸.

¹²² LUGAN 2004: 182/183.

¹²³ Posting on the website ‘‘Cercle solidaire’’ of 5 December 2000.

¹²⁴ The Report of the ‘‘Commission Nationale de Synthèse’’ clearly stated: *‘‘The coexistence between the various components of the Rwandan society is essential. Within this framework, political parties can only carry out their activities through peaceful means. They are especially prohibited to create militias and other organizations with similar methods. The role of maintenance of order and security is devolved on the State. An advisory body for defence and security matters should be set up.’’*

¹²⁵ SHIMAMUNGU 2004: 309.

¹²⁶ Alexander Kimenyi is a Rwandan royalist who rose to the rank of professor at the Californian State University in Sacramento, United States of America. He is the organizer of the 1988 Washington Conference. He meanwhile broke off with Paul Kagame and is author of a famous anti-Hutu (almost racist) poem glorifying Fred Rwigema after his death in October 1990.

¹²⁷ Eugène Shimamunu (sic), 2004 – *Juvénal Habyarimana. L’homme assassiné le 6 avril 1994 – Ed. Sources du Nil*, pg 309. Also, Félicien Kanyamibwa of OPJDR in his letter dated 5 May 2001 to the UN Secretary General Koffi Annan.

¹²⁸ Excerpts of an OPJDR letter: *‘‘It is with great shock that the Organization for Peace, Justice and Development in Rwanda, Inc. (OPJDR) learned that Mr. Anastase Gasana was accredited as the new Rwandan Ambassador to the United Nations Organization. In fact, Anastase Gasana is the founder of the notorious Interahamwe, accused of genocide in Rwanda 1994. Besides, he was one of the prominent officials and leaders of the Rwandan Government’’*

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The above facts should be considered in light of testimonies by Abdul Ruzibiza (RUZIBIZA 2004) and Aloyis Ruyenzi (RUYENZI 2004), who asserted that the RPF had infiltrated the Interahamwe with its agents without ever opposing the militias, but rather using them. Aloyis Ruyenzi stated in January 2005 that Kagame "*committed some of his crimes under the disguise of INTERAHAMWE*" (see Annex 5).

during the massacres of more than two hundred thousand Rwandan refugees in Eastern Congo and tens of thousands of Rwandan civilians inside Rwanda since 1994."

VI. Right to resist aggression from the Rwandan Patriotic Army (RPA)?

Despite the propaganda in favour of the “national freedom fighters”, emphasis should be on the right and obligation of the State of Rwanda to defend the integrity of the Rwandan territory. This right of defence against foreign aggression cannot be denied any member State of the United Nations family. Defence against an army constituted in majority by exiled persons was consequently legitimate. Referring to the RPF’s “Rwandan Patriotic Army” as a “Tutsi army” is not tantamount to incitement to genocide. The “enemy” of the war waged by the RPF were in effect the “Tutsi” for the most part. Nobody can be forbidden to discuss this fact and it can under no circumstances be interpreted as a “genocidal” stance.

But unfortunately, that is what the international community insinuated from October 1993 when it started adopting the position of “Tutsi network” in favour of the RPF military victory. The genocide against the Tutsi population is the almost inevitable consequence of the chaos which resulted from that decision. In order to divert world opinion from this fact, the interim government was used as a “scapegoat” in the Rwandan tragedy. The attribution of the responsibility to the interim government should be seen as a smokescreen to conceal the international community’s refusal to lend support to persons in danger. It should be borne in mind, in addition, that the Clinton administration prohibited its staff from referring to these crimes as “genocide” up to the RPF victory¹²⁹. Furthermore, it should be recalled that the international community to date still rejects this characteristic to the victims, who were generally Hutu, of large-scale massacres that occurred in RPF-controlled territories. Worse still, any official investigations concerning these victims¹³⁰, at least partially recognized even by the ICTR¹³¹, has officially been rejected to this day.

¹²⁹ It should be noted that President Clinton again said on 25 March 1998 in Kigali, against all evidence that he was unaware of what was going on in Rwanda from 6 April 1994. In the mean time, he dropped this dishonest assertion.

¹³⁰ On 15 July 1995, the German journalist Günter Krabbe presented in the FRANKFURTER ALLGEMEINE ZEITUNG a calculation which concludes that – including the Tutsi killed – between 2.5 and 3.5 million persons were “absent from the roll-call” in late July 1994. At least one million Hutu were also missing. The rapporteur was able to ask Seth Sendashonga, during a visit to Bonn in 1996, what his views were on the subject. He explained that the calculation was based among others on the number of persons living in Rwanda, which he provided on the basis of figures forwarded by the *bourgmestres* to the UNHCR in his capacity as Minister of the Interior of the Twagiramungu government. The figure of Hutu refugees was known and only the number of exiles who had returned to Rwanda was estimated.

¹³¹ See, for instance, the text of the judgement of 3 December 2003 in the “media case”:
“The Chamber notes that attacks by the RPF against civilians during this time have also been documented.” (par. 118).

VII. The guerrilla war and people's self-defence strategy¹³²

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Introductory remarks

The Prosecutor introduced an anonymous document (p.106) suggesting effectively that the civil defence measures were designed to maximise the number of Tutsi dead. Yet, like many other documents of this type introduced by Alison Des Forges, this document has all the characteristics of a fake¹³³. Hence, I will not take the said document into consideration. Conversely, the directives of Prime Minister Kambanda concerning civil defence are genuine and are briefly analyzed below.

Upon assuming leadership of the APR towards the end of 1990, Paul Kagame, as earlier indicated, immediately applied the guerrilla war strategy, terrorizing by definition, the civilian population. It was inevitable for the ethnic issue to resurface given that the rebels were seen as the armed faction of the Tutsi exiles in Burundi and Uganda. And everyone knew that the Tutsis in the country could become the target of ethnic hate. We know through testimonies from various RPF dissidents that such was Paul Kagame's objective. When I started expressing the suspicion that he was trying to get rid of the Tutsis within the country as dangerous competitors for the establishment of his dictatorship, I was criticized excessively. It is absolutely surprising to pretend, as Des Forges does, that the ethnic problem and the war can be separated.

Nonetheless, the Rwandan government had been able to limit the danger and damage up to the assassination of President Habyarimana. Yet, the whole world had observed that the RPF offensive of 8 February 1993 and the massive influx of displaced persons around Kigali had created an explosive and uncontrollable situation. However, until the assassination of the Rwandan president, the ethnic hate bomb had been unable to explode.

The ethnic issue worsened in early 1991 when Paul Kagame opted for guerrilla warfare. Historically, the response to such a strategy has always been self-defence of some sort. In Rwanda, it was obvious that guerrilla war was going to bring about the "fifth column syndrome", against the Tutsis within the country.

Accordingly, it was not an expression of ethnic hatred when some officers whose duty was to determine who was the enemy, stated that any Tutsi collaborating with the main enemy, the RPF, became by extension an enemy. Among those that participated in preparing this document, which is still being presented by Alison Des Forges as a document preparing the anti-Tutsi genocide¹³⁴, were Augustin Cyiza, who cannot be suspected of having been an anti-Tutsi extremist¹³⁵; and also Marcel Gatsinzi, this man who is known to be the model "moderate Hutu". Neither the military nor the interim government have ever stated that all Tutsis were enemies. The document defining the enemy makes a distinction between the Hutus/Tutsis who want to change the government through democratic means and those who want to topple the government forcibly.

¹³² This part of the report partially reproduces my report submitted to the ICTR in May 2005.

¹³³ The use of the term « Machiavellian » brings to mind the writer of the anonymous letter from the "moderates" to General Dallaire on " December 1993 about a " Machiavellian " plot by President Habyarimana (K007-0788-K007-0789). This letter was from the RPF because in it there is mention of the death of Félicien Gatabazi. It is now known that he was killed by the RPF.

¹³⁴ See for example the chapter « The military defines the enemy ». Des Forges 1999: 59-64.

¹³⁵ See notably, the tribute of André Guichaoua in CRUVILLIER 2006 and of COL Jacques Hogard on his contacts with him in July 1994. HOGARD 2005: 108/109.

The guerrilla war had a specific tradition in Rwanda. As described in an interview with Aloys Ngurumbe,¹³⁶ the monarchist party UNAR in 1961 created militias, later on known as INYENZI¹³⁷, trying by all means to terrorize¹³⁸ the Hutu leaders demanding democratic change in the country. That did not produce the expected outcome. But when the Hutus applied the same strategy in 1963 following the invasion of monarchist forces, it was a macabre “success”. Indeed, following the death of some 10 000 Tutsis in the country, the UNAR party and its army halted the invasion. UNAR did not want to sacrifice the Tutsi population that had remained in the country.

At the onset, RPF leaders were determined to no longer exercise such restraint. They faced the risk of causing the massacre of thousands of Tutsi within the country. It was rumoured that RPF leaders did not inform their former representatives of UNAR of their plans to invade in October 1990, for fear of their opposing it in order to avert anti-Tutsi reprisals.

It is part of the Rwandan tragedy that, after the attack of 6 April 1994, the Interahamwe and radio RTLM wanted to make the population believe that the strategy that was used in 1963 could work again. They did not understand, or were not supposed to understand, that the RPF was determined to sacrifice¹³⁹ – as General Dallaire underscored at the ICTR in January 2004- a large number of Tutsis. It was only on 25 June 1994 that RTLM called on the Hutu to stop killing Tutsi. It was only then that RTLM propagandists realized that the RPF were not willing to stop the war, and that rather the death of Tutsis justified the position of the RPF in the eyes of the international community when it claimed that it was fighting the “genocide perpetrators”¹⁴⁰.

Furthermore, the completely different character of RTLM before and after 6 April 1994 is worth noting. Before the attack, this radio represented the Hutu right which was trying to counterbalance the anti-Habyarimana propaganda of radio Muhabura of the RPF. RTLM became the “killer radio” only after the attack. Following the testimonies of Ruzibiza (notably, that of 9 March 2006 at Arusha) and of Ruyenzi, there are strong indications that RTLM was infiltrated by the RPF in order to ensure anti-Tutsi propaganda which won worldwide support for the RPF.

As underscored by Lukan, the civil defence strategy is consistent with the classical approach of French military academies. *“The “people’s self-defence” or “civil self-defence” policy was defined for a goal which, to our mind, was not genocide of the Tutsi, but Operational defence in the territory, like the “DOT” which the French military might have taught the Rwandan general staff, not to mention Col Bagosora, who had studied this doctrine at the “Ecole de guerre” in Paris. This “people’s self-defence” was designed to organize resistance in the case where the RPF broke RAF lines.”* (LUGAN 2004: 183)

¹³⁶ « Twaganiriye na Muzeha Ngurumbe Aloys » by Rangira and Kalinganire, Kanguka No . 52, 12 February 1992, translated from the Kinyarwanda into French by Eugène Shimamungu.

¹³⁷ The Tutsi terrorists of that time themselves gave that name, which can also be translated as “cockroach”.

¹³⁸ See Annex 6 concerning the extortions of the Inyenzi

¹³⁹ Charles Karemano who before 6 April 1994 belonged to the Social Democratic Party (PSD), has explained the fatal dialectics that dominated the events: “The interahamwe and Hutu militiamen were killing Tutsis, thinking that, concerned about the fate of the Tutsi, the RPF would stop its conquests. The terror logic thus became the following: the massacre of civilian Tutsis justified the RPF attacks; these attacks encouraged the killing of Tutsis.” (KAREMANO 2003:34)

¹⁴⁰ In a programme on RTLM on 25 June 1994 Gaspard Gahigi stated for instance that: *“In order for peace to be restored,- as Mr Jean Kambanda once said, and rightly so- you must know your adversaries, the Inkotanyi. Your neighbour is not your adversary, simply because he is this way or that other way.(...) If the French come to help us, we must make our contribution. The killings must stop everywhere. As for us, we must ensure that no one is victimized because of his appearance or regional origin, but rather for his acts”.* (Quoted from §419 of the Media Trial verdict of 3 December 2003).

