

Official statement of the family of the late President Juvénal HABYARIMANA in response to the release of the report regarding the terrorist attack of April 6th, 1994 by the Rwandese “Independent Committee of Experts”

Following the release of the so-called “Mutsinzi” report on the attack of April 6th, 1994 which caused the death of 12 Rwandans, Burundians and French* who were also fathers, family men and breadwinners in their respective families; we, the family of late Rwandese President Juvénal Habyarimana feel in the obligation to warn the public opinion regarding this manipulation and diversion attempt of the facts surrounding the terrorist attack which robbed our father from us.

First of all, we want to refute the objectivity of this “Committee of Independent Experts” of which the word “independent” is only an embellishment for communication purposes. No one ignores that the president of this commission, Mr. Jean Mutsinzi, is a founding member of the Rwandese Patriotic Front (RPF, party in power today) and is also a former president of the Rwandese Supreme Court under the same RPF administration. His close relationship with President Paul Kagame is also common knowledge and we did not anticipate the commission, which he presides, would question the party of which he is a founding member or his comrades and companions among which Kagame himself, whereas international investigations designate them as instigators and executors of the attack.

We would like to draw the attention of the public opinion to the fact that, besides the doubtful independence of this Rwandese commission, it was set up by the Rwandese government on April 2007 to become active in December of the same year, only 14 years after the event in question. This can be explained, without any doubt, by the indifference of the Rwandese government since the advent of the RPF administration, regarding the search of the truth on this terrorist act. This indifference was even confirmed by Paul Kagame himself at the end of 2006 when he declared on the waves of an international broadcast television (BBC Hard Talk Show), and also on the international radio RFI, that “to elucidate the death of President Habyarimana did not interest him and that he didn’t care.”

The authorities of Kigali claim to have written to request the setup of an international investigation commission to the International Civil Aviation Organization (ICAO) but that the latter did not give any response back to their request. It is very hard to imagine (without irony) the insistence with which the RPF administration may have had made this request. We strongly believe that if the government of Kigali really had a will to ask for an international investigation, it would have been put in place and we wouldn’t have had, on the other hand, President Paul Kagame publicly declaring that the investigation of the death of President Habyarimana did not interest him. Moreover, the consideration by this same government of the Burundian people whose late President Cyprien Ntaryamira also perished in that attack and thus on Rwandese territory, should have normally incited it to respond to its duty to do whatever it takes to demand that an international investigation be put in place for the event in question.

It is of public knowledge that the Rwandese genocide was triggered by the attack of April 6th, 1994. For the last 15 years, Paul Kagame and his administration never wanted to shed any light on the terrorist act without which Rwanda and, without any doubt, all the Great Lakes region would have not sunk into chaos. This indifference from the Rwandese authorities shows that the RPF wants to prevent by all means that its heavy responsibility during the genocide is not demonstrated in an irreversible way.

Since 1998, the French anti-terrorist justice has conducted investigations on this attack. In contrary to the “Mutsinzi” report and to what the detractors of the truth affirm, the French justice began its investigation following charges pressed by one of the families of the French victims of the attack and not at the request of the French authorities. The independence, objectivity and professionalism with which the French justice carries out this investigation can only be disputed by those who are implicated in this attack or those who want that the history of the Rwandese genocide remains disguised.

The investigation of French justice, which we constitute a civil part, is to this date the only credible judicial investigation of this attack. To turn in derision and to minimize more than 11 years of work of men and women specialized in investigations and international fight against terrorism would be in contempt of the victims as well as of justice to which we aspire.

We point out that the French magistrates are not the only ones to have demonstrated and supported the implication of Paul Kagame and the RPF in this attack. Well before French justice, Mr. Michael Hourigan, an Australian investigator who was mandated by the International Criminal Tribunal for Rwanda (ICTR), submitted his report in May 1997 to the United Nations Organization (UNO) and the ICTR. This report clearly indicated and named Paul Kagame and the RPF as the instigators of the attack of April 6th, 1994. Since the new masters of Kigali were implicated, Mr. Hourigan and his team received the order to cease their research inquiries. Furthermore, after years at the head of ICTR investigations and with a feeling of impossibility to search the truth by accusing only Hutu, Mrs. Carla Del Ponte revealed her wish to investigate the crimes committed by the RPF. She was interested in particular in the elucidation of the attack of April 6th, 1994 and was among those who supported that investigations on this attack were in competences of the ICTR. She declared: "if proven that the RPF is the author of the attack, it is all the history of the genocide which will have to be rewritten". Following pressures of Kagame at the UN, this obvious willingness to bring justice to all victims did cost Mrs. Del Ponte her position as ICTR general prosecutor.

The Spanish justice, who is also investigating the genocide crimes committed in Rwanda and DR of Congo, is once again indicating Paul Kagame and the RPF as executors of this attack.

