

Urban district of Brussels
Regional court
Office of the
Investigating Magistrate
Damien Vandersmeersch

PRO JUSTITIA
QUESTIONING OF THE ACCUSED(S)

The year nineteen ninety five, on 19 October at 11.25 hours, before Us, Damien Vandersmeersch, Investigating Magistrate at the Regional court of Brussels, Assisted by Françoise Moijens, our clerk of the court, Appears in our office at the Palais de Justice in Brussels, the person named hereinafter, who states that they have chosen French for all statements made during these proceedings. We formally note this and they reply as follows to the questions that we put to them in this language:

Investigating Magistrate. Give your name, Christian names, place and date of birth, domicile and / or place of residence?
Reply. HIGANIRO Alphonse, born in Gaseke, in 1949, Brussels, rue de Molenbeek 116.

Hereinafter we give the statements of the accused.

As regards my political activities during the period when I lived in Butare, I was an active member of the MRND but I did not participate in political discussions or in street demonstrations.

I did not participate in any of the party organisations but on the other hand, I twice participated at meetings of officials affiliated to the MRND, all origins combined. It was these people of goodwill who, on a personal initiative, had decided to reflect together on the political problems of the time. That was at the end of 93, start at 94.

The first meeting had the aim of organisation and then at the second meeting, we talked about the ARUSHA accords and their implementation.

At that time the accords were already signed. It was necessary to apply them. The aim of the meetings was their implementation. It was necessary to put in place the transitional institutions and there were problems in agreeing on the lists of deputies.

The accords stated that the parties themselves were going to appoint their representatives to Parliament. The heads of the parties substituted for the parties themselves, in drawing up the lists which had a double use with those drawn up by the party offices. Tensions resulted from the existence of these double lists.

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What the group wanted to propose was absolute respect for the procedure recommended by the ARUSHA accords.

On questioning, Martin DUSABE also formed part of this group. On questioning, I think he was the person who drew up the minutes of one of these meetings.

On questioning, it was the "Political Commission of the Directive Committee of the Officials at BUTARE and forming part of the MRND".

You have shown me a document entitled "suggestions issued by the Political Commission of the Directive Committee of the Officials at BUTARE and forming part of the MRND", a document which was found at my house in Butare.

I believe I recognise this document but I do not know if it is the report from the first or the second meeting.

On questioning, I believe I recognise the writing of Mr Martin DUSABE on this document.

You have read to me the first page of this document.

You are asking me what "civil coup d'etat propagated by the ARUSHA accords" means.

It is an expression that was used in the political language of the time, and especially used by the MRND and by the presidential circle of influence.

It means that the MRND which was the party in power was going to be the opposition under the ARUSHA accords. There were mechanisms set out in the ARUSHA accords which meant that the MRND could be ignored and that decisions could be taken without reference to the MRND while respecting the law which was the ARUSHA accords.

It was that that the MRND movement called a civil coup d'etat under the ARUSHA accords.

This business of the civil coup d'etat of ARUSHA became more and more an ethnic affair since the parties who were against the MRND were divided into two blocks: the Hutu block and the Tutsi block. That is what is meant by the schism of the parties between the Hutu Power movement and the FPR movement. It was especially something that existed at the level of the MDR which was the most powerful opposition party.

As regards the phrase "faced with this state of affairs it is imperative that the union of the Hutus is done at all levels to bar the route to Tutsis thirsty for power", the expression Tutsis thirsty for power is a shortening of the expression "feudal-monarchist extremist Tutsis". That is what the FPR Tutsi leaders were called in 1990.

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They were regarded as being in the line of what the 1959 revolution had changed, that is power for the Tutsi dynasty.

There was therefore a difference between the Tutsi members of the MRND, those who remained in the country, and the Tutsis of the FPR. I think that apart from the Tutsis of Butare who were in the PL, the other Tutsis in the country were of the MRND. It was not all of them but it was a lot of them,

When there is talk of “union of the Hutus at base”, it is talking about the point of view of the population where union was achieved between the Hutus of the different parties.

You continue reading page two.

In fact it is a question of putting to one side the ideological differences between Hutus of different parties to combat the consequences of the civil coup d’etat propagated by ARUSHA.