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Even someone like Emmanuel Gapyisi, who could be considered non-aligned in the Rwandan political configuration, and who cannot be suspected of having had any kind of genocide spirit, had, in 1993, launched the idea of a civil defence. It should be recalled that even in Uganda, where the RPF was born and where it matured, the civil defence concept existed in the form of “local defence forces”.

Jean Kambanda explained the spirit that inspired the Prime minister’s directive of 25 May 1994 (p.105AD) concerning civil defence. To him, the said directives were designed solely to serve the government’s legitimate – but unrealistic- purpose of fighting the rebels’ offensive.

I note that the said directives contain absolutely nothing which would cause anyone to qualify them as incitement to genocide.

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VIII. RPF-saviour of the Tutsi?

Today, it can be stated that the RPF had a single objective: win the war and impose a government under its domination. It was ready to accept all the sacrifices possible to attain that objective. Once the fighting had resumed, the RPF refused to take the slightest military risk to try to save the Tutsi population. Eric Gillet, one of the drafters of the report of the "International Commission of Inquiry" (ICI), cannot be suspected of any excessive antipathy towards the RPF. He made the point in a letter to the - more honorary than real - Chairman of the RPF, Colonel Kanyarengwe¹⁴¹ on 2 May 1994:

*"We understand very well why the RPF would not want to accept an intervention force. But we cannot see any legitimate reason that the RPF might invoke to oppose a solution which would bring the necessary help to the civilian population without interfering with ongoing military operations".*¹⁴²

Alison Des Forges added: *"Diplomats at the Security Council also exerted pressure on the RPF, but without great success. On May 11, Radio Muhabura, the voice of the RPF, still maintained that "the genocide is already finished".*¹⁴³

Without being able to further delve into the issue as to whether the RPF could have saved the Tutsis, the quotation from the APR ex-serviceman Aloys Ruyenzi is a significant indication:

*"I cannot forget the pain that President Kagame inflicted to Rwandans of Tutsi ethnic group, his own tribe mates. Some were even killed on his orders. Others were deliberately left at the mercy of the Interahamwe. He made sure that nobody comes to their rescue; Up to date, he is still pursuing his policy by repeating in Congo what he did in Rwanda. Why is he busy creating hatred between Banyamulenge minority and the rest of the Congolese population? Is it for the interest of Tutsis? Even in Rwanda, he does not spare anything to exacerbate tension between ethnic groups, by his policy of forced reconciliation. What he does will inevitably lead to a new wave of ethnic conflict and Tutsi again will be the main victims."*¹⁴⁴

Abdul Ruzibiza testified as follows:

"Let me demonstrate to you that the APR had all the means to come to the rescue of those in danger, but that to Kagame that was not at all a priority:

1. *Inkotanyi fighters were used to trekking at least 30 to 80 km a day and immediately engaging in combat. That is no exaggeration because 59th Battalion, which left Butaro, arrived at Miyove before nightfall, though its advance had been delayed by Kagame under the pretext that he wanted to first of all give so-called instructions, whereas he knew perfectly well what orders he had given his company commanders. The next day, this 59th Battalion continued its advance towards the CND and arrived on 10/4 during the day. The other battalions such as Bravo and Alpha took only two days, part of battalion 101 arrived, with the head battalions, part of the Military police arrived on the third day, that is, on 9/04. At such moments, privates and corporals were each carrying 30kg loads besides their individual equipment,*

¹⁴¹ Alexis Kanyarangwe, who was born in 1938, died on 13 November 2006

¹⁴² Quotation from DES FORGES 1999 : 700

¹⁴³ Ibid.

¹⁴⁴ RUYENZI 2004.

trekking day and night because sufficient bullets were required to break the lock that was closing the Byumba road. These examples suffice to understand what strength we had to trek more than 100km for those who had left Butare and arrived at Kigali in three days, and fighting all the way.

2. *As the days went by, many children of the Inkotanyi were joining the RPF from Rwanda, so much so that apart from the Ugandans who were saying that there were no more Tutsis living in Rwanda, and that those still living there were those who were power hungry and had refused to go on exile, or had adopted the Hutu way of thinking, we, for our part were firmly determined to come to the rescue of our relation who were dying. The most painful part of it and which caused some of our comrades to take their own lives was they felt too much grief when prohibited from saving people who were being killed before their very own eyes: a comrade would take his gun and shoot himself to death saying he had made a mistake by deciding to join the Inkotanyi. I, for my part did not make a mistake, but I suffered immensely from being prevented from coming to the rescue of our relatives, whereas we had the means to do so.*
3. *We knew the city of Kigali more than its inhabitants, because we had to know all the passages even those used by rats. We knew Kigali by day and by night with the capacity of locating accurately every nook and cranny where those needing our help could be found. Kigali apart, it was easy to go anywhere in the country, given that the Inkotanyi children came from all over, and many of them could show us the places.*
4. *In Rwanda, the localities where there was a high density of Tutsis to be rescued to prevent them from being killed were well known, and they were not very many, namely Bugesera, Kibuye, Butare, Rwamagana, ..., and those who could intervene in one locality could continue in others nearby.*
5. *And now let us see how Kagame did not have even the slightest intention of saving the Tutsis whom he had just thrust into the hands of certain death (...)*

I said it earlier, and let me repeat it: KAGAME PREVENTED US FROM COMING TO THE RESCUE OF OUR OWN. WHEREAS, WE HAD THE CAPACITY AND THE WILL TO DO SO.

What I can add is that, each time we had to rescue people, there were three different ways of going about it:

1. *Someone whom the RPF needed to use after taking power.*
2. *People, who by chance were along the route charted by the RPF, could be rescued and taken to a safe place.*
3. *Commanders out of pity took the risky initiative without Kagame's knowledge. Never was saving the Tutsi population envisaged in Kagame's plan of attack." (RUZIBIZA 2004).*

This testimony coincides with the unexpected revelation by General Dallaire that Kagame - as formulated by Agence Hirondele of 28 January 2004 was allegedly "warned by a government minister that in case of resumption of war, the Tutsis would be massacred and he retorted that those deaths would be the price to pay, that is sacrifice, according to the submission by the Canadian General."

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And even someone like Alan Kuperman, who was somewhat sympathetic towards the RPF in his previous publications (eg.KUPERMAN 2001), changed his mind in 2004: "*From the start, the rebels expected their invasion to trigger a violent backlash against Tutsi civilians in Rwanda*" (KUPERMAN 2004: 61).

In other words: the RPF deliberately used the tool of provocation of the Rwandan population to the detriment of the Tutsis in the country to destabilize the regime presented libellously as "admirers of Hitler" by Alison Des Forges¹⁴⁵. Is RPF not responsible for the foreseeable events that unfolded as a result of its actions?

¹⁴⁵ DES FORGES 1999: 80

IX. The charges against Casimir Bizimungu

The former Minister of Foreign Affairs under Habyarimana and Minister of Health of the interim government is accused, in fact, of having been a member of the interim government. After studying available documents, I would like right away to present my conclusions. The arguments advanced by the prosecutor and Alison Des Forges to uphold the charges do not, in my opinion, seem plausible to prove that the accused is guilty.

One can see how difficult it is for the Prosecutor to formulate his charges. There is a need to rule out the idea that one who had been striving for the Tutsi exiles to return in 1989/90 and to free the Tutsi inmates in 1991 – see above – would ever have been pursuing a policy of extermination of Tutsis. The information in my possession shows that Casimir Bizimungu had very good relations with the Tutsis while working at the Faculty of Medicine at Butare, and that, at that time, he was the private physician of Queen Rosalie Gicanda. At Butare, he was Director of the Public Health University Centre, with about a hundred employees and mostly Tutsis. They were very satisfied with his being at the helm of this institution. At Kigali, he was twice Minister of Health. Not only did he treat all staff equally, but he took initiatives in 1992 and 1993 to have Tutsis appointed to key positions in that ministry. This was a risk he was taking at a time when inter-ethnic tension had been rekindled by the war. Casimir Bizimungu strove to apply all the objectives of the National Coalition Government headed by Mr Dismas Nsengiyamremye, including streamlining the administration.

It should be repeated that the anti-Tutsi genocide was not the outcome of a plan hatched by the interim government of which Casimir Bizimungu was part. It was a criminal reaction of a million internally displaced persons being chased away once again by the APR after 6 April 1994 and partly supported by armed militias and deserters. This was, therefore, genocide *sui generis*, that is to say, a historically unique type of genocide.

The RPF feared moderate Hutus who favoured a compromise with the RPF because at the same time, they had good arguments for refusing it a monopoly of power. People like Gapyisi and Gatabazi paid for their opposition to RPF taking power with their lives. The RPF understood very well that these moderates had a great national and international reputation and for this reason wanted to get rid of them. One of the means of getting the message across was Jean-Pierre Turatsinze, whose role has already been discussed above. It was not by chance that the latter also contacted Casimir Bizimungu, who was a political friend to Emmanuel Gapyisi at the time of the creation of "Forum Paix et Démocratie". Turatsinze asked Casimir Bizimungu¹⁴⁶ to be careful as "MNRD hardliners" could harm him. As in the case of James Gasana, threatened by the RPF through the group "AMASASU", this message was credible in the eyes of Casimir Bizimungu whom, for being a "liberal"¹⁴⁷ had many adversaries in the right wing of the MRND and CDR¹⁴⁸. Nonetheless, it is unlikely that what Turatsinze was saying was true. Based on what is known today, he was not in a position to obtain such secrets from the inner circle of the MNRD. Furthermore, no formal proof of this supposed danger has been established. What should be underscored is the fact that the RPF could not miss an opportunity to further create confusion and misunderstanding on the government side. One cannot but note that, towards the end of December 1993, during the designation of the ministers to form the Broad-based transitional government including the RPF (BBTG), the group of MNRD hardliners did all they

¹⁴⁶ For now, I must refuse to reveal the person who furnished the information

¹⁴⁷ It is probably due to this opposition that the Kangura review was attacked

¹⁴⁸ For long, the CDR had suspected Habyarimana and the MRND of being too soft on the RPF. It was only after the attack of 8 February 1993 that the RPF "succeeded" to draw them closer together.

could to ensure that Casimir Bizimungu was not on the list of the 5 MNRD Ministers that were to be members of the said government.

It is worth noting that James Gasana had warned Casimir Bizimungu before he fled, of the danger he was facing. This information was probably from "AMASASU" circles (ie. RPF), suggesting that C. Bizimungu should leave the country.

Jean Kambanda entrusted major assignments to Casimir Bizimungu because of the latter's wide experience on the international scene, where he enjoyed the reputation of being a credible interlocutor. To claim, like some of the Prosecutor's witnesses, that he bought arms on such occasions is contradicted among others by the list of arms buyers furnished by André Guichaoua in his report during the so-called Butare case.

The RPF and its network were also aware of his positive reputation and had every reason to include him on the list of accused of the ICTR, because he could have made it more difficult for it to achieve its objective of excluding Hutu political "heavy weights" from managing Rwanda's future.

Casimir Bizimungu served his country in the hope of being able to contribute to convince the international community to intervene to stop the massacres, secure a ceasefire (several times through Marshal Mobutu who was the Mediator in the Rwandan conflict, in Tunis during the OAU Summit of June 1994) and speedy humanitarian assistance, especially for the millions of displaced persons during the World Health Assembly in Geneva in May 1994. He was mistaken. He could not believe that the "hardliners" of the Clinton administration were firmly determined¹⁴⁹ to sacrifice them for the victory of the so-called "national liberation" rebels.¹⁵⁰

X. Conclusions.

It is a fact that experts like Filip Reyntjens¹⁵¹, Gérard Prunier and André Guichaoua¹⁵², who saluted the victory of the RPF for having ended the genocide, are now condemning the order established in Kigali¹⁵³. Even Alison Des Forges¹⁵⁴ and HRW have distanced themselves from

¹⁴⁹ The Security Council resolution of 21 April 1994 is one proof of this. However, hopes for a change were apparently still alive within the "government at large".

