

Attachment no: One
To minutes no. 771 / 94
of the Brussels Legal Detachment.

HEARING REPORT

On 31/05/94 at 09.00 hrs, was heard

NAME:	VERMEULEN	
CHRISTIAN NAMES	Jean	- Marc
PLACE AND DATE OF BIRTH:	DUFFEL on 04/11/64	
DOMICILE:	5100 NAMUR Rue de Brimez no, 42	

SERVICEMAN:	Grade and Reg. No.:	1 Lt 34132
	Unit	2 nd Commando 12 th Company

who states to us :

I wish to speak in French and demand the legal procedure in that language

BACKGROUND

I was attached to the 2nd Commando of FLAWINNES in February 1993 and I have had the role of Second in Command for the 12th Company.

I carried out the mission in SOMALIA with my unit.

I was sent to RWANDA on 26 March 1994

ORGANISATION OF THE COMPANY

At KIGALI I was normally 2nd in Command of 12th Company under Captain VANDRIESSCHE.

The company had the function of ALPHA group responsible for the airfield sector.

Overall the task of our company can be summarised as follows:

- surveillance of the airfield
- patrol in the surrounding sectors

It was decentralised. The 1st Platoon had its billets in the former control tower located approximately halfway down and to the south of the runway. The billet at the airfield was known under the name of TOP GUN.

The 2nd platoon was billeted at the technical school DON BOSCO, code word "FRANCISCUS".

The joint staff of the company was divided between these two billets.

The organisation of the company was the following:

Platoon A: Lt CARLENS

2nd in command Sergeant LAMOTTE

1st Section – Sergeant LEIDING

2nd Section – Sergeant THEYSSIER

3rd Section – Sergeant BOUCHOT

PC Section – commanded by the second in command

1st continuation to attachment no. 01 of Minutes no. 771/94 dated from the LEGAL DETACHMENT OF BRUSSELS

Platoon B: Sub Lt RODRIGUE

2^{ndi} in command Sergeant FAUVART

1st Section – Sergeant BULINCKX

2nd Section – Sergeant LIEGEOIS

3rd Section – Sergeant MAUFROID

PC Section – commanded by the second in command

SITUATION ON THE NIGHT OF THE 06 APRIL

On the night on 06 April around 20.30 hours, the exact situation of the company was the following: Captain VANDRIESSCHE was at his PC, he remained there all night, except for a reconnaissance carried out to the east side of the runway a little after the loss of the aircraft.

Section 1.1 was on guard at TOP GUN

Section 2.1 was on guard at RUTONGO. It would only come back on 08 April in the evening to the hotel MERIDIEN with a lot of difficulty. I think it left RUTONGO on 07 April 1994.

Section 1.3 was on an observation mission opposite CND. I was with this section.

Section 1.4 was stood down. A party of its personnel had gone to KIGALI, as well as Lt CARLENS.

Section 2.1 was at FRANCISCUS. I think it was on guard

Section 2.2. returned from RUTONGO. I think it was relieved by 1.2. It only reached FRANCISCUS around 02.00 / 03.00 in the morning.

Section 2.3 was on SAFETY patrol. Its mission was to check the various authorised exit places and to ensure respect for the curfew hour by the people of KIBAT. During the evening, it was the section which was handed the task of rounding up those on leave from the company.

Section 2.4 with Lt RODRIGUE had the task of resupplying 1.3 with cryogenic cylinders. These cylinders were found at TOP GUN.

ATTACK:

At the time of the attack, I was with section 1.3 in front of the CND on observation, as specified above. At the time of the attack, around 20.30 hours, one of my men posted as a sentry, corporal HENDRICKX, saw lights coming from aerial explosions over at the airport. At the start we did not think of an aircraft accident. As for me, I heard two explosions close together, then a third some seconds later. We were only really aware of the attack over the company network. I received information and asked if our mission should continue. A6 said that no and asked me to go back to TOP GUN using the vehicles that A2.6 were bringing to me. These vehicles arrived later at around 21.30 hours, we were blockaded with the vehicles (a unimog and a jeep) at the level of the East guardhouse of the CND by fire from automatic weapons. These shots were not directly directed at us. Finally we were able to get back to TOP GUN by the South entry one hour later approximately.

DEVELOPMENTS OVER NIGHT FROM 06 TO 07

On my arrival at TOP GUN, the situation was the following

There were there, 1.1 (LEIDING), 1.3 (BOUCHOT), a part of 1.4 without a rank and a part of 2.4.

