

District of Brussels
The Court of First Instance
The Offices of Investigating Judge Damien Vandermeersch

PRO JUSTITIA
SUBMISSION BY WITNESS

On the twenty-sixth day of December nineteen hundred and ninety-five, at 1359 hours,

We, Damien Vandermeersch, Investigating Judge with the Court of First Instance of Brussels, assisted by our Clerk, Françoise Moijens.

In our offices at the Palais de Justice in Brussels,

Heard the witness named below, without the accused present.

The witness asked us to use the French language.

We questioned him in this language and asked him his first and last name, age, civil status, profession and place of residence, and whether he was in the service of, or related or allied to, the parties, and to what extent.

The witness replied: **REYNTJENS**, Filip, already described in this case.

After declaring that he was not in the service of or related or allied to the parties, he took the oath in French to tell the whole truth and nothing but the truth, and answered our questions as follows in the French language.

SUBMISSION

I met General Dallaire on 4 October 1995 in a location near Montreal. I saw him only once. The conversation lasted for three-and-a-half hours. He subsequently agreed to answer all my questions.

I think that he agreed to answer me without reserves, except on one point. The conversation in fact became difficult when we touched on the moment at which he saw the blue berets dead in the Kigali Camp. Initially he stated that he did not see them. Then he stated that he saw one. Finally, when I showed him my written document, we agreed to the formula "some of his men".

In accordance with your request, I compiled a hand-written report on this interview. I hand it to you and you advise me that you are attaching it to this hearing document.

(Signatures – illegible)

Hearing of witness (continued)

With regard to the search and disarming process that I mentioned in page 3 of my handwritten notes, General Dallaire confirmed to me that this operation had been planned for 7 April and had been announced by General Ndindiliyimana.

I met with General Ndindiliyimana on several occasions. The behaviour of this party during the events is not free from ambiguity.

I was surprised that he appeared not to be telling me the truth for the search and disarming operation that he had decided on and announced for 7 April, which he however denies, while four eyewitnesses confirm it.

I would like to highlight another element on which Ndindiliyimana seems to be lying, and that is the fact that around 2115 hours on 6 April, Commandant Ghysbrechts called the direct line of Army Chief of Staff General Déo Nsabimana and that General Ndindiliyimana answered. Once more Commandant Ghysbrechts would have no reason to lie, but Ndindiliyimana denies having taken that call.

I must point out that during the night of 6-7th, the Gendarmerie did not collaborate with Minuar, while it had the task of maintaining order, and the gendarmes in the field affirm that they did not receive any instructions from their higher ranks.

The ambiguous behaviour of General Ndindiliyimana is particularly evident in the fact that he did not give any order of a nature that took things in hand. Also, he acknowledges that himself.

In Kigali only, the gendarmerie had four companies that were operational, that is, able to engage in military combat. The Presidential Guard formed a battalion of 600-800 men and the gendarmerie therefore had approximately 600 men.

Hearing ended at 1455 hours

After reading, witness persisted and signed

(Signatures – illegible)

5/207

Narrative of conversation with General Roméo Dallaire
Base de St Hubert, Montreal, Quebec
4 October 1995

Translator's note: the sequence of tenses in the French, which is unusual, has been reproduced faithfully in the English.

General Dallaire initially gave me a chronological narrative starting from the moment of the assassination. This narrative was given partly spontaneously and partly on questioning from me.

± 2045: Dallaire learns via a phone call from his HQ that an explosion has been reported in Kanombe. Several people call him. Offers of help, Lt-Col. Rwabalinda advises him that it is an attack on the Presidential aircraft.

± 2130: Rwabalinda asks Dallaire to go to the MA (military academy).

± 2200: Dallaire arrives at the MA, where he finds Bagosora (who is undeniably leading the meeting), Ndindiliyimana and a number of other senior officers. Bagosora says in essence:

- The plane has crashed.
- The head of the MA is among the victims.
- He is drawing attention to the security situation.
- Things need to be taken in hand in order to put a political solution in place.