¹⁵⁰ I do not share the opinion of Thierry Cruvellier who writes: "It is a tribunal whose establishment and operation are under the responsibility of "losers": the international community, the UN Security Council and its powerful members.(...) In reality, [the I CTR] is justice for the vanquished". (CRUVELLIER 2006: 248). Such language really pleases the "big powers". However, such an analysis does not at all reflect the reality. These powers were not victims. They were the cruel actors. It will be incumbent on a new generation of American historians to obtain the necessary documents from classified archives to carefully assert this deplorable observation

¹⁵¹ See for example RENTJENS 2004

¹⁵² Partially even Alison Des Forges

¹⁵³ Filip Rentjens talks of « dictatorship » (RENTJENS 2004) and describes Paul Kagame as "the greatest war criminal in activity". However, I am not aware if Filip Rentjens has formally withdrawn his statement before the ICTR that Colonel Bagosora must have planned genocide for five hours on the night of 6 to 7 April 1994. This assertion lacks any plausibility according to the information now available to us.

¹⁵⁴ On 11 October 2006, Alison Des Forges stated before the ICTR in Arusha that : " I have concluded previously, and I believe evidence is solid, that the RPF gave priority to winning a military victory and not to saving lives of civilians, including particularly Tutsi lives in the country".

the Kigali¹⁵⁵ regime. They recognize the obligation of the ICTR to deal with crimes committed by the RPF during the war of aggression.

However, it is strange that these authors still globally defend the assumption of a planned genocide by "Hutu extremists"¹⁵⁶. If there had been any planning, it should be attributed to the other side of the fence in light of the publications of James Gasana, Abdul Ruzibiza, Father Serge Desouter, Pierre Péan, Charles Onana¹⁵⁷ et al.

To believe that a government, the creation of which was described by General Dallaire as a débâcle, could have planned a mayhem of the type that was witnessed is strange. But, more importantly, the interim government having been on the run throughout its existence, no longer had the means to fight against an avalanche triggered by the attack of 6 April 1994 and encouraged by the Security Council of 21 April 1994. Kofi Annan rightly stated that the international community "could have stopped the killings" in 1994, "but there was no political will, no more than there were troops".¹⁵⁸ But he forgot to add that there was a firm determination of some permanent members of the Security Council not to stop the killings and not to supply the necessary troops- and even to prevent those that were ready to supply them.¹⁵⁹

Even more than twelve years after the creation of the ICTR, one cannot but observe that the background to the tragic events that unfolded in the Great Lakes Region of Central Africa as from 1990 has not yet been established in an indisputable manner. The most important records are yet to reveal their "treasures". Conversely, it can be asserted that the assumptions on which the Accusation is based, namely a long-standing plan fomented by a group determined to organize genocide, do not match any known facts.

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* *

The creation of the ICTR would have been unthinkable without the Nuremberg trial in 1945/46. Many observers unanimously agree that the major legal innovation regarding international law was the condemnation, barely sixty years ago, of a war of aggression. Despite the fact that the ICTR is some sort of successor to the Nuremberg court, it has overlooked taking this innovation into account. The invasion of 1 October 1990 and the different resummptions of war by the RPF constitute a war of aggression which is the cause of the humanitarian crisis in Rwanda. The war that was triggered off by a group of rebels backed by a neighbouring State has never really been a cause for concern to the ICTR. This war was extended into Zaïre/Congo since the end of 1996. The RPF war seems to be considered as some kind of *force majeure*. Yet, as in Nuremberg, the

¹⁵⁵ However, the presentation in April 2006 of a text entitled "The Rwandan Genocide: How it was prepared: A Human Rights Watch briefing paper", which is the basis of my open letter addressed to the Executive Director of HRW (see annex) leaves doubts about the seriousness of the positions taken.

¹⁵⁶ In my opinion, it made no sense when Guichaoua on 23 November 2006 stated in an interview given to LE MONDE while acknowledging the validity of the attribution of the attack of 6 April 1994 to the RPF by Judge Bruguière that: "The RPF leadership took the risk of genocide, with full knowledge of the facts. Hutu extremist needed a full week to design their genocide plan and put the structures in place. But, the attack as such cannot be considered to be the cause of the genocide. Genocide is the outcome of a political strategy, applied by Hutu extremist groups who used the attack to trigger this apocalypse."

¹⁵⁷ To a lesser extent, Thierry Cruvellier may be added to this list.

¹⁵⁸ Cf Jean-Pierre Stroobants in LE MONDE of 30 March 2004. Concerning the discussions that took place in New York at that time, refer to BOUTROS-GHALI 1999, MELVERN 2000 and BARNETT 2002.

¹⁵⁹ One wonders if the eviction of Boutros-Ghali as Secretary General of the United Nations and establishment of Kofi Annan as his successor by Madeleine Albright in a major operation dubbed "Operation Orient Express" was linked to the war in Congo (programmed assassination of Hutu refugees) which Boutros-Ghali would not have covered. (See the revelations of Richard Clarke (CLARKE 2004:201) concerning this operation in the reference included in annex 4.

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prosecution could have chosen “an understanding with a view to committing a war of aggression” as a starting point for dealing with all the crimes resulting from it.

Secondly, the Nuremberg trial came close to legal treatment of crimes – the term genocide was still unknown at the time- committed by the Germans against the European Jews notably. Since no one dared yet to query the sovereign right of the State to treat its subjects as it pleased- it was not only Stalin who was very vigilant on this issue – the Nuremberg judges were not as innovative as in the case of the war of aggression. However, after extensive debates, the international community acknowledged that, after the holocaust, the traditional order of the day could no longer hold. Raphael Lemkin finally succeeded in convincing the United Nations in 1948, to adopt the "Convention against genocide"¹⁶⁰ which governs the ICTR. However, the United States Senate ratified this Convention - unwillingly¹⁶¹- only in 1986. Unfortunately, the American government refused to apply this convention in 1994 in Rwanda.

The fight against a war of aggression and the application of the 1948 convention would certainly have prevented the anti-Tutsi genocide and the other “crimes against humanity” committed in Rwanda as from 1990.

¹⁶⁰ Samantha Power has beautifully documented the solitary bitter struggle of this man. POWER 2000

¹⁶¹ It was finally “the Bitburg incident” - worldwide protests against the visit of president Reagan on 5 May 1985 to a cemetery in Bitburg, Germany where former Waffen -SS soldiers are also buried – that caused the American Congress to ratify the “Lemkin” Convention of 1948 in February 1986. It was only in 1988 that the Senate adopted the “Genocide Convention Implementation Act”, called the “Proxmire Act”, since it took, as from 1967, 3211 speeches in the Senate for Senator William Proxmire to finally achieve his objective of ratification of the convention initiated by Raphael Lemkin after attending the Nuremberg trials in 1946. See POWER: 2000, Chapter 4 and pp. 161-163.

Abbreviations

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BBTG	Broad-based Transitional Government
CDR	<i>Coalition pour la Défense de la République</i> (coalition for the defence of the republic)
CLIIR	<i>Centre de Lutte contre l'Impunité et l'Injustice au Rwanda</i>
CND	<i>Conseil National de Développement</i> (national development council)
DOT	<i>Défense Opérationnelle du Territoire</i>
DPKO	United Nations Department of Peace Keeping Operations
FIDH	International Federation of Human Rights
FRODEBU	<i>Front pour la Démocratie au Burundi</i>
HRW	Human Rights Watch
ICI	International Commission of Inquiry
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
MDR	<i>Mouvement Démocratique Républicain</i>
MRND	<i>Mouvement Révolutionnaire National pour le Développement</i> (1975-1992)
MRNDD	<i>Mouvement Républicain National Pour La Démocratie et le Développement</i> (à partir de 1992)
NMOG	Neutral Military Observer Group
OAU	Organization of African Unity
PL	<i>Parti Libéral</i> (liberal party)
PSD	<i>Parti Social-Démocrate</i> (social democratic party)
RAF	Rwandan Armed Forces
RANU	Rwandese Alliance for National Unity
RPA	Rwandan Patriotic Army
RPF	Rwandan Patriotic Front
RTL	<i>Radio-Télévision Libre des Mille Collines</i>
UDPS	<i>Union Démocratique pour le Progrès Social</i> (democratic union for social progress)
UNAMIR	United Nations Assistance Mission for Rwanda
UNAR	<i>Union Nationale Rwandaise</i> (Rwandan national union)

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ANNEXES

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Annex 1 Open Letter from Peter Erlinder dated 6 April 2006

To whom it may concern,

The attached Open Letter to the Prime Minister was read to the International Press at a Press Conference at the United Nations International Criminal Tribunal for Rwanda on April 6, 2006. It is being forwarded to the Prime Minister via email and Fax from the United Nations Tribunal in Arusha, TZ..

Respectfully,

Prof. Peter Erlinder
Lead Defence Counsel ICTR
DCDMS Rm. S-224
Arusha, TZ
Ext. 5073

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Open Letter to Prime Minister Harper:
Regarding State Visit of Current President of Rwanda

April 6, 2006

Dear Mr. Prime Minister,

I am writing from the United Nations Criminal Tribunal for Rwanda (ICTR) in Arusha, TZ on this, the 12th Anniversary of the assassination of President Habyarimana of Rwanda, which preceded the terrible massacres that occurred after the April 6 assassination. I have learned that your Government has agreed to host a state visit by the current President of Rwanda, Mr. Paul Kagame. To prevent future embarrassment to you and your Government, and to comply with the ethical principles to which I am bound as an Officer of the Court of the ICTR, I am obligated to bring recent developments at the ICTR to your attention.

By way of background, please note that the March/April 2004 issue of the UK Economist reported on the 10th Anniversary of the horrific events in Rwanda by noting that the Kagame Regime is the most repressive military dictatorship in Africa. At that time, the identity of those who carried out the "assassination by missile" of former President Habyarimana by shooting down the presidential plane on April 6, 1994 (which all agree touched off the massive civilian killings in April-July 1994) was not known.

However, this circumstance changed during the past month at the ICTR which saw multiple witnesses, including: an "Africanist" Belgian Catholic Priest and Historian, who lived in Rwanda for 18 years; former RPF/RPA officers who were either present when the missiles were fired, or present at RPF/RPA Headquarters during 1993-94; as well as, numerous never-before-public UN documents which confirm the following:

1. The RPF/Rwandan Patriotic Army (RPA) had a 3-4/1 military-force advantage, which was known to then-General Kagame at least as of February 1993 when the RPF/RPA broke the Arusha ceasefire and nearly captured the capital, that the RPF/RPA had the military power to take power in Rwanda at will. It was the 1,000,000-plus displaced, brutalized refugees who became an ungovernable force that later engaged in civilian-civilian massacres.

2. Between February 1993 and April 1994, while pretending to negotiate a power-sharing agreement set out in the Arusha Accords, Gen. Kagame openly declared to RPA troops that they should prepare for war and he also threatened war repeatedly when speaking with UN and international delegations in early 1994, as reflected in contemporary UN documents.

3. During this same period, hundreds of tons of weaponry and ammunition were illegally brought into Rwanda in preparation for the final assault to seize power and stored in numerous "weapons caches" around the country.

4. By March 1994, UN documents show that the Rwandan Government Forces (RGF) had been decimated

by the four-year war of invasion by elements of the Ugandan military, supported by the Ugandan government and military, and lacked the military capacity to fight an invading army AND use military force to stop civilian massacres by other civilians.

5. The former U.S. Ambassador to Rwanda, Hon. Robert Flaten, testified in June 2005 that he personally warned Gen. Kagame and Pres. Habyarimana that if either resumed war by breaking the Arusha Accords cease fire, they would be responsible for thousands of civilian casualties from retaliatory killings that U.S. State Department documents predicted should the war resume...similar to killings that swept Burundi/Rwanda in 1988.

