

RWANDAN REPUBLIC
MINISTRY OF JUSTICE
STATE PROSECUTOR'S
OFFICE

CHARGE:

Genocide
Crime against humanity
(Decree-law 08/75 of
12/02/1975)

ACCUSED:

BAGOSORA Théoneste,
NTUYAGA Bernard and
unknown person(s)

Complainant:

Department of the
Public Prosecutor

OBSERVATIONS:

PRO JUSTITIA

1st sheet

Report **0011** / Case n°
/CRIM/DA-KK/KGL/95

Case n° 57/95 J.I. VANDERMEERSCH

PRO JUSTITIA

In the year nineteen hundred and ninety four,
the fifth day of the month of May, at 09.20 hours.

before us, DUSHIMILIMANA Athanase, Inspector
of the criminal investigation department at the
Regional Court of Kigali, as we are in Kigali and
are residing there, the Senior Law Enforcement
Officer has general jurisdiction to act in this
capacity by virtue of articles 1 and 2 of the Code
of Criminal Procedure,

within the context of the request for
international judicial assistance by Damien
VANDERMEERSCH, Examining Judge at the Regional
Court of Brussels (Belgium),

in the presence of:
Mr. Damien VANDERMEERSCH, Examining Judge at the
Regional Court of Brussels (Belgium)
Mr. Luc VER ELST-REUL, Deputy Public Prosecutor in
Brussels.
Mrs. MOIJENS, Registrar of the Examining Judge
VANDERMEERSCH

present the appointed SCHRIEWER Robert, born
in Verviers, on 4 February 1942, resident in
Kigali, Belgian Embassy, Head of the Cooperation
Section at the Belgian Embassy,

Who in his capacity as a witness, states the
following to us, in the language of his choice.

[signed]

[signed]

"I arrived in Kigali, on 13 September 1991 and I have lived there on a permanent basis since then except for trips to Belgium for holidays.

I was present in Kigali, on 6 April 1994. I left Kigali in a C 130, during the night of 14 to 15 April. I returned to Kigali on 27 July.

At this time I was living at avenue des Grands Lacs 24 in KOVU^a (Kigali).

During the night of 6 to 7, I was at home with my wife. I did not hear the noise of the attack. During the course of the night we heard the sound of more noises of explosions or shooting than usual. We also heard the frequent passing of military vehicles with radios but not having listened to the radio we were not aware of the events.

We were woken at about 5 o'clock in the morning by artillery fire. We realized that there was something abnormal. We telephoned and turned on the radio and learnt of the attack of the day before.

At 7.30 hours, I was in contact with the Ambassador who gave us the instruction not to leave our houses. He told me that the MUNUAR was encountering obstacles, that from a political point of view the political situation was uncertain, that evacuation had not yet been decided on but that we should be ready.

I began to make contact with my associates and with the district leaders to pass on this advice and find out the news because we heard shooting everywhere.

For four days, together with my wife, I set about establishing contact with the various relief workers and any other people in difficulty no matter what their nationality.

For these four days, together with Mr. ANGELET and Mr. DE LOBEL, respectively a diplomat and the head of the administrative division of the Cooperation Section we tried to carry out a census and set up a security and evacuation plan in the absence of certain officers normally responsible for these tasks.

At 9 o'clock in the morning, one Rwandan associate from the Embassy warned me that at NYMIRAMBO "they are coming to look for people to kill them".

At 10.15 hours, Mr. LE MOAL, Deputy Resident Representative of the PNUD informed me that the Presidential Guard was carrying out a "clean up" in town.

[signed]

[signed]

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^a Translator's note: This word was hand corrected and I believe this is now the correct spelling.

I remember all these facts very clearly because I recorded it all in a personal note book that I kept daily.

With regard to the murder of the ten UN peacekeepers, I found out about this from the Belgian Ambassador, on Friday 8 April at 09.25 hours.

I do not have any first hand information in this respect.

With regard to BAGOSORA Théoneste I know him by name. I cannot say anything regarding him.

On the other hand with regard to NTUYAHAGA Bernard, I can tell you the following.

On the evening of Thursday 7, at about 19.00 hours, my wife told me that a neighbour had lit up his terrace and that you could make out at the back of our house laughter and sounds of celebration.

I went to listen in the bathroom and effectively the light and the noise came from a house diagonally behind mine and the façade of which was on the avenue de la jeunesse. I could show you this house, which still exists.

I can show you on the map of Kigali the location of my house and this house. On the map I indicate to you my plot (number 1) and the plot of this house (number 2).

This struck us all the more because the atmosphere was heavy. The district apart from this house was dark because everyone had turned out their lights so as not to be targeted and a heavy silence reigned punctuated by rapid firing.

The laughter and the noises of celebration seemed all the more incongruous as my wife had reflected "who could, at such times, celebrate?".

I tried to find out who lived in this house. When my boy was able to come back to me to shelter, he told me it was a soldier, a captain.

The following day. Friday 8 April, I no longer know at what time but my wife would be able to tell you, while the latter was in the garden to try to see what was going on in the district, there was rapid firing 10 meters away from her coming from the neighbouring plot of land that I have indicated as number 3 on the map.