In 1990, the FPR attacked Rwanda to take over power. Faced with that, to be Hutu was not a party political programme, it was sufficient, each time that the Hutus’ interest were threatened and that the vote should take place democratically, that the Hutus who represented 90% of the population should be aware of it and vote as a consequence. There was no need to be a member of the CDR for that.

The “extermination plans” were attributed to the FPR.

I shall explain myself. In the prefecture of Ruhengari, a buffer zone had been created, where there should not be either Rwandan soldiers (FAR) or FPR soldiers. The FPR however massacred 40 people there. The inquiry was entrusted to MINUAR which never issued its report. That made the population afraid. Then during the war there were a lot of rumours.

The “indemnity disputes”

In 1990 when the FPR attacked, “civil self-defence” was put in place in the population. It consisted of organising to fight against the infiltrations of the FPR and the massive displacements of populations.

The cell is the smallest administrative division. It brings together an area, that is some 30 or so families. A cell committee directed it. It existed from well before the war. This communal division, sector, cell existed for a long time.

It had been created when the MRND was the only party. The other parties wanted to combat this division to influence the MRND to the local point of view. When we talked of cell it sounded like it was the MRND. It was for that reason that in 1992, the cell leaders who were paid, were no longer paid. Thereafter it was difficult to ask them to provide their services.

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What was meant by the fact that “all the resources are good, since the survival of the ethnic group follows from that”. By resources is meant the meetings. These were resources to unite the Hutus, that was their objective. There were explanations through the meetings, the meetings that the parties organised.

That also should contribute to reinforcing the collective self-defence of the population. You mentioned to me that in the document, it is only a question of the collective self-defence of the Hutus. I think that that is a misuse in the formulation of the language.

On questioning, I participated at the meeting. That is the minutes of the meetings, we arrived together at these conclusions at the meeting.

You ask me if there are points in these minutes with which I did not agree. Overall, I agreed with them but for everything that aimed to set up the Hutu group as a political party, I did not agree because I did not see a political programme in the simple fact of being a Hutu.

You are telling me that on reading this document, it seems that the commission was not very much in favour of the ARUSHA accords since they were propagating a civilian coup d’etat. I do not believe that.

We are not reporting this as a coup d’etat. That was the situation: the MRND which was governing the country no longer had power. That was a fact. Therefore it was necessary to put in place the transitional institutions where, if the interests of the Hutus were threatened, it had a vote to express itself. It is a search for implementation of the decisions contained in ARUSHA.

In fact, what it was wished to counter was certain effects of the coup d’etat but not the ARUSHA accords themselves. Was the desire to exclude the MRND from decisions really there? ARUSHA could be applied while maintaining the MRND within the collection of the political parties as regards the preparation of decisions.

You are telling me that the terms used in the report of the commission seem on each occasion to radically set in opposition Hutus and Tutsis.

My reply is that when it speaks of” Tutsis thirsty for power”, that means those who attacked in 1990. We are following the logic of the war which broke out in 1990.

You asking me what was the position of President HABYARIMANA compared to the CDR and vice versa.

The CDR was different from the MRND essentially on the question

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of ethnic development. The motto of the MRND is “peace, unity and development”. The MRND was a party which preached that all the ethnic groups and all the regions could live in peace and together in the country.

Faced with the FPR which was seeking power, I had the impression that the CDR was a replica of the FPR. In the light of this, the MRND could not march with it. The MRND believed in democracy which gave power to the majority but for the MRND the majority should be ideological and not ethnic. What democracy is based on is ideas and not ethnic grouping.

The CDR promoted democracy as having to give power to the majority. I had the impression that this majority was ethnic.

Personally I think the President had rather the opinion of his party but he saw in the CDR a party of his movement.

The two parties created an association which lasted two or three months and it failed. This alliance must have been created at the end of 1993 and separated later, and the date I no longer can tell you. That is official. You can find it.

On questioning, the CDR was opposed to the President. It considered him as someone soft. It was for that reason that the alliance did not last.

On questioning, the CDR was opposed to the ARUSHA accords. These accords were signed in August 1993 and the CDR rejoined the other parties in January – February 1994 to also sign these accords.

You ask me whether the fact that my wife was a member of the CDR upset me. My wife is an adult. She burned her MRND card in front of me, without asking from my view. I do not approve of her position in a political party different from mine.

Hearing finished at 12.45 hours

Read and signed

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