6. On March 9-10, 2006 and again on April 3-6, 2006 the President of the ICTR heard testimony, with supporting U.N. and other documents, that Gen. Kagame ordered the assassination of President Habyarimana to destabilize his enemy, and that he ordered the final assault within minutes after learning of the successful missile attack....long BEFORE any retaliatory, civilian killings had occurred anywhere in Rwanda.

7. The evidence, confirmed in original UN documents, also shows that, between April 6, 1994 and the RPF military victory in mid-July 1994, the Rwandan Government and the RGF repeatedly asked for an unconditional ceasefire to permit its few, battle-hardened troops to use force to stop the massacres. When the RGF stated that it lacked the means to stop the massacres without a ceasefire, UN documents confirmed that this was known to be true by Gen. Dallaire and Gen. Kagame in March 1994, before the assassination of President Habyarimana.

8. Canadian General Dallaire testified in January 2004 that: (a) there were only about 5,000 dependable RGF troops; (b) the first obligation of all armies, including the Canadian Army and the RGF, is to defend the "security of the homeland;" (c) and, it was militarily impossible for the RGF/Gendarmes to fight a war of invasion AND stop long-predicted, retaliatory, civilian-civilian massacres.

9. Between April 1994 and July 1994, the RPF was the only military force in Rwanda which was militarily capable of stopping the massacres, with or without a ceasefire, however, on numerous occasions Gen. Kagame specifically ordered field officers NOT to use troops "to save civilians while RPF soldiers are dying" and, as Gen. Dallaire testified under oath, Gen. Kagame told him that civilian killings are "collateral damage" for his war plan.

10. According to sworn ICTR testimony, Gen. Kagame specifically ordered the creation of particular units responsible for "cleansing" civilians from areas controlled by the RPF and was personally present as tens of thousands of civilians were lured to Byumba Stadium in late April 1994 and massacred by RPF troops under his command, among other atrocities.

11. Much of this information can be found in: The Secret History of Rwanda by former RPF Officer Abdul Joshua Ruzibiza, recently published in Paris; the Report of Serge Desouter to the ICTR, an historian of the Belgian "White Fathers" century-old mission in Rwanda; the public and closed transcripts at the ICTR; and, original UN documents introduced as exhibits in the Military 1 case (Bagosora et al) at the ICTR.

12. In July 2003, then-ICTR Prosecutor Carla del Ponte announced that she had discovered enough evidence to prosecute BOTH sides in the Rwandan War. However, shortly thereafter, Pres. Kagame called for her resignation, as did Colin Powell and Kofi Annan. She was replaced two months later and, to this date, not ONE person associated with Gen. Kagame's successful seizure of power has been called to account at the ICTR (unlike the ICTY in which leaders associated with all major actors have been indicted).

13. In light of the evidence now in the public record of the Tribunal, a formal Motion is being prepared which requests the President of the Tribunal, and the Office of the Prosecutor, to draft the Indictment of Paul Kagame for Murder, Conspiracy to Commit Murder, various War Crimes and Crimes Against Humanity and Conspiracy to commit such crimes, all committed by him, and the troops he commanded in Rwanda in 1994.

14. Motions to dismiss charges presently pending against former RGF Officers for actions properly attributed to the victors of the 1994 RPF War of Accession to Power.

Since the ICTR has not been well-covered in the western media, I have no doubt that you and your advisors have not been made aware of the above before issuing the invitation to the current Rwandan President. However, since this information is already in the public record, and more is being accumulated daily, I could not permit an accused war-criminal, on the same order as the recently arrested former-president Charles Taylor, to receive the endorsement of the Canadian Government, without putting the record straight....and putting the matter before your Government for evaluation.

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I would be pleased to direct your staff to relevant materials in the public record at the ICTR, if that would be convenient to the Canadian Government.

Respectfully,

Prof. Peter Erlinder, ICTR Lead Defence Counsel Past-President, National Lawyers Guild, N.Y.C. USA
Wm. Mitchell College of Law 875 Summit Av. St. Paul, MN 55105 (651) 290-6384 @wmitchell.edu U.N. No.
(212) 963-2850 (ext. 5073)

Annex 2: Excerpt from the chapter entitled “EXPERT WITNESS ALISON DES FORGES” of the Expert Report by Serge Desouter, submitted to the ICTR in March 2005 (Bibliog. Ref. DESOUTER 2005).

The historian

Alison Des Forges had an undeniable influence on the Rwandan dossier as a “historian of Rwanda” and as expert witness of the Prosecutor. Without doubting Des Forges’ human rights activist ideal, one may question her scientific skills.

If one takes a close look at her scientific activities, it will be noted that within a period of 20 years (between 1968 and 1987), her scientific and historical activities on Rwanda or on Africa’s Great Lakes region are not impressive.

(...)

The activist

From 1991-1992, Des Forges worked for the government of the United States, a foreign power highly involved in the Rwandan war.¹⁶² (...)

Why was she sent to Rwanda at this particular period to “promote democracy”? (...)

One of the key recommendations she makes is the change of identity cards. That “*the identity card without ethnic classification*” does not in any way change behaviour. (...). Maybe Des Forges does not know that the identity card with “*ethnic classification*” was instituted in 1936 by the Belgian colonial administration, on the demand of Tutsis, so as to perpetuate their hereditary privileges from father to son?

The fact that she was an eminent member of the former *AFRICA WATCH* is very disturbing and embarrassing. The bias of this organization for the RPF cause is well known. That the organization should have later reappeared under a new appellation of *HUMAN RIGHTS WATCH AFRICA* does not change a thing in its past leanings. Since then Alison des Forges has been producing her writings under the umbrella of this organization and receiving requests for consultation there.

It is true that armed with past experience in the Great Lakes region, *HUMAN RIGHTS WATCH* is becoming more and more cautious in the face of accusations of “genocidal” conspiracy and organization advanced in a unilateral manner, and unfortunately relayed as such by the international community. (...)

A look at the RPF

One can understand that Des Forges was influenced in her appreciation of the events in Rwanda by the Organization and her ties with the American Government. Her few recent declarations on the Kigali regime - made grudgingly - do not change a thing in her past attitude.

According to Des Forges, the *RPF* is presented as a nationalist movement without any links to *UNAR*, the old monarchist and extremist party. This movement brings together Hutus and Tutsis around a common objective: the return of the Tutsi refugees, the instauration of democracy in Rwanda and a society free of any ethnic considerations. But is this not surprising and

¹⁶² Not mentioned in her curriculum vitae. JPA 00390-00394; idem for the one submitted in the “Butare” trial.

unbelievably naïve, knowing the differences between the public stances displayed by the *RPF*, on one hand, and its objectives and actual facts, on the other hand?¹⁶³

This leaning – the term is probably not strong enough – for the *RPF* was the policy of her American government.¹⁶⁴ For there is every indication that the Clinton Administration neither sincerely wanted the end of violence nor the return of peace in Rwanda. This conclusion is supported by two factors. First, the Administration ignored the harmful role played by the *RPF* in the violence that was being perpetrated, particularly by the resumption of generalized war. And secondly, the Administration abstained from the mediation between the parties for a ceasefire and a return to the Arusha peace process, and left the task to Roger Booh Booh, Special Representative of the United Nations Secretary General, and to the President of Tanzania. These two did not have the adequate means to successfully carry out this mission and, contrarily to the American Administration, had no real influence on the parties in conflict.¹⁶⁵

A doomed mission

Des Forges participated in the Human Rights commission in 1993, on behalf of *AFRICA WATCH*, in the company of René Degni-Segui, Jean Carbonare¹⁶⁶, Eric Gillet et al in favour of the *RPF*. This “inquiry” lasted barely three weeks (7-21 January 1993) and it is mentioned that the enquirers barely entered the *RPF* zone. Yet, in spite of the prohibition to enter the *RPF* zone, the commission’s report mentions that “*Reports and documents gathered by these persons and associations constituted the basis of the commission’s work.*” (p 9). These same persons would be in the fore-stage in the drafting of reports and unverifiable ideas, which were to be universally propagated and become the international “*common wisdom*”¹⁶⁷ in this domain. (...) Never was this *Report* validated by a confrontation of conflicting evidence. (...).

Expert or prosecutor?

As expert of the ICTR Prosecutor, Alison Des Forges is a problem, because in this way, it is difficult not to see her in the role of accuser instead of a neutral expert.

She has effectively often committed herself as the defender of the Tutsi populations, which is all to her honour. But this is an obstacle to her role. For, certainly without wanting to, she is quickly accused of diabolizing and globalizing the Hutu population and of contributing to a simplification of the Rwandan situation in terms of “good and bad” cowboys and Indians. This certainly lacks scientific restraint in certain areas and at certain moments. More than once, she lays down facts and gives opinions on the culpability of the accused.¹⁶⁸ (...) For instance, Des Forges, in one deposition reversed the causes and consequences: “*It is the Habyarimana clique that exploited this attack (the 1990 invasion) on an ethnic basis and this succeeded in pushing*

¹⁶³ See Desouter, A. Serge. 2000 – The usurped use of the term “genocide” – Antwerpen.

¹⁶⁴ Working paper of the Office of the Assistant Secretary of Defence, in charge of the Middle East and Africa, dated 1 May 1994. Critical analysis of declassified documents by the American Government, published by William Ferroggiaro of the National Security Archives. JAK 18.09.01.

¹⁶⁵ Critical analysis of declassified documents by the American Government, published by William Ferroggiaro of the National Security Archives. JAK 18.09.01. Document 6 (Secret – Declassified, 18 November 1998).

¹⁶⁶ French national, member of the *RPF*, he later became adviser to President Paul Kagame in Kigali. In 1995, he took a high-profile stance in *LE NOUVEL OBSERVATEUR*, calling for “confidence in the *RPF*”.

¹⁶⁷ Tony Waters 9th December 1997 – Conventional Wisdom and Rwanda’s Genocide: an opinion – in *African Studies Quarterly*.

¹⁶⁸ See case nr *ICTR-98-41-T*: Théoneste Bagosora, Gratién Kabiligi, Aloys Ntabakuze, Anatole Nsengiyumva; the “Butare” trial, Report 1st June 2003 and transcripts 9 June 2004, pp 88 and following.

many Tutsis to join the RPF.”¹⁶⁹ A few sentences before, she admits that before the attack, there were no cases of ethnic unrest in Rwanda. But when the RPF presents itself under Tutsi feudal aspects, it is Habyarimana who is accused of having taken the racists spirits out of the bottle!... Yet, it is a known fact that the killings were under control as long as President Habyarimana was alive.

Elsewhere, Alison Des Forges mentions the “*Ibyitso myth, accomplices of the enemy.*”¹⁷⁰ But it is an established fact that the RPF had spies, members, collaborators and sympathizers within the capital and all over the country. But Des Forges presses on: “*the Habyarimana clique diverted a political conflict to an ethnic conflict, in other words, transforming a political conflict into an ethnic conflict.*” (...)

Conclusion

What is crystal-clear is that Des Forges looks at the immediate and remote history of Rwanda as a journalist by applying a method based on manuscripts, reports (*sit-reps* or *situation reports* in the jargon), newspaper and news feature excerpts, without rigorously applying the necessary historical critique to them.

The consequence is that the cultural, social and human context, as well as the sensibility in which the Rwandan tragedy was played out, are not well perceived. This gives rise to a series of interpretations, affirmations and convictions which not only deserve nuances, but are often downright erroneous. In reading her, one often gets the impression that one is dealing with a publicist rather than a historian.

The “Des Forges truth” presents events as if there were only one actor on the field. But in the meantime, many have been able to observe the RPF’s true face. This puts her under obligation to revise some of her lofty theses. Thus, at the beginning, she indefectibly adhered to the thesis that it was the “Hutu extremists” or “*Habyariman’s entourage, including his wife*” who had assassinated the President so as to exterminate the Tutsis. Today, with investigations increasingly pointing to the RPF and its strongman, she abstains from clearly addressing the subject and considers that it is an insignificant event, even though everyone agrees that it was this assassination that triggered the Rwandan tragedy. (...)