The Captain was present, he had returned from an inspection at the end of the runway.

The Rwandans were very nervous. Shots were heard from Kanombe camp. I cannot say if at that time the fact that the aircraft hit was the presidential aircraft had been confirmed.

I learnt at that time that several persons, present at the airfield to meet the C130 (which furthermore would never arrive), were blockaded by the Rwandan soldiers in the parking lot in front of the airfield. The list on page 12 of the campaign log includes the following names:

Leading Corporal DINJART, Corporals SPASGNOLI, GILSOUL Pascal and Eric of the 12th;

- 1st Sergeant LECOMTE and Corporal POCHET of the Mortar Platoon.
- Major Dr THIRY
- Captain MADALIJNS and Sergeant NELIS of the Log
- Lt DEMEYERE and Lead Corporal JANSSENS from engineering
- 1st Sergeant VERMEIREN and Lead-Corporal VAN DAMME of long-distance transmissions in the sector
- The adjutant CANTINAUX
- Chief adjutant LECHAT of the CTM
- Father GREINDL, Mrs ANDRE and DOUESNOY

Some of these persons were disarmed. Others not. The adjutant CANTINAUX had taken over command of the group. As far as I can recall they still had two FNC and four or five GP. Knowing Lieutenant NSABIMANA, commanding the detachment of the presidential guard in position at the airport, I asked the company command for authorisation to go there in the hope of unblocking the situation. I was able to make contact with this Rwandan officer, but he replied that he had received orders from his chief telling him to prevent any movement. Also there was there Y6 and another jeep of the mortar platoon (Y5). Our concern was to constantly keep a presence close to our blockaded elements on the parking lot. This presence was taken care of successively by myself and Lt LOTIN, then I went to TOP GUN around 02.00 hours, and I returned to the airfield when Lt LOTIN received the mission to return to AGATHE. I arrived there around 03.00 hours.

I stayed there until the arrival of Lieut RODRIGUE who had the mission of taking up the position on the roof of the terminal. I then left the airfield to go to TOP GUN from where I left with section 2.3 (Sergeant MAUFROID) in the direction of the point of fall of the aircraft. At that time it was more or less 04.15 hours. At that time, we knew that the aircraft that had been hit was the President's aircraft.

We went to the Kanombe camp by the route going round the north of the airport. Theoretically we should have been met by FAR liaison officers. In fact at the entry to the Kanombe camp we were stopped. The Rwandans were very nervous and began to encircle our vehicles. After having negotiated and made contact with the upper level, we were withdrawn, and went back more or less one kilometre. Afterwards, at daybreak, I received the order to go back to TOP GUN. I therefore took the route in reverse. Passing by the parking lot of the airfield, we were able to see that on the one hand our men were still held and on the other hand, Lt RODRIGUE was still occupying the roof of the terminal. In fact, he was going to have to leave this position shortly after six o'clock under pressure from the presidential guard. For my part I was stopped by a roadblock on N8, and we therefore took up a position between N8 and N9. Around 07.15 hours, we were rejoined by the men blockaded at the airfield who had also been turned back by the roadblock on N8. We therefore proceeded with a regrouping and went on the defensive. We maintained contact with the roadblock on N8 and tried to negotiate obtaining free passage. At the time of the last contact with this roadblock, around 13.00 hours, the conversation became poisoned and the man in charge of the roadblock threatened to open fire.

AMAHORO INCIDENT

We then contacted the Rwandans holding the roadblock on N9, clearly weaker and, after discussions and threats from us, we succeeded in getting a Rwandan rank to lead us to the AMAHORO Stadium, the billet for the BENGALI Battalion. We reached this billet by making some detours, but all the roadblocks were crossed without a problem thanks to the ranking person from the presidential guard who accompanied us. We therefore were in front of the AMAHORO Stadium. On our arrival in front of the stadium, it should have been easy to open the gate and let us go in without opposition from the Rwandans who were at that time not very many. But the Bengalis, on guard duty, applied the order given: the gates must remain closed!!! Despite the information from the sector who assured me that the Bengalis had received the order to open the gates and allow me to go in, the situation remained unchanged and the gates were never opened.

