

THE JUDICIAL POLICE
Office of the King's Prosecutor, Brussels
Section: Crimes
PJ 271
Annex(es): Hearing 1
No. 49500

Following report no. (...) dated (...)

Following the duties prescribed by the King's Prosecutor
Apostil: 30.99.3959/94
File (...) dated (...)

Concerning: persons unknown
Charge: assassination
On basis of: Complaint by E. A. Twahirwa

Subject: Hearing

Sent to the King's Prosecutor

Brussels, (...) April 1995
For the Commissioner of Judicial Files (?)

PRO JUSTITIA

On the first day in the month of December, nineteen ninety-four, at 1500 hours

We, Marianne Desseille,

Principal Commissioner of the first auxiliary rank of the Office of the King's Prosecutor in Brussels, heard the person named below:

Twahirwa, Joseph
Born in Rambura on 22 December 1945
Of Belgian nationality
The husband of Louise Kashirahamwe Mutimukeye
Resident at 17 Chemin de la Grande Bruyère, 7450 Mons

Who declared to us in French:

"I wish to express myself in the French language and choose this court procedure.

1. Gisenyi Prefecture, Rubavu District, Gisenyi Sector, Mweya Unit

My parents, Ephrem Setako and Agnès Nyurabatenga, lived in this location, together with my sister Scholastique Umiwana,

At about 2000 hours on the day after the assassination of President Habyarimana, that is 07.04.1994, five people visited my parents' house. They included two people in uniform and three in civilian clothes, who looked like bandits. These people carried out the act while the soldiers oversaw the work and took the money, namely 900 American dollars and 25,000 Rwandan francs.

The civilians started by beating my mother, who did not agree to my sister being shut alone in the bathroom. My mother was beaten about the head, back, stomach and chest. Her fingers were crushed. She lost consciousness. When she came round, she noticed that my father's face had been run through and his body almost broken. My sister's neck had been cut through.

My mother recovered from her injuries and was saved by Félicité Niyitegeka, the sister of the Commandant of Bigogwe, who belonged to a house of the former Bishop of Nyundo, Msg. Aloys Bigirumwami. Félicité and another Hutu priest helped many Tutsis escape, whereupon they were able to reach Goma. My mother currently lives in Paris with my sister Joséphine Prodhomme, tel. 30.80.58.13.

My mother did not know the aggressors. She stated specifically that the soldiers hid their faces so as not to be recognised. She did however tell me the names of certain backers:

- Hassan Ngeze, Chief Editor of the Kangura newspaper. This man came on several occasions to tell my father that he should leave, and this long before 6 April 1994.
- Anatole Nsengiyumwa, a local lieutenant colonel. He issued the instructions for the pillaging. It was the soldiers who took the money. He recovered most of what was pillaged, including the furniture.
- Mathias Nyagasaza, merchant, grand chief of the Interahamwe in Gisenyi.
- One Prosper, a contractor, cousin of Prothe Zigiranyazo, brother-in-law of the President and one of the main local backers.
- Raphael Bikumbi, cousin of the President's wife, sub-prefect of Gisenyi. It was he who replaced my father in Rambura as deputy chief. He never forgave him for having to remain in his shadow while it has to be said that my father enjoyed considerable prestige.

I would also point out that my father was always a well-known man. He was President of the Christian Retired Association. In May he was to travel to France and the United States as part of this movement. In a truly democratic situation, it is clear that my father would have had a level of local influence within the opposition, even if he had not been active in the political sense of that word. He was the notable person in the locality, and that made him a privileged target for the Interahamwe.

In addition, before independence, in his capacity as deputy chief in Rambura, the birthplace of President Habyarimana, he was one of the first people to frequent the secondary schools and persuaded most children of the *Colline* to study. They became the true dignitaries of the Habyarimana regime.

2. Kigali Prefecture, Nyarugenge District, Nyarirambo Sector, Gatware Unit

This address was where the family of the late Fidèle Rugema (my father's brother) died, namely his wife, her mother and the four children.

3. Kigali Prefecture, Rubongo District, Kabuga Sector, Rusororo Unit

Here died the wife of the late Augustin Kabalisa (my father's brother), his wife and the four children.

4. Kigali Prefecture, Gakinjoro District

I can tell you that this is where Chantal Butera, sister-in-law of my brother Aloys Twizere, died. The rest of her family were saved by Emmanuel Nkunduwiye, best known as Bomboko, who had himself unfortunately killed several Tutsi and sought refuge in Nairobi. I wish to say that people who had themselves killed Tutsi protected others. In this case, the mother of Nkunduwiye is the sister of Anaclet Butera, father of Chantal.

5. General considerations

In my opinion, it is wrong to say that the three Belgians were simply killed because they were of that nationality. Olivier was one of these people. He worked for the “North-South” NGO and complained that the money sent to Rambura had been misappropriated by Colonels Bagosora and Serubuga. He knew too much to be left alive and I am convinced that people took advantage of the situation to eliminate troublesome witnesses.

I formally insist that this information should never be communicated to the press. Similarly, I desire that testimonies that consist be obtained before it is advised that I am the source of the information.

The couple Alain and Marie-Christine Durieux certainly also noticed the misappropriation of money that Olivier denounced. I heard it said that Olivier died because he talked too much.

For all useful purposes, I advise you that the Prefect of Gisenyi was reinstated in his duties by the new authorities, when he returned to the country. He should have been able to testify on the circumstances in which the three Belgians died at Rambura, their temporary burial at Kabaya and their transfer to Gisenyi. The new burgomaster of Rubavu (Gisenyi Prefecture), Mrs Speciosa Banzi, is very courageous and could testify, even though her father was on the other side.