Alison Des Forges has a tendency of minimizing the importance of the attack against the presidential plane on 6 April 1993, which on the contrary, together with the immediate resumption of military hostilities by the RPF, is the principal factor at the origin of the Rwandan tragedy, all tribes put together. The combination of these factors exacerbated the population’s fear, mistrust and rancour and opened the way to the mass killings. (...) “*A. Des Forges et al therefore systematically interpret measures evidently taken in reaction to a military situation as genocidal proofs or intentions, which naturally constitutes misinterpretation*” (LUGAN 2004: 163)

¹⁶⁹ ICTR – Chambers I Akayezu. 48/7-13 ; also see Alison Des Forges’ report in Butare, p.6

¹⁷⁰ ICTR – Chambers I Akayezu. 51/14-18; transcripts of the “Butare” trial, 8 June 2004, p.11.

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Annex 3 Open letter from Helmut Strizek to Kenneth Roth, Director of Human Rights Watch (HRW)

Berlin, May 16, 2006

Mr. Kenneth Roth
Executive Director of
Human Rights Watch
350 Fifth Avenue, 34th floor
New York, NY 10118-3299
USA

Subj.: Open letter concerning the briefing paper on Rwanda presented by Alison Des Forges on April 7, 2006

Dear Mr. Roth,

The briefing paper **The Rwandan Genocide: How It Was Prepared** presented by Alison Des Forges on behalf of Human Rights Watch (HRW) on the occasion of the twelfth commemoration of the beginning of the Rwandan genocide against the Tutsi population is discrediting the organization you preside since 1993 with great success.

The main message of "Leave None to tell the Story" published in 1999 by HRW was the affirmation that the extermination of the Tutsi population was planned and executed by two Rwandan governments. This message is maintained in the briefing paper even though HRW must be aware that the prosecutor of the Arusha tribunal could not prove this hypothesis. Alison Des Forges had to recognize publicly on March 5, 2004 in Germany that the main evidence put forward in favor of the planning theory was based on anonymous documents. At that time she may still have been convinced that Jean-Pierre Turatsinze was a valuable witness for the planning of genocide. But this cannot be maintained anymore since the prosecutor could not withhold any longer the identity of Jean-Pierre Turatsinze. His widow had informed already on April 3, 2003 the prosecutor's investigators (1) that her husband after his famous appearances at the UNAMIR on January 10, 1994 had joined the RPF headquarters in Mulindi. She said that Minister Abdoul Karim, member of the Twagiramungu government, had told her mother in late 1994 that her husband had been "killed in battle". The widow was denied further details. Together with the strange information that the original of the Dallaire fax of January 11, 1994 reporting Jean-Pierre's "revelations" was "lost" in the UN administration and that a copy containing added passages was produced later (2), the widow's testimony proves irrefutably that "Jean-Pierre" was an agent of the Rwandan rebels. All other documents presented by the prosecutor do not prove what they are supposed to prove. The time has come for Alison Des Forges to acknowledge these facts.

An other point: Unfortunately HRW still presents the anonymous declaration of a person calling himself "Tango Mike" as valuable evidence. However, nobody could ever find out the author of that anonymous letter dated January 20, 1993. It should not be forgotten that this document was produced to justify the most disastrous aggression of the RPF of February 8, 1993. Furthermore, it should be kept in mind that "Tango Mike" appeared only some days after the departure from Kigali of the Africa Watch (3) sponsored "International Commission of Inquiry on Human Rights Abuse in Rwanda" whose member Jean Carbonare was the first to publicly accuse the coalition government under Dismas Nsengiyaremye of preparing genocide. And Jean Carbonare can rightly be considered as part of the RPF international network. Only during the cross-examination on June 9, 2005 at the Arusha tribunal Alison Des Forges was forced to recognize after some hesitation that, in 1993, she took over the post held before by Rakiya Omaar, who was in fact already at that moment part of the RPF international network (4), within Africa Watch. Since Alison Des Forges never denied having participated in organizing in late 1992 that fateful "International Commission" it can be taken for sure that she collaborated with Rakiya Omaar in doing so. Having sponsored the "International Commission" Africa Watch was to some extent implicated in the RPF network. This fact has always been denied by Alison Des Forges.

It is not understandable that HRW still suggests (5) not knowing who is responsible for the killing of the Presidents of Rwanda and Burundi and the most important part of the leadership of the Rwandan army on April 6, 1994. However, Alison Des Forges has a clear idea who killed them. She took seriously the Bruguière-Report

accusing the RPF of the downing of the presidential airplane even before (6) some information of this document was leaked to the press in March 2004 (7).

But what is more important: The name of Abdul Joshua Ruzibiza doesn't appear at all in the briefing paper. However this former RPF-officer told the Arusha tribunal under oath on March 9, 2006 to have been an eyewitness of the preparation of that attack by an RPF commando. The proceedings are formulated as follows:

Erlinder [lead council]: Mr. Witness, were you in a position to observe the shooting down of President Habyarimana's plane at sometime while you were at Masaka?

Ruzibiza: Yes, sir.

Erlinder: Could you just describe to the Court what you observed, as an eyewitness?

Ruzibiza: As I have said, my assignment was to go to Masaka, and I had to report on a daily basis about enemy activities. So, I saw a pickup truck with RPF soldiers who had SAM-16 missiles. So they arrived at the place where I was. They found me there. It was at about six -- no, correction -- 8:30 p.m. The plane was about to land. And they fired two missiles. The first missile hit the wing of the plane, and the second missile downed the plane. That is how the plane was brought down. Between the two shots was a time lapse of three to four seconds.

Erlinder: And do we both agree that these events occurred on the 6th of April, in the evening?

Ruzibiza: Yes, it was on the 6th.

Is it honest not to mention that major event in the briefing paper? (8)

But the most important objection to this paper is the presented equation self-defense = genocide planning. This contradicts all common sense.

The concept of self-defense is the logic consequence of the guérilla warfare applied by the RPF rebels against the Rwandan population after restarting the invasion into Rwanda in January 1991.

In his book "Rwanda, le génocide, l'Eglise et la démocratie" (unfortunately not translated in English) Bernard Lugan who can really not be suspected to be anti-tutsi points out that the concept of Self-defence is akin to the classical approach used by French military academies. The objective "was according to us [Lugan], not the genocide of the Tutsis, but rather the Operational Defense of the Territory (DOT) as taught by the French to the Rwandan General Staff, not to mention the officers like Colonel Bagosora, who learned about that doctrine during their stay at the Paris War College. That 'popular self-defence' intended to organize a resistance in case RPF crossed RAF lines" (p.183). Lugan may also be right concerning the militias. "Because militias were created in 1992, can we say, as Prunier writes, that the genocide was being planned since that date? We cannot, because all of the parties had these types of back-up forces whose original purpose was to maintain order during public rallies (...) and even parties totally foreign to the genocidal ideology and 'ethno-Hutu nationalism', such as PSD, had their own militia." (p. 182) (9)

In the briefing paper Alison Des Forges refers again – as she did in her expert report to the Arusha tribunal in the frame of the Government II case – to the Nsengiyumva note of 27 July 1992. The briefing paper says: "Although a ceasefire was then in effect, he [Anatole Nsengiyumva] wrote of the consequences of possible future RPF advances. In a chillingly precise foreshadowing of the events to come twenty months later, the intelligence officer said that in the event of RPF advances, the military would kill the political leaders responsible for concessions to the RPF, and the population would massacre the Tutsi before fleeing the country." The phrase suggests that "extremist" militaries killed Habyarimana and the chief of staff Nsabimana. That can definitely be excluded after the testimony of Abdul Ruzibiza and others. But what is more important: Alison Des Forges interprets the content of that note in an unacceptable way intellectually. Nsengiyumva did not at all suggest planning such a situation. He urged to take appropriate measures to prevent it. As I had the obligation to analyze this document as an expert witness I confirm what I wrote in a report submitted to the Arusha tribunal and what I repeated under oath in May 2005: in all documents available and especially in that secret one of 27 July 1992 Nsengiyumva never suggested to kill the Tutsi population. To the contrary he warned that mass killings could happen if the RPF would resume war. He knew the danger inherent to the Rwandan situation – as Paul Kagame and every person acquainted with the prevailing political problems did. I wrote in my report of 2005: "To avoid such a situation Nsengiyumva recommended that 'to this end, the democratic process must be kept on course and, whenever necessary, shown to the world to prove that, in spite of our current difficulties, we are still committed to

democracy or, rather to the democratic process'. He proposes that the difficulties created by the Arusha negotiations should be discussed with Rwanda's allies: 'Diplomatic action, be it informal, is therefore a matter of absolute necessity' ". Is that the language to incite to genocide in a secret report? Alison Des Forges is confident that almost nobody can read integrally this document and therefore dares to interpret it in an erroneous way. This, indeed, discredits the reputation of HRW.

I want to mention one further important point: The briefing paper maintains that the definition of the enemy was an action to plan genocide. To forbid to an army implicated in a civil war to describe the enemy is just to negate that a war was going on. Consequently, it was no expression of ethnic hatred when a group of officers, whose duty was to do the job, declared in a document that the Tutsi collaborating with the main enemy, that is RPF, had become the secondary enemy by extrapolation. The document defining the enemy makes a distinction between the Hutu/Tutsi who want to change the government by democratic means and those who want to overthrow the government by force. Those people were objectively enemies of the Rwandan army. How to call them else? People defining the enemy did not plan genocide. They had to organize a legitimate military resistance. That they did. Only supporters of the RPF victory called them "liberators". They can do that but they should assume the responsibility for the consequences Nsengiyumva has foreseen.

Last point: To present on April 7, 2006 a paper repeating a lot of clearly refuted arguments without mentioning what Pierre Péan and others have found out is an example of what in French is called "mauvaise foi".

Let me sum up: the mastermind of the assassination of President Habyarimana provoked genocide against the Tutsi population. He knew that the masses driven to the south by the RPF –described in a clear cut way by Abdul Ruzibiza in his book "Rwanda: l'histoire secrète" – could be incited to do what this mastermind suspected them to do when attacking their miserable camps on April 7, 1994. To avoid all misinterpretation: these provoked killings were crimes against humanity and must strongly be condemned. But those supporting the aggression causing these killings and doing nothing to protect the threatened population by inciting the Security Council to withdraw the UNAMIR troops should not hide themselves any longer behind the "planning theory".

Mr. Roth, please take into consideration what a lot of RPF dissidents – I would like to remind especially of Seth Sendashonga whose assassination on May 16, 1998 in Nairobi is commemorated these days – and others have found out since 1994.

I think that all interpretations based mainly on the Hutu planning and justifying the RPF aggression prevents us from establishing the truth.

Without an honest and impartial search for the truth Rwandans cannot find a ground for a common future. To help finding this basis should be the peace mission of HRW and not to insist forever that the interpretations laid down in *Leave none to tell the story* are sacrosanct.

Respectfully
(Helmut Strizek)

(1) The document is mentioned in: Pierre Péan: Noires fureurs, blancs menteurs, Paris 2005, p. 220. A partly blackened version is presented as annex 1 in: EXPERT REPORT PRESENTED BY Serge A. DESOUTER BEFORE ICTR IN THE CASE OF THE PROSECUTOR VERSUS ALOYS NTABAKUZE, No. ICTR-98-41-T, March 2006. Desouter writes: „It is a "redacted" document; before serving it to the Defence, the Prosecutor removed any data that could reveal her identity. The document is so messed up that it has virtually no "evidentiary" value. At all events, I have attached it herewith as proof of some of the amazing aspects of ICTR.“ Nevertheless, all information available confirms the identity of the widow of Jean-Pierre Turatsinze.

