

Pseudonym:

**BAGOTHE-19**

Witness Code: **BAGOTHE**

# Bagosora Théoneste

CASE NO. ICR-98-41-T  
 EXHIBIT NO. P 372 B  
 DATE ADMITTED 16-11-2005  
 TENDERED BY PROSECUTION  
 NAME OF WITNESS BAGOSORA

Note manuscrites identifiant les 2 lances missiles, trouvés par les FAR à Massaka, qui auraient servi à abattre l'avion du Président Habyarimana,

[REDACTED]		Letter		[REDACTED]		10-Jul-95	
[REDACTED]		Bel. Instruct		[REDACTED]		Himself	
[REDACTED]		BF67		[REDACTED]		[REDACTED]	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
[REDACTED]		10-Jul-95		[REDACTED]		[REDACTED]	
[REDACTED]		Handwritten		[REDACTED]		BAGOTHE-19	
[REDACTED]		French		[REDACTED]		[REDACTED]	
[REDACTED]		[REDACTED]		[REDACTED]		K007-7471-K007-7473	
[REDACTED]		[REDACTED]		[REDACTED]		BAGOTHE-19	
[REDACTED]		[REDACTED]		[REDACTED]		Yes	
Past Disclosure---Past Disclosure---Past Disclosure---Past Disclosure							
Bagosora	BAGOTHE-19	11-May-98	No				
Kabiligi	BAGOTHE-19	05-Aug-99	No				
Ntabakuze	BAGOTHE-19	05-Aug-99	No				
Nsengiyumva	BAGOTHE-19	05-Aug-99	No				

K0236197

**Luc DE TEMMERMAN  
LAWYERS' CHAMBER**

HORIZONTLAAN 6 - 3090 OVERIJSE, Brussels, Belgium, Tel: 32 2 687-6560; Fax: 32 2 687-6953

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Jan BOURNONS  
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Lawyers

Mr. VAN DER MEERSCH  
Examining Magistrate  
Rue Quatre Bras 13  
1000 Brussels  
Fax: 508-7161

Your ref.: BAGOSORA  
Our ref.: 49262 / LDT/lbt

Overijse, 10 July 1995

Sir,

**Subject: BAGOSORA / INTERNATIONAL TRIBUNAL**

Please find attached a copy of the fax which I received from Colonel BAGOSORA showing the features of the missiles used for the assassination of President Habyarimana.

I also attach herewith the press release that my client wishes to see disseminated.

You are thus assured that there are physical evidence in support of the Rwandan case file and in particular with regard to the assassination of the Rwandan Head of State, which directly led to the murder of the ten Blue Helmets. Those who killed are willing to plead guilty.

I wish to inform you that I do not know and do not want to know where the equipment seized after the attack on the President's plane are located.

Yours sincerely,

LUC DE TEMMERMAN

[Signed]

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Lawyers

PRESS RELEASE

Colonel BAGOSORA requested me to kindly disseminate the following press release:  
According to a teletext on the BRT, the Belgian Prosecutor's Office allegedly accused France of obstructing the extradition of two Rwandan soldiers said to have been involved in the genocide and the murder of ten Belgian Para commandos.

The Examining Magistrate has received a telephone number through which he can contact Colonel Bagosora. Bagosora will answer, within twenty-four hours, any question or provide any information the Examining Magistrate may wish to obtain even though the Magistrate had stated that, to date, he did not have any questions to put to Bagosora. However, he has refused to lift the international warrant or go to Zaire.

Colonel BAGOSORA is not in France and so France cannot obstruct the investigation. France might at most condemn the arbitrary nature of the warrants and rightly consider them null and void depending on the Rwandan military personnel involved.

Colonel BAGOSORA has forwarded to the Belgian judicial authorities a list of a dozen eye witnesses to the murder of the ten blue helmets, together with the motives for the murder. In a press release, the crisis committee immediately deplored the blunder and Colonel GATSINZI opened an inquiry. General NDIDINLIYIMANA was the Chairman

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of the committee and can only confirm that BAGOSORA did nothing but replace the Minister of Defence who was away in Cameroon on 6 April 1994.

Since the Belgian justice system seems to require an evidence that one is not guilty of a specific act, the Rwandan Army Headquarters has forwarded to Colonel Bagosora the features of the missiles used in the assassination of President Habyarimana. This information was transmitted to the Examining Magistrate by fax.

The Magistrate thus has a concrete physical evidence that will enable him find those who bought the missiles. He may perhaps also find those who used the missiles, and subsequently determine the persons actually responsible for the murder of the ten Belgian blue helmets, who have been wrongfully considered by some Rwandan soldiers as the assassins of President Habyarimana. Colonel BAGOSORA had no authority on these soldiers, especially as he had been retired from the Rwandan army.

Colonel BAGOSORA can only hope that the Belgian justice system will conduct an objective investigation at last. In the Forest prison, he is of no use to the Examining Magistrate, whose mission is to discover the truth and not to arbitrarily incarcerate persons presumed guilty, whom he refused to meet or contact by telephone.

For Colonel BAGOSORA  
His Counsel  
Luc DE TEMMERMAN  
[Signed]

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For the attention of Mr. Luc DE TEMMERMAN, Counsel.

Fax: 32 2 687-6953

Note: The two launch-missiles are found in a location...

[Signed] Colonel BAGOSORA, 10-7-

Identification of weapon, Russian type Launch-missile, used in the assassination of the  
Head of State on 6 April 1994.

I. 9M 322-1-01  
9M 313-1  
04-87  
04835  
C  
LOD COMP  
9M519-2  
3555 406

II. 9M 322-1-01  
04-87  
04814  
9M 313-1  
04-87  
04814  
C  
LOD COMP  
9M519-2  
5945 107

Lt. MUNYANEZA

[Signed]

Date (illegible)