At 14.37 hours, having gone on to the Battalion network, I prepared a report of the situation and received the following instructions from K9: *If in danger, apply the rules of engagement.* He also told me to “remain calm” and that “everything would be done to unblock the situation”. Despite the information from the sector who assured me that the Bengalis had received the order to open the gates and allow me to go in, the situation remained unchanged and the gates were never opened. In practice, we could have solved the situation by our own resources. We had not received either material or physical assistance from the Bengalis, nor precise instructions from the upper echelons.

Progressively, the crowd became more and more numerous and more and more threatening. It was made up mainly of civilians armed with machetes, stakes and some rifles. There was also a certain number of soldiers coming from different units and not seeming to be organised. The head of the Bengali corps timidly tried to negotiate with the Rwandans who seemed to be the leaders. They visibly begged for authorisation from the Rwandans to let us go in. The civilians became more and more daring, they tried to take things from our vehicles and were hitting them with sticks and machetes. They told us that we were no longer soldiers and that we were prisoners. One of the leaders even proposed allowing us to enter the stadium on foot.

Two pick-ups full of armed soldiers and civilians arrived. It seemed to me that these people took over the direction of operations. Grenades appeared in the hands of civilians. A large part of the the crowd drew back slightly. The Bengalis returned into the stadium with the exception of an armoured vehicle which had all its hatches closed. At that time, our vehicles were blocked between the crowd and a roadblock behind us. The adjutant CANTINAUX who was in the vehicle at the back, then opened fire with his handgun and forced the roadblock. He took refuge at the AMAHORO hotel, HQ of the force. The Rwandans fired in the direction of the vehicle that was fleeing. They burst a tyre. A grenade was thrown at this vehicle. It rebounded off the bodywork and exploded on the Rwandan side. Our personnel then disembarked, opened fire in such a way as to clear a way for us. Grenades were thrown in our direction without damage. We replied with fire and movement, crossed the gates by climbing them and entered the stadium in a dispersed order. At that time it was around 15.25 hours. We remained at the AMAHORO stadium for three days.

The vehicles abandoned in front of the stadium were recovered the following morning by a party and the following day for the remainder. They had not been looted.

ATTACK INFO

After the attack, I had, as explained above, contact with Lt NSABIMANA. He seemed completely confused and without precise orders. He was officially at the airport to meet the President, as had happened each time. Beforehand, I had an echo of when in a café beside NYAMIRAMBO, the “Baobab”, some police officers and battalion para-commandos stated that they had had enough of the MINUAR and they were going into action to clean KIGALI of opponents. The views were reported by a Rwandan civilian to the FRANCISCUS billet. I had not attached great importance to it. At that time just planning to mention it to Lieutenant KOENIGS, responsible for the sector.

ASSASSINATION

I learnt of the death of the ten mortar gunners during the night of 07 to 08 April from Major THIRY. He had obtained his information from the Bengali radio post. I do not know what network.

At that time, they were talking about ten or eleven killed, and it was even a question of a UN observer killed. When the assassination of the ten mortar gunners was official, no amendment was made to the rules of engagement. It was even reported to us over the battalion network that these remained unchanged. In the following days, the situation in the town was still tense, at the level of our company, we had materially strengthened the patrols carrying grenades, and keeping automatic weapons hidden with us. These measures were contested several times by the battalion legal war councillor. He proposed to the head of the corps to centralise the grenades distributed before on the initiative of the billet commanders. Sergeant BULLINCKX, on his arrival at the Meridien, received the order to dismount his machine gun from his vehicle by Major BODART. I think that was on April 09.

ARMOURED VEHICLE POSITION

Five CVRT were at the airfield under the command of ALPHA group. They only had munitions for the machine guns and there were only five men in the crew in all (No 30 mm munitions). The Bengalis had in total eight armoured troop carriers (BTR80 supplied by the UN) They were stationed some at AMAHORO stadium (four) and the others in the town. Some US M113 armoured vehicles coming from the heavy equipment reserve in SOMALIA would arrive at KIGALI from 12 April without crew. Makeshift crews would be provided by KIBAT...

The Ghanaians and Tunisians did not have armoured vehicles.

USE OF THE ARMOURED VEHICLES

The armoured vehicles were not used on the days of 06 and 07 except in a static position at the airfield to reinforce the defence as regards the CRVT.

Later the KIBAT armoured vehicles (CVRT and US M113) were essentially used for the benefit of the sector to guard the billet and their liaisons with the force and the airfield.

Captain VANDRIESSCHE could provide more information on this subject.

I have nothing further to add.

(After reading, signs with us hereunder)

Signature

VERMEULEN

Duly noted