(2) The Canadian lawyer Christopher Black revealed this information on December 1, 2005 (www.sandersresearch.com).

(3) Africa Watch became in the same year part of Human Rights Watch.

(4) This became obvious when she transferred "African Rights", the organization she had created after leaving African Watch, to Kigali after the military victory of Paul Kagamé in July 1994. At the same time Jean Carbonare became adviser of the "new order" in Kigali.

(5) The assassination is only mentioned in footnote 23 that reads as follows: „Although those responsible have not been definitively identified, the long-awaited results of a French judicial inquiry into the shooting down of the airplane are said to attribute the crime to the RPF, a position held also by several former RPF soldiers now in exile.“

(6) This can be proven. Nevertheless, on June 10, 2005 she denied before the Arusha tribunal to have had knowledge of this report before the press information.

(7) On March 6, 2004 the Swiss paper La LIBERTÉ was the first to publish some results of the Bruguière-Report, the French LE MONDE followed only on March 10, 2004.

(8) Not to mention Ruzibiza is even more astonishing considering that Alison Des Forges was forced to recognize indirectly (hiding behind others) the seriousness of Ruzibiza's book in Arusha on March 6, 2006 when cross-examined by the lawyer John Philpot in the Zigiranyirazo case. Des Forges: "I think they [André Guichaoua and Claudine Vidal] said it is an important document which needs to be taken seriously."

(9) Quotations translated by the Arusha tribunal.

Annex 4 Extract from STRIZEK 2004

In late 1993, the democratic train got derailed somewhere between Sudan, Somalia, Rwanda and Uganda. The Somalia disaster had transformed the U.S. commitment in Central and East Africa. As Sidney Blumenthal put it, Clinton "fled" Africa in October 1993: "On October 3, 1993 (...) gleeful crowds dragged the corpses of American soldiers through the streets and burned them before television cameras. Within days, Clinton announced a U.S. withdrawal." (BLUMENTHAL 2003:61) Secretary of Defense, Leslie Aspin, was held accountable for the disaster and was forced to resign shortly afterwards. Clinton promised the nation that he would only send American soldiers to Africa if national interests were affected. The decision to rule out any military intervention had serious consequences. For some the problem was how the fight could be waged against the fundamentalist regime led by General Omar al-Bashir and – initially - the philosopher Hassan al-Turabi, which had seized power in a military coup d'état in Khartoum in 1989, if there was to be no U.S. military involvement. From that point onwards, all the surrounding states were assessed in terms of their usefulness in the battle against the Khartoum government.

The Bush administration had also been interested in Sudan, where oil reserves had recently been discovered. However, George Bush Sr. had adopted a different approach, since the exploitation of these resources was conditional upon peace in the region and an end to the conflict between Northern and Southern Sudan. (...)

Most people expected that Clinton with his "leftist" leanings would pressurize the Bashir-Turabi regime into a process of democratization in line with the Bush-Mitterrand approach that had been adopted after the end of the Cold War. But things took a different course. Clinton and Madeleine Albright, the new American Ambassador to the U.N., considered Sudan to be a "rogue state" and the number one enemy in Central Africa¹⁷¹. They therefore opted for a proxy approach ("get others to fight your war")¹⁷², a well known strategy that had been applied during the Cold War.

Mitterrand was unlikely to comply with the intended "regime change" in Khartoum. He was apparently not informed about Washington's Sudan policy and could not understand the effects this new policy had on the Rwandan problem. After the Somalia disaster of 3 October 1993, Madeleine Albright used all the tricks in the book to minimize a U.S. contribution to the UNAMIR peace keeping force envisaged in the Arusha Accords. These activities were the first signs that the U.S. wished to reduce its commitment in favour of power sharing in Rwanda, help Museveni and his friend, Paul Kagame, to win the Rwandan war, and find other anti-Khartoum allies.

After the RPF victory in Rwanda in 1994, UN Secretary-General Boutros-Ghali was considered in Washington to be a "French and Sudanese sympathizer". He became a prominent victim of the approach to Sudan. Richard Clarke reveals a strange deal: "Albright and I and a handful of others (Michael Sheehan, Jamie Rubin) had entered into a pact together in 1996 to oust Boutros-Ghali as Secretary-General of the United Nations, a secret plan we had called Operation Orient Express (...). The entire operation had strengthened Albright's hand in the competition to be Secretary of State in the second Clinton administration." (CLARKE 2004:201/202). This pact was forged after an attempt – attributed to the Khartoum regime – to kill Egypt's President Mubarak during a conference of the Organization for African Unity in Addis Ababa in June 1995. "Following that event, Egypt and we (joined by other countries in the region) sought and obtained the United Nations Security Council's sanctions on Sudan (CLARKE 2004:140)". (...) As explained above, the wars that took place in Rwanda, Burundi and Zaire/Congo after October 1993 were largely the result of an attempt to oust the regime in Khartoum by force but without American soldiers.

The first allies to understand the significance of that strategy were Ugandan President Yoweri Museveni and RPF leader Paul Kagame.

Before autumn 1993, the U.S. government had favoured power sharing between the Rwandan government and the RPF exile groups that had tried to fight their way to power since the first invasion of 1 October 1990. The "tricky twins", Museveni and Kagame, were therefore obliged to accept the Arusha Accords in August 1993. But given the obvious weakness of the Rwandan Army after the RPF attack on 8 February 1993 and the clear indications made during the Arusha negotiations that France wished to extricate itself from the Rwandan *bourbier* (quagmire) as soon as possible, Museveni and Kagame contacted their Anglophone friends to convince them that a full RPF victory would be in their own best interests, too. A new Rwanda might also be useful in transporting supplies to the border between Zaire and Sudan in support of John Garang's SPLA. Museveni had offered to help fight Khartoum on condition that his military-controlled system of "democracy without parties" be protected from democratization. For Museveni, cooperation with the U.S. and U.K. against Khartoum had the additional advantage of presenting the rebellion of the "Lord's Resistance Army" in Northern Uganda as part of the activities pursued by Khartoum. Lynda Chalker, the long-standing conservative Head of the Overseas Development

¹⁷¹ In late 1997, for example, John Prendergast, then the National Security Council Director for Eastern Africa, stated that the government of Sudan was viewed as "the principle threat to U.S. security interests on the continent of Africa today". (Quotation in: (HOILE 2000):18)

¹⁷² *ibid.*:17.

Administration and Minister for Overseas Development (1986-1992), had introduced the former Marxist, Yoweri Museveni, to the "good society" after his military victory in 1986, which had been achieved with the help of Rwandan Tutsi exiles living in Uganda since the 1960s. Museveni suggested to his new allies in London and Washington that they should help him solve the "Tutsi problem". If they would support him in sending his Tutsi exiles back home to Rwanda, he said, his regime would be stabilized¹⁷³ and in return he could concentrate on the "Sudan problem".

In addition Museveni and Kagame managed to convince their partners of the crucial need to get rid of "Mitterrand's friend", Juvenal Habyarimana, who was the main obstacle to military victory. The stage was thus set in the autumn of 1993. Decisions were also taken on who should be held accountable for the inevitable "collateral damage" that this operation would incur. On 6 April 1994, the Rwandan presidential aircraft "fell" from the sky in what is still presented as a "mystery". As a result President Habyarimana, his Burundian colleague Ntaryamira and the most important Rwandan military leaders were killed. Within a period of just six months, therefore, a second President of Burundi had been killed following the murder of Melchior Ndadaye on 21 October 1993. The elimination of the Hutu presidents and the chaos it created were regarded as supplementary security measures for the resumption of the civil war in Rwanda. Nobody seemed concerned by these assassinations. They were a consequence of the long tradition of impunity that had prevailed in Burundi since the 1972 genocide against the Hutu elite¹⁷⁴.

¹⁷³ See especially (MAMDANI 2001): Chapter 6.

¹⁷⁴ For the genocide against the Hutu intelligentsia in 1972, which was never officially investigated, see especially (LEMARCHAND 1996), Daniel Kabuto ((KABUTO 2003)) recently published a short novel describing the fate of a victim of the 1972 events.

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Annex 5 Aloys Ruyenzi: PRESIDENT PAUL KAGAME IS INDEED A WAR CRIMINAL

He committed some of his crimes under the disguise of INTERAHAMWE. Recently, press reports, quoting prominent experts of the Great Lakes region, raised again the issue of impunity of president Kagame, with regard to the war crimes that he committed or ordered for. The main point of this paper is to expose one of the hitherto unveiled faces of his crimes. Indeed, some of the crimes which were indiscriminately attributed to Interahamwe were in actual facts carried out by none other than Kagame and his henchmen. In their sinister plans, they would disguise as the notorious militia Interahamwe. This should however *not be misconstrued to mean that the latter did not kill*. This is not a hearsays, I am ready to produce evidence and call other people who witnessed the crimes that occurred in the following places:

1. When 7th BN was deployed in areas of Rushashi, Tare, Mbogo, and Rurindo in 1998 the director of schools at Rwankuba, the Bourgmestre of commune Rushashi as well as the agriculture officer of that commune were murdered over the same night. RPF hurriedly blamed their death on Interahamwe insurgents, yet they had been killed by its own elements.

2. The same year of 1998 Kagame planned to kill all civilians who were watching the world cup tournament in the Hotel called "Pensez-Y" and again blame their death on insurgents. Fortunately the operations officer of 7thBN, Capt. Kwizera who had been assigned the task, got drunk and failed to properly coordinate the operation. Indeed, when the soldiers who were to disguise as Interahamwe insurgents reached the Hotel, they found many RPF soldiers mixed with the civilian crowd which was watching the world cup tournament. They contacted the commanding officer, Major Eugène Nkubito, who angrily told them to tell all the soldiers present to report to their respective positions. When some civilians saw that, they suspected a foul play and also left the Hotel. A few moments later, the Hotel was burnt to ashes and so many civilians who remained watching the TV died. After the operation, Radio Rwanda announced that the Interahamwe had burned that hotel and killed many people. Despite the number of casualties, Kagame was not happy because the plan did not go the way it had been hatched. He summoned himself Capt. Kwizera in the officers' mess, sent his own presidential jeep to collect sticks and beat captain Kwizera. The captain was given 100 strokes, demoted to the rank of private and put behind bars till he was dismissed from the army. This was done in public and many people watched the scene. After that action of burning the Hotel "Pensez-y" and killing the civilians watching the world cup tournament they announced as anticipated that, the Interahamwe burnt the Hotel and killed so many people.

3. Another glaring example is the killing of western tourists in the Bwindi National Park, which prominently featured in western media. RPF immediately blamed it on the Interahamwe and so did the western media. Yet, they had been killed by RPF soldiers *disguised as Interahamwe*. The decision to kill western tourists venturing in that area had been taken mainly for two reasons: The issue of Interahamwe would be more internationalised if they were accused of killing innocent western tourists. As a result, RPF would be given a free hand in fighting them the way it wants and wherever they are suspected to be;

1 RPF suspected some Europeans of sympathising with Interahamwe by disclosing to them the positions of RPF. Moreover, the presence of foreigners near an insurgent area was hindering RPF atrocities perpetrated under the disguise of counter insurgents operations. I got astonished when I heard the then attorney general, Gerald Gahima endeavouring to explain how the Interahamwe killed the tourists. I don't think that Gerald Gahima knew anything about the plan apart from being told what to say.

4. When the late Andre Kisasi Ngandu the vice-chairman of the late President Laurent Kabila was killed, the Government of Rwanda, which was fighting along side Kabila to overthrow the Government of Mobutu, announced that Kisasi Ngandu was killed in an ambush by the Interahamwe and the ex-FAZ (ex-Force Armées Zairoises). Yet, he was killed by the RPA officers and men who are up-to-date serving in the RPF army. His assassination was planned by James Kabalebe and Jack Nziza under the orders of Paul Kagame because Ngandu was opposed to the killing of refugees.