[signed]

[signed]

This was the plot of land belonging to Emmanuel NKUNDABAYENZI. This family was massacred at that time. I had confirmation of this by other neighbours to whom I telephoned.

My boy confirmed that the murderer was my soldier neighbour occupying plot number 2 who seemed to conduct the operations of the district.

I would like to add here, that the day before on Thursday 7 April in the morning, long periods of shooting resounded in the "French village". I found out subsequently, from Mr. NKUBITO, current Minister of Justice, who lived in the same district as me, that it was the family of Justin NYONGIRA from the Ministry of Public Works that had been massacred while fleeing. As we had seen the various movements of the killers in uniform wearing a black beret and armed with Kalashnikovs from our garden, we had the feeling, shared by our boy, that these movements were directed from the house of the military neighbour in plot 2. The information was confirmed later by Mr. NKUBITO himself.

I precisely recall an episode I remember. At some point, on Thursday morning, I was with my wife in the garden. We saw, stopped in front of the tall barrier of the French village the white pick-up used by these soldiers. I saw these soldiers get out of the pick-up, jump over the barrier and run towards the bottom of the village creeping along like cats.

A few seconds later the firing rung out and I learnt a short while later that there were 13 dead.

On Friday 8 April we also saw further movements of the same soldiers, at least I think so because they were driving the same white pick-up.

Once again I had the impression that the centre of the movement was the house of my soldier neighbour in plot number 2.

There was a third episode which I remember without being able to specify if it took place in the afternoon of Friday, Saturday or Sunday.

My wife who was positioned in the bathroom heard groans, like wailing stopped by the firing of Kalashnikovs.

They came from the crossroads of the avenue de la Jeunesse and the avenue du depute KAYUKU.

[signed]

[signed]

When we left the house on Sunday evening, we saw two bodies at this crossroads.

The Minister NKUBITO told me that one of the two was the body of the son of Alexis KANYARENGWE, the President of the FPR, current Minister of Public Service and Vice Prime Minister.

At the time of a meeting with Mr. NKUBITO Alphonse-Marie, in Brussels, during the summer of 1994, although he was not yet Minister of Justice but only a few days before his appointment, we spoke about the events.

Mr. NKUBITO told me that my military neighbour in plot 2 was the person organizing the murders in the district and that his name was NTUYAHAGA, Major., a name that he wrote by hand in my notebook. In my notebook Mr. NKUBITO also drew a map of the district describing the escape of Justin NIYONGIRA to the French village where he was killed with several members of his family. He also stated the position of the two corpses at the crossroads, including that of the son of Alexis KANYARENGWE. I also remember that the plot marked by four points was the place where he told me that some women had been raped and mistreated by the same soldiers.

The map appearing on the left of my notebook is a first map that I drew up and the one of the right is the one drawn up by the Minister NKUBITO.

NKUBITO wrote the name NTUYAHAGA across the plot and I wrote below "Major "MUYAHAGA", which Mr. NKUBITO corrected changing the 'M' for "NT".

I also remember that in the house of my military neighbour identified by Mr. NKUBITO as Major NTUYAHAGA, my wife and I had once again heard noises of celebration also on Friday, definitely and perhaps on Saturday.

On questioning, I can give you the identity of other neighbours from the same district who may be able to give evidence and who occupied the plot marked 4 on the map.

This was the DEFILET family which lived in fact in GISENYI but had come on holiday to this house, usually occupied by the VANDEUN family, who had left for Tanzania. I remember that Mr. DEFILET told me on Saturday 9 that he thought he had seen on Friday evening the silhouette of three small children alive in Emmanuel WKUNDABAYENZI's plot of land. As we sensed danger by the soldiers, I commenced proceedings so that the

[signed]

[signed]

ICRC could possibly save the children.

Another neighbour was also doctor VANDEUN who was not there at the time of the events and Yvette TIMMERMAN who however could not see the NTUYAHAGA house.

I would point out to you that my wife intends to return to Brussels on 10 June and will be contactable on 375 64 58.

My boy survived. He is still in my service. He could be heard.

I also hand over to you a copy of the two maps which appear in my notebook, recording the flight of Justin about which I spoke earlier.

With regard to RTLM, we had no great wish to listen to this radio given the anti-Belgian slant adopted by it. Mr. ANGELET was given responsibility by the Ambassador more specifically to listen to it and to record the French broadcasts of this radio. He has, however, lost these recordings.

I point out that he listened to this radio from the beginning of 1994.

When I listened to RTLM, the message was obviously ethnic and anti-Belgian, not that I had heard any real incitement to murder. I point out that I listened to this radio quite regularly in 1993 and a few times in 1994.

I could go back to my notes to illustrate the slander that some people claimed with regard to RTLM.

I could recall them next time I come to Belgium.

Hearing terminated at 12.07 hours

Having been read out, he maintains his statement and signs with us.

I deem this Report to be genuine.

The Senior Law Enforcement Officer

[signed]
R. SCHRIEWER

DUSHIMILIMANA [illegible]
[signed]

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