Greatly surprised because the name of Agathe Uwilingiyimana is not mentioned once, Dallaire mentions the need to contract the Prime Minister. Bagosora's reaction is immediate and clear: he refuses, arguing that she cannot be believed and that even in normal times she does not do her job. None of the officers present disputes this argument. Dallaire will return to this point on several occasions, but the refusal will be maintained.

± 2400 hours: Dallaire, Bagosora and Rwabalinda visit Mr Booh-Booh. Bagosora does the talking: he repeats his exclusion against Agathe and it is agreed to organise a meeting at the home of (US) Ambassador Rawson. The meeting with Mr Booh-Booh lasts approximately 45 minutes.

± 0115: Return to the MA. Dallaire does not follow Bagosora, who rejoins the other officers. Dallaire, in contrast, sets up in a separate office with French officers from the DAMI who have come to enquire about the possibility of an investigation into the crash (in a subsequent telephone call, Dallaire specifies that the French were already at the MA before his departure to visit Mr Booh-Booh).

When Dallaire leaves the MA, he does not see Bagosora. Dallaire thought that the crisis committee was trying to manage the situation and did not realise that they were "up to something".

Incident involving Prime Minister and Blue Berets.

Dallaire learns that there is an incident, most notably through the PNUD radio network, which reports that a "very important person" has taken refuge in the UN compound. This, however, is reported together with a number of other incidents. Dallaire does not receive any report on the specific problems concerning the Prime Minister. Dallaire, however, already knows that she is being prevented from getting to the radio.

Dallaire wants to visit the city to re-establish contact with the RWA officers who are in command. From that moment (around 0900 on 7 April) he begins to have doubts about the real intentions of certain people. There arises the question of whether or not there is a coup. He starts to realise that invisible forces are at work, doing something other than was planned and agreed.

Dallaire confirms the Maggen narrative: having left for the city, stop at the “Hotel of 1000 Hills”, on foot to the Minadef, gendarmerie vehicle takes them (Dallaire, Maggen, Maj. Gd. Ntereraho).

As he has learned that there was a problem with the blue berets in the Kigali Camp, Dallaire claims that he must go to a meeting to be held at the MA, while he knows that the meeting is being held at the MSA (this part of our conversation was difficult and I did not wish to push Dallaire too far). On passing in front of the Kigali Camp, Dallaire tells me initially that he did not see any blue berets; then he mentions having seen “at least” one Belgian (in a subsequent telephone conversation, he settles for the following formula: “he sees that some of his men are on the ground”). The Maj. Gd. with him prevents entry to the camp.

Dallaire then goes to the MSA. He does not involve himself in the discussions, except at the end to say that the situation must be controlled. Not until the end of this meeting does he mention the problem with his soldiers in the Kigali Camp.

Dallaire then goes to the Minadef, where he waits for Bagosora and Ndindiliyimana, who have left for lunch. These two officers prevent him from going to the Kigali Camp, which is controlled by a “riot unit”. He will insist on several occasions, but the refusal will be maintained. Finally, he is told that his men have been killed. Still at the Minadef, Dallaire makes telephone contact with the FPR at the CND. Tito Rutaremara states that the FPR will leave if the massacres are not stopped. Bagosora and Ndindiliyimana state that they cannot control some of their units, “terrified at the death of the President”. In reality, however, they are doing nothing and Dallaire is struck by the “strange calm” at the Minadef.

When, during the evening, Dallaire sees the men at the Kigali Central Hospital morgue, he counts 11 bodies (they were however “piled up” and had not been “untangled”).

When, on the next day 8 April, Dallaire returns to the Minadef at 0900-0930, he sees Bagosora there leading a meeting of politicians from the presidential movement. Bagosora is annoyed by the presence of Dallaire and tries to convince him not to stay there.