5. A group of Ugandans were detained in the former house of the director of special intelligence Senior Superintendent Gacinya and killed in November 2004. This house is one of the clandestine detention house, where they keep people incommunicado, until they decide their fate. The house is located at Muhima and is managed by Assistant Inspector of Police Munana and Nshuti.

The Ugandan victims were:

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1. Rwemihigo 2. Waswa 3. Richard 4. Katongole 5. Mutume 6. Swaibu and 7. Kato.

After their murder, the bodies were taken to the Akagera National Park, burnt and the ashes thrown in the Akagera River. All these killings were ordered by General Kagame and his collaborators. Regarding other human rights abuses, nearly 11 years after RPF takeover, people are still being killed and tortured in prisons by the security organs especially DMI and Special Intelligence using electric wires. I once again appeal to human rights organisations and the international community to make their own counter investigations and insure that Kagame is held accountable for those crimes. It is the only way to put an end to impunity in the Great Lakes region. Similarly, I call upon Rwandans to come out boldly and say the truth because not doing so will boost the impunity of criminals.

Norway, 18/01/2005 signed Aloys RUYENZI

By Mail: aruyenzi2000@yahoo.com

Annex 6: Summary of atrocities caused during Inyenzi incursions from 1961- 1967

Extracted from Serge Desouter's Expert Report in the "Butare" case trial 2005 (Bibliogr. Ref. DESOUTER 2005)

1961

- 13 March about thirty invaders cross the Rwandan border at Bweya, descend towards Gatsibo (Byumba), burn down 60 houses, machine-gun and wound 2 people, and slaughter a large quantity of cattle. Weapons used: calibre 45 Thompson; 9mm 1g calibres; traditional cutting and thrusting weapons.
- 24 March (11 p.m.): an "Inyenzi" group attacks Karama (Byumba pref.) and burns down several houses. Weapons: FN, or weapons of English origin.
- 25 March (at night): terrorist attack against Tovu (Byumba pref.). Burning down of houses. Weapons: calibre 12.
- 26 March (at night): new attack of Tovu, by the same armed gang which attempts to kill the *Commune* Councillor Mr. Kato.
- 30 March (at about midnight): attack against Shanga (Byumba pref.). Assassination of Mr. Furisone. 5 houses burnt down; cattle slaughtered. Weapons used: calibre 45, calibre 9mm. 1g.
- 12 June (11 p.m.): attack of the house of Mr. Sebihire, Bourgmestre-Deputy, and that of *Commune* Councillor Biresinigabo at Muhura (Kigali *Préf.*). A watchman killed. Weapons used: 9 mm. Machine guns; calibre 12.
- 19 June (02 a.m.): Inyenzi attack against Rugerero (Gisenyi *Préf.*) from Congo and targeting the *Bourgmestre* Mr. Hakizumwami. A watchman wounded. Weapons: 1 or 2 guns and traditional weapons.
- 20 July (8 p.m.): attack against Nyagatare (Byumba Pref.). One policeman wounded.
- 12 Sept. (at night): attack against Murambi (Kibungo Pref.). *Bourgmestre* wounded. Weapons: calibre 12.
- 13 Oct. (1 a.m.): 200 Tutsi warriors attack Kiburara (Kibungo *Préf.*). Burn down 30 houses, kill 27 people (including 20 charred). Weapons: calibre 12; calibre 45; calibre 9mm.
- 17 Oct. (1 a.m.): attack of Kinjojo, Kigali. Burning of 15 houses. One person wounded.
- 18 Oct. raid on the P.N.K. workers' camp and looting of the Murambi dispensary (Kibungo *Préf.*)
- 1 Nov. (11 p.m.): attack of Rugarama (Kibungo *Préf.*) by an armed gang of 10 men. 3 Hutu peasants killed, 1 wounded, 3 houses burned. Weapons: calibre 9mm; calibre 45 Thompson; calibre 33 1G.
- 18 Nov. attack and looting of the shop of Mr. Kalisa, trader at Kinjojo, Byumba by 10 aggressors, 3 of whom are armed with revolvers (including 1 calibre 9mm) and the others with sticks.
- 21 Nov. (8 p.m.): at Kinigi (Ruhengeri *Préf.*) attack against the Belgian, Daublin, who is wounded and whose car is stolen. The "Inyenzi" drive down to Rutongo and there kill the school master, Mr. Gakwaya. They continue right up to Kabuye, stop an oncoming car and gun down, at close range, three people: the Francotte couple and their little child who later agonized on the road till morning. 36 km beyond Kigali towards Gitarama, they stop again to assassinate the Deputy, Mr. Chadrak Kamuzinzi and the Sira School Master, Mr. Bitungurama. The aggressors include: Jean Kayitare (son of Rukeba), André Numa and Alexis Mpambara. The last two were later found in Tanganyika (present-day Tanzania) and extradited (condemned to death). As for Kayitare, he managed to escape and was later to be

found among the terrorists in the major attack of 20 December 1963 where he was wounded in the stomach by an arrow, then treated in Burundi. Weapons used: 9 mm machine guns; revolver of the same calibre.

1962

- 10 Jan. (8 p.m.): terrorist attack against the Gabiro hotel at the Kagera National Park, whose occupants are surprised and machine-gunned. The Park Warden, Mr. Deleyn, is killed; 4 other expatriates are more or less seriously wounded. Weapons used: 9 mm machine guns.
- 16 Jan. (11 p.m.): armed aggression against an expatriate, Mr. Fontaine, resident at Mubuga. The assailants are put to flight. Weapons: calibre 22 1g automatic.
- 23 Feb. attack against Mugina, Byumba. Murder of two policemen, one of whose throat is slashed in his sleep; various thefts. Weapons: two 9mm machine guns; cal. 12.
- 25 Feb. (01:30 a.m.): 30 "Inyenzi" attack the Gatunda Commune (Byumba). Theft of a heavy sum of money, a type writer, etc. Weapons: 5 machine guns; 7 guns; several revolvers.
- 10 March (in the morning): a group of Hutu workers returning from Uganda is attacked by the "inyenzi" and beaten up. 3 of them are left for dead.
- 20 March (8:30 p.m.): attack at Byahi (Gisenyi), 500 m from the Congolese border, against trader Ruvugiro. His wife is seriously wounded by 3 revolver shots. The trader, his son and one neighbour are wounded from butt blows. Theft of a substantial sum of money. Weapons: 1 gun; 22 1g revolver; machetes.
- 25 March (8 p.m.): attack against Nkama (Byumba). The "Inyenzi" steal the Commune cash box and kill one policeman, one employee and the Commune accountant; they savagely kill the accountant's wife because, being a Tutsi, she had married a Hutu.
- 03 April (9 p.m.): attack against Mushari, Byumba by 10 "inyenzi" armed with guns. One Hutu killed and thrown into the river and one wounded. Theft of 25 cows.
- 03 April (10 p.m.): attempted attack (or error?) against the Karama commando camp. The aggressors succeed in fleeing.
- 04 April (2 p.m.): Murder of Mr. Bizimana, *Commune* Councilor of Murambi, Byumba. weapons: 2 9mm revolvers .
- 04 April (in the afternoon): a gang of armed Tutsis is surprised at Gakenke, but they kill however 4 people.
- 09 April attack against Rwempasha, Byumba. Mr. Kanyarwanda is killed with a spear. Theft of 17 cows.
- 14 April about twenty terrorists attack Runyinya, Kigali. Victims: a Belgian resident, Mr. Geens and his wife, a Rwandan, all shot down in their houses; the *Bourgmestre* Mr. Th. Bujanji is also killed, his wife wounded; Mr. A. Geens, brother of the former and ex-agent of SOMUKI, as well as a *Commune* Councilor. Weapons: 45 Thompson and 9 mm machine guns.
- 15 April attack against Ngarama, Byumba. The terrorists wound a woman (9 mm bullet through the neck) and steal 5 cows.
- 16 April (11 p.m.): attack of Nyagasigati, Byumba by a 15-man gang. The aggressors kill 3 persons and wound another. 3 houses burnt down. Traditional weapons: spears and pruning knives.
- 21 April (night): attack against Ndama, Byumba. Theft of 17 cows. Weapons: Thompson machine guns.
- 23 April (night): theft of cows at Rutaraka, Byumba. 2 women wounded. Weapons: 45 mm and 9 mm machine guns.

- 26 April (night) : the "inyenzi" attack Kizirakome, Byumba. One Hutu murdered. Various weapons, including a calibre 9 mm .
- 27 April new attack at the same place. Murder of Mr. Rwabukwande. Theft of 38 cows.
- 30 April (9 p.m.): attack against Tabagwe, Byumba. About 30 *inyenzi* armed with 45 and 9 mm calibres, shoot down an old man, kill two children and wound 3 other people. Theft of 30 cows. 2 huts burned down.
- 04 May (night): looting of the house of a Belgian resident, Mr. Petit, at Karama, Byumba. weapons: locally manufactured guns.
- 04 July about one hundred terrorists from Kivu settle in the Karisimba forest. They were to be surprised by the National Guard and a police platoon. Two thirds remained on the field, the others escaped or were made prisoner.
- 17 July about sixty terrorists from Uganda and Tanganyika (Tanzania) attempted to surprise two platoons of the National Guard camping at Nyagatare. No survival among the "*inyenzi*", except the chiefs who managed to escape.

1963

- 14 Nov. a powerful contingent of Tutsi refugees, enrolled by Rukeba, assembled in Burundi (Kayongozi, Kigamba and Muramba) and headed towards the northern border with Rwanda. Through pressure from the HCR in Bujumbura, the Burundian Government had to intercept the assailants and send them back to where they came from. A stock of weapons and thousands of cartridges were seized and 4 leaders, namely Rukeba, Jean Kayitare, Kabalisa and Sayinzoga were apprehended. Burundi refused to extradite them to Rwanda.
- 20 Dec. (night): a huge gang of *inyenzi* crossed the south border of Rwanda and entered Bugesera where they massacred, by surprise effect, the small garrison on the building site of the future Gako military camp. They then proceeded towards Yamata, but the National Guard was able to block the Kanzenze bridge on the Nyabarongo. Several hundreds of *inyenzi* and a handful of Congolese rebels were killed.

This terrorist incursion would have coincided with various lightning attacks from refugee camps in Congo and Uganda. Their commandos of the South and the North were to make connection at Kigali, following the Mutara-Buganza-Bugesera road, three regions with a heavy Tutsi population. But in the North, Ugandan troops intercepted a large group of terrorists. Another group of 600 succeeded in entering Rwanda in the Rubilizi-Rwempasha region. The National Guard succeeded in pushing them back, with half of them remaining on the field.

1964

- January
- 18 Jan. Once more, false rumour campaign as to the victory of the Inyenzi and the return of king Kigeli, propagated at Butare and Gikongoro by infiltrated elements from Burundi. Upon the instigation of the Inyenzi on the issue of the ongoing Tutsi massacres, the UN Secretary General sent an Observer Mission which, however, denied these allegations.
- 22 Jan. The Rwanda Security Services was aware of this attack and had warned the authorities of Burundi. Now, it turned out that the Burundi Gendarmerie was

stationed near the *inyenzi* on the Kisenyi and Mukatare hills where trucks stolen from Rwanda were found (Corem mines and another from the Nemba TPM whose Rwandan drivers had been killed by the terrorists). In spite of this warning to the Burundian Government, the attack was launched as planned.

03 Feb. at Bugarama, a Rwandan Customs officer and two guards are attacked by a gang of terrorists from Burundi. They are tortured and put to death, as well as about thirty other people (men, women and children) whose property was looted and carried off to Burundi.