Olivier was very well acquainted with Abbot Spiridion Kageyo, the curate of Rambura. This man was the confidant and confessor of President Habyarimana and knew perfectly well that the President wished to divorce his wife, this meaning under the terms of Rwandan legislation that the President would have retained all his goods while dispossessing his wife and family-in-law.

Kageyo was the untouchable, the most faithful amongst the faithful and also to Colonel Sagatwa, the presumed chief of all the Interahamwe and personal secretary to the President, dying with him in the plane. The assassination of Kageyo, which immediately followed the death of the President, indicated to me that the President himself was assassinated by the protagonists belonging to his family-in-law and may have been commissioned by Agathe Habyarimana. Kageyo was killed with his two curates and probably at the same time as the Belgians, in the hours that followed the assassination of the President.

I know Kageyo very well, as I myself am a native of Rambura. We were of the same generation and he confided in me on numerous occasions.

Kageyo transformed Rambura into a vibrant city with an academic complex because of its twinning with Waremmé. Kageyo also sometimes acted in place of the curate of Waremmé. Useful information could doubtless be obtained in the Parish of Waremmé.

I would also like to point out that within the family-in-law, the financial aspects were mostly confided in:

- Séraphin Rwabukumba, the President's brother-in-law, who had the monopoly on imports and exports and managed the currency department of the National Bank.
- The younger brother of Colonel Bagosora, cousin of the President's wife, namely Pasteur Musabe, Director of Luxembourg Continental Bank in Rwanda (BACAR).

*

The Jesuit priest Mahame, Provincial Father, was the grey eminence of the President even though they drifted apart towards the end. He was also involved in the couple's problems and prevented them from divorcing by persuading the President to accept the Arusha Agreements and not allow the divorce scandal to burst out, suggesting that he should divorce after transferring the Presidency while recovering his property managed by his brothers-in-law.

His confidences were reported to me in late 1993 by Jesuit priest Jean-Berchmans Gasenge, who was in Cyangugu when the events occurred. He was able to hide in Bukavu, where he is still living. Contact can be made via his provincial house in Brussels. Gasenge was very well acquainted with Mahame and even the President's family. He was also a friend of the former governor of the National Bank of Kigali and current Planning Minister Jean Birara, who could also possibly shed some light on the death of Habyarimana and the relationship of the presidential couple.

*

I would like to go back and say that a sordid story of discord between a couple (Habyarimana) and fraud (following the excessive debts run up by senior military figures) is the undeclared reason for the scorched earth policy and the genocide, because if the Arusha Agreements had been applied, many military personnel would have been expropriated and possibly imprisoned in that they could no longer maintain their privileged lifestyles and repay their debts.

Colonel Mayuya, assassinated in 1988, is the uncle of the current president Pasteur Bizimungu. He is an honest man, popular within the army and tipped to succeed Habyarimana.

The appointment of Mayuya as Chief of State was greatly feared, he being intransigent and likely to liquidate the whole of the corrupt hierarchy.

He was eliminated by the same team as the one behind the current genocide: Colonel Bagosora and the Chief of State Colonel Serubuga. President Habyarimana was opposed to the succession of Mayuya, commandant of the Kanombe para-commando camp, by Bagosora, who was considered the rival and enemy of the President. Bagosora was taxed because he was the most intelligent and the most likely to succeed. The president then had him double up with Aloys Ntabakuze, who remained the real chief while Bagosora was nominated Director of Cabinet at the Ministry of Defence.

During the 1990 war, which brought the FAR into opposition with the FPR, Colonel Rwendeye was assassinated. Nobody is saying that it was still Colonels Bagosora and Serubuga that set the trap for him. He was popular and risked wanting to change the face of things because of his desire to negotiate with the FPR. He was considered Rwanda's answer to Buyoya, his counterpart in Burundi, with whom he trained.

I would like to add that the anti-Belgian campaign at the end of the Habyarimana regime was organised underhandedly by President Mobutu and the French authorities. In fact, when President Habyarimana was in the favour of the Belgians and King Baudouin in particular, Mobutu hoped to use him as an official intermediary between him and the Belgians. However, from the time of his fall from grace, the Rwandans became anti-Belgian in the same way as Mobutu in order to please him. On the other hand, most of the leaders of the opposition had privileged relations with the Belgians, especially the PSD (Democratic Social Party), whether it was Félicien Gatabazi or Dr Gafaranga, former ULB members, without forgetting the great Rwandan scattering in Belgium and the FRP, whose co-ordination office was in Brussels. As the opposition was sure that it would win the elections after the Arusha agreements, it was very likely that the influence of Belgium would supplant that of France in Rwanda, as is currently the case despite certain Belgian areas reticent to the regime. The highest Rwandan authorities are more in Brussels than in Paris.

Finally, I will add that the FAR cannot fight the FPR in military terms, and because the elections were uncertain for the MRND and the CDR, it is probable that certain French areas suggested the scorched earth policy that led to the genocide, in order to safeguard their influence within the region.

The isolation of the new Kigali regime by Paris is having the effect of preventing this regime making disciples in the former French colonies.

I am setting out a search channel for the investigators by setting out arguments against Bagosora and Serubuga, and the Habyarimana family in general, as the trigger for the genocide in general.”

Following reading, witness persisted and signed

Duly acknowledged