The "Mutsinzi" report charges the responsibility of the attack to the governmental forces at the time (ex-FAR - former Armed Forces of Rwanda), in particular to the senior officers Bagosora, Ntabakuze, Nsengiyumva. These officers are being persecuted by the ICTR and are imprisoned in Arusha. It is important to note that at the time of their trials, these same officers constantly requested the ICTR to conduct an investigation on the assassination of the Head of the Rwandese State so that responsibilities in the Rwandese genocide can be clarified. Their requests have remained futile. We consequently ask ourselves how people already persecuted for genocide and struggling for years now to prove their innocence, would put a noose around their neck by asking the ICTR to investigate into a crime they allegedly committed? We believe that if this terrorist act and catalysis of this wretched tragedy was really these officers' responsibility, the ICTR would have immediately handled the case.

The number of witnesses heard by the "Mutsinzi" commission, (557 people) does not in anyway justify the credibility of its conclusions. Any well-informed person knows that Rwanda is a country in which people's freedoms are violated daily and physical eliminations have become routine. All it takes to be imprisoned or eliminated is to have divergences of opinion or to be pointed out. The international agencies of Human Rights defence which do not cease pointing out the RPF administration can testify of that. Under these conditions, how can one not imagine the pressure and the fear that the various witnesses, ex-FAR for the majority, had to endure to give false testimonies which accuse their brothers in arms and clear the RPF?

We also point out that within our family; there are direct witnesses of the attack who were present at our private residence of Kanombe at the time of the event. They are all formal: the missiles' shootings originated from the hill of Masaka (or of its valley). These eyewitnesses were facing the hill of Masaka when the presidential plane made its landing approach and the Kanombe camp was on their right side, slightly behind. None of them was of course interviewed by the "Mutsinzi" commission. Unless thus the geography or the topography of this part of Rwanda has changed since April 1994, the conclusions of the "Mutsinzi" report on this subject are entirely pure lies. In addition, the "Mutsinzi" report filed the photographic proof of the wreck of the presidential plane taken by one of the President's son, but did not take into account his testimony as eyewitness of the attack. We point out that this witness, Jean-Luc Habyarimana, gave his version of the facts by testifying twice at ICTR and in the investigation known as "Bruguiere".

It is also completely unbearable to us to see our mother accused of being responsible for the assassination of her husband. The "Mutsinzi" report indicates that at the end of March 1994, President Mobutu of Zaire (current Democratic Republic of Congo) would have informed Mrs. Habyarimana on the preparation of an attack against her husband and that she would not have informed the President

in spite of the Zaire President's request. Even though the ridiculous does not kill, we could not have imagined such a cynicism. Did this commission question Presidents Mobutu and Habyarimana before their death? Did it have this unexpected information on behalf of Mrs Habyarimana? Why would President Mobutu have preferred to inform his Rwandese counterpart via his wife whereas he knew that he was going to receive the visit of President Habyarimana in Gbadolité on April 4th, 1994, moreover he could contact him directly anytime? It is also stipulated that Mrs. Habyarimana would have acknowledged it to President Mitterrand by telephone on April 6th, 1994 at 9:30 PM when the latter presented his condolences to her! Mrs Habyarimana never spoke with President Mitterrand that evening. Such despicable act on behalf of this commission can only reinforce the idea that we have of it.

For us, the conclusions of the "Mutsinzi" report were thus known in advance because its authors could not diverge from the mission assigned to them by the Rwandese government to clear the RPF and its chief.

We renew our confidence in the French justice to shed light on this terrorist act and we continue to deplore the inertia of the international community regarding the event in question 15 years later.

Without a serious and credible elucidation of the attack of April 6th, 1994, the Rwandese genocide will continue to be exploited by those who do not have any interest in seeking the truth.

We seize this opportunity to remind the international community its duty to help all the victims to obtain an impartial justice. This will make it possible for the entire Rwandese people to start a journey of dialogue on their history as necessary path toward seeking a genuine truth and reconciliation.

Written in Paris, on January 25th, 2010

For Juvénal Habyarimana Family:

Léon Habyarimana

Bernard Habyarimana

Jean-Luc Habyarimana

* List of the victims of the terrorist attack of April 6th, 1994

1. General Major **Juvénal HABYARIMANA**, President of the Rwandese Republic
2. Mr **Cyprien NTARYAMIRA**, President of the Burundese Republic
3. Mr **Bernard CIZA**, Minister of State for the Planning, Development and Rebuilding of Burundi
4. Mr **Cyriaque SIMBIZI**, Minister of Transport and Government Spokesman of Burundi
5. General - major **Déogratias NSABIMANA**, Chief of Staff of the Rwandese Armed forces
6. Ambassador **Juvénal RENZAHO**, Diplomatic Advisor of the Rwandese President
7. Colonel **Elie SAGATWA**, Private Secretary and Chief of the Safety of the Rwandese President
8. Doctor **Emmanuel AKINGENEYE**, Private Doctor of the Rwandese President
9. Major **Thaddée BAGARAGAZA**, Flag Lieutenant of the Rwandese President and Commander of the 2nd Battalion Presidential Guard
10. Major **Jacky HERAUD**, Commander of presidential Falcon
11. Commander **Jean-Pierre MINABERRY**, Co-Pilot of presidential Falcon
12. Regimental Sergeant Major **Jean-Michel PERRINE**, Flight Engineer of presidential Falcon