In February 1964, President Grégoire Kayibanda sent a message to the refugees which was both firm and as clear as possible, reminding the great majority that the country was still open to them, and that they shall be welcomed there fraternally if they returned peacefully and simply accepted democracy. He then called on the few fanatics, lost over the years in an "*unprecedented blindness*", to "*finally take stock of the major strides made by the history of Rwanda and cease sulking the independence and development of the Republic*". He enjoined them to stop their terrorist action, which seriously imperilled all Tutsi living peacefully in the country, each time threatened by emotional popular reactions, both foreseeable and difficult to control.¹⁷⁵

1966
January

Attack at Nshili (Gikongoro) and at Bweyeye (Cyangugu) by assailants from Burundi;

September and November

Attack at Bugesera (Kigali) by the *Inyenzi* from Burundi. These attacks were to continue until 1967.

Re-enacted in 1990, the terrorists were resorting to psychological warfare and the disorganization of the country by causing panic within the population. Rumor was spreading that the *inyenzi* had taken Kigali and that the *mwami* had retaken power. By so doing, they were placing the Tutsi in the country in very grave danger. And the inevitable happened, a large number of Tutsi (officially 1,000, according to other sources "several thousands") were massacred by the Hutu populations.

Contrary to the claims of some¹⁷⁶, the Kigali authorities tried to restore calm through meetings of *Préfets*, *Bourgmestres* and *Commune* Councillors, all entrusted to one Minister. The National Guard and the Police were thrown into the countryside to quell the agitation. There were messages from the President. Parishes in which the threatened Tutsi had sought refuge were reassured. The population was encouraged to rebuild huts destroyed in some places. It was not the Rwandan Authorities who incited the population to vengeance. That is a reversal of issues: it was the attacks and the psychological irritation which led to the regrettable acts of vengeance. When the population riposted after the attacks of 20 December 1963, the "*inyenzi*" knew very well that this popular counter attack would be inevitable, just as the 1 October 1990 attack by the *INKOTANYI*.

¹⁷⁵ In Baudouin Paternostre de la Mairieu, 194-195

¹⁷⁶ notably Alison Des Forges before the International Court at Arusha. See also her expert report submitted in the so-called *Butare* trial on page 3.

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Quite often, under the threat of reprisals, some Tutsi were forced to lend a helping hand to the terrorists and had to incur popular vindictiveness.

Annex 7 Letter from Helmut Strizek to Mrs. DES FORGES dated 27 May 1999

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Dr. Helmut Strizek

Berlin, 27 May 1999

Mrs. Alison DES FORGES
c/o Human Rights Watch
350 5th Avenue
New York, NY 10011/USA

Madam,

I have had the opportunity to read a good part of your last study on the Rwandan events in 1994. Since 1995, I have followed your analyses and have learned a lot from them, notably as concerns American politics. I have devoted two books and a series of articles in German to the problems of the Great Lakes Region. On the occasion of the 5th "anniversary" of the attack against the two Presidents, I wrote in French the paper here attached.

Like you, I have come to the conclusion that the genocide against the Tutsi could have been prevented. Nobody understands why General Dallaire, who was rather pro-Tutsi, was swept aside to let the genocide take place. The difference between your analysis and mine lies notably at the level of the responsibility of Paul Kagame in the attack which triggered the genocide. He stood no chance of taking total power so long as Habyarimana was alive. But the American strategy, which consisted in encircling Sudan with military regimes dependent on Western military support, relied on power-taking in Rwanda by Museveni allies. The 6 April 1994 attack, being a "masterpiece" of its type, necessitated substantial external support. Killing two Heads of State and the leadership of an army in a single plane requires highly developed logistics. Who would have organized this? Two things seem clear to me: neither Hutu extremists nor the RPF alone could have organized such an attack.

I am afraid that you may not share my point of view but I am convinced that sooner or later historians shall be obliged to admit that Kagame had – by proposing/organizing the attack and by preventing external intervention after the attack – deliberately risked the death of many Tutsi in the country. (I am in contact with Mrs. Sendashonga who seems to be close to this horrible hypothesis.)

To clarify these divergent analyses, everything should be done to ensure that the Security Council Commission, led by the former Swedish Prime Minister, finds the truth as concerns the bottom line of the attack which you yourself qualify as "crime" in your report. I enjoin you to use all your acquired authority on the Great Lakes issues so that this Commission should make a real effort to succeed in that.

Should you wish to send me your reactions on my paper, you may naturally use the English language. (I read English fluently but I prefer to write in French ever since my stay, in the early 80s, in Rwanda, which was then still "francophone".)

Sincerely yours (signed Helmut Strizek)

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Annex 8 Extract from the Strizek Report submitted to the ICTR in 2005 concerning Jean-Pierre Turatsinze

Dallaire's coded telegram of 11 January 1994 has become the corner stone of the planning theory.

It is interesting to observe that this Dallaire's telegram had not been exploited when Filip Reyntjens published it integrally in his 1995 book entitled "*Rwanda: trois jours qui ont fait basculer l'histoire*" (REYNTJENS 1995). It was simply accepted as the most important proof of the genocide planning when it was handed, by some important personalities of the American administration, to Gourevitch (GOUREVITCH 1998) who, in turn, based the argument of his "bestseller" on it. The Carlsson Report (UNO: CARLSSON 1999) did likewise¹⁷⁷. Carlsson refers especially to this telegram when he accuses Kofi (sic) Annan for not having reacted to it appropriately. This led the latter to publicly express his regrets for this short coming of the DPKO for whom he was responsible at the time.

Does the content of this telegram really prove that there existed within the MRND people who were planning systematic massacre or is it a "trap", as Dallaire himself wondered? If – as the author is convinced – the informer Jean-Pierre Turatsinze was an RPF agent, - eventually a double agent – one of the proofs to the fact that groups of people within the MRND were busy planning the genocide, is inconclusive. Given that the other documents submitted as proof have remained anonymous, the theory of planning is highly questionable.

What are the elements which demonstrate that Jean-Pierre was sent to the MINUAR by the RPF? The description of his professional carrier is a disturbing fact. It has been learned that he claims to have undergone military training either in Egypt or in Israel. To our knowledge, the State of Israel has never had military cooperation with the MRND. On the contrary, it is known that the RPF has always had good relations with Israel. Similarly, while it is true that Egypt had provided some military equipment to the Rwandan army, there exists no proof of a single Interahamwe militiaman who had been trained by Egypt.

There is no doubt that Jean-Pierre Turatsinze worked for long as driver for the government and the MRND Party-State¹⁷⁸. He himself used to introduce himself as a member of the Presidential Guard (MELVERN 2000: 91). This had never been proved. He seems to have had occult tasks in the security system at the MRND party headquarters and, in that capacity, was allegedly involved in the organization of the Interahamwe. Nevertheless, to the best of our knowledge, the author thinks that Jean-Pierre Turatsinze has never occupied any specific post in the Interahamwe hierarchy. It is not improbable that Turatsinze had already been working in the shadows of the RPF. Information at our disposal shows that the new MRND Secretary General, in the person of Joseph Nzirorera, had expressed concerns vis-à-vis Jean-Pierre and wished that he be laid off¹⁷⁹.

¹⁷⁷For more information, see PHILIPOT 2003

¹⁷⁸Faustin Twagiramungu told the Belgian Senate Commission in May 1997: "Jean-Pierre was a driver. He has worked at the MRND in that capacity. He was laid off by the MRND but remained in the Interahamwe. Except there is another Jean-Pierre. This kind of people aim at obtaining advantages that are given to them either for the sale of information or to lie. They claim a certain bravery that, often, they do not have. He was Tutsi (...) These people worked with the Interahamwe, even if they did not take decisions". Quotation from the document : "Les détenus du TPIR", Arusha, January 2000.

¹⁷⁹In a document entitled "Les détenus du TPIR », Arusha, January 2000, a specific date has been given : « This informer (...) has worked at the national head office of the MRND party as a driver up to his laying off in the month of November 1993. » But it could be that the decision had not yet been implemented in January 1994.

The RPF then took advantage of the problems that Turatsinze had with his hierarchy to put in place a strategy for “igniting the powder” at the moment when the plan to assassinate President Habyarimana was taking shape and it could imagine the consequences. It was clear that the UN Headquarters would refuse to caution the search for weapons caches when the authorization to do so would be requested by General Dallaire. Then, it would be impossible to establish real proof of any information that Jean-Pierre were to give. The “trap” worked well. After 6 April 1994, the coded telegram was used, as planned, to claim that the Habyarimana regime had planned the genocide.

The fact that Jean-Pierre Turatsinze could enter the MRND palace after 13 January 1994 and show a certain quantity of weapons¹⁸⁰ to Senegalese Captain Amadou Deme¹⁸¹ ought not to be exaggerated. Indeed, the watchmen knew him. Furthermore, finding weapons there is not something surprising, given that the proprietor of this building was Augustin Ndindiliyimana, Head of the National Gendarmerie (DALLAIRE 2003: 150).

Indications exist which show that the informer had been used in the afore-mentioned RPF strategy which consisted in frightening the so-called “moderates”. By suggesting to these people that the threats hovering over them came from the Akazu, the objective of creating enemies against Habyarimana was thus attained. Seen from the RPF side, the “moderates” were very dangerous because of their reputation both within and outside the country. If these people succeeded in convincing the international community that they were in a position to contribute to smooth political change, the RPF would have no more excuse to take power alone. To reduce this danger, the RPF led a campaign aimed at telling these personalities that the Akazu wanted to liquidate them. By so doing, the RPF hoped that these people would flee the country. Those who would not want to leave would be killed, not by those whom the RPF claims to be the authors, but by the RPF itself.

This strategy of intimidation had been applied against James Gasana, Emmanuel Gapyisi, Félicien Gatabazi and others¹⁸². The three nominally mentioned persons were considered as being the voices of reason. Concerning James Gasana, the strategy worked well and he effectively left the country after having been intimidated through a “secret organization” known as AMASASU. It is improbable that this organization was an emanation of “Hutu extremists”. This strange document is, on the contrary, perfectly in keeping with RPF maneuvers consisting in manufacturing the “proof” to be used later after the death of President Habyarimana. As concerns Gapyisi and Gatabazi, these threats were put into execution. Recently, thanks to André Guichaoua’s research, the truth was established that it is the RPF which was to be held responsible for these assassinations, while the former tried to impute them on the Akazu.

It is not surprising that Jean-Pierre Turatsinze “disappeared from history” shortly after his visit to Luc Marchal on 10 January 1994. On this subject, the words of Roméo Dallaire are sufficiently disturbing: *“Jean-Pierre disappeared near the end of January. Whether he had engineered an escape on his own or was uncovered and executed, I have never been able to find out. The more troubling possibility is that he simply melted back into the Interahamwe, angry and disillusioned at our*

¹⁸⁰ Different figures of “dozens of Kalashnikov Rifles” (Reyntjens, 18.2.1998 in Voice of America), over “at least fifty assault rifles” (DALLAIRE 2003: 150) to “137 Kalashnikov assault rifles” (MELVERN 2000: 95).

¹⁸¹ Marchal 2001: 172/173: “...Captain Amadou Deme, of Senegalese origin and possessing the adequate skin colour, observes *de visu* the presence of an important stock of ammunitions and rifles of the Kalashnikov and G3 type. (...) What more do we need? Someone who enters most naturally in the MRND Head office and affords to make a round of ownership is certainly not the last underling”.

¹⁸² In another example, the author is practically sure that the same strategy had been used. Turatsinze transmitted a message to a high personality by saying that the Hutu extremists could kill him. But, for security reasons, the author does not wish to reveal his source.

vacillation and ineffectiveness, and became a génocidaire." (DALLAIRE 2003: 151). Rumor holds that he was allegedly assassinated by RPF agents in 2002. In any case, it seems strange that no credible information is available concerning the place where this important "witness" of the theory of genocide planning could be found. Conclusion: the circumstances under which Jean-Pierre had transmitted the information contained in Dallaire's telegram are so obscure that no body should, reasonably, accept it as means of proof of genocide planning by the Habyarimana regime. As already mentioned, former Prime Minister Twagiramungu himself, who introduced Jean Pierre to MINUAR, does not rule out the possibility of manipulation.