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WITNESS

TO GENOCIDE

JEAN-PAUL AKAYESU

*First Prosecution by the International Tribunal
in Arusha, Tanzania*

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Akayesu in the custody of the International Tribunal in Arusha

Jean-Paul Akayesu, the former mayor (bourgmestre) of Taba in Gitarama has made history. He will be the first defendant to appear before the United Nations International Criminal Tribunal for Rwanda. He is charged with crimes against humanity in connection with the 1994 genocide. His trial is scheduled to begin shortly in Arusha, Tanzania.

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The young men and interahamwe met in front of the commune office. Akayesu took the floor. He told the population that the Tutsis, with whom they lived, were accomplices. He followed up by saying that at the meeting, held the day before at the office of the préfecture, they had been shown a lot of papers showing this. This was thus the reason why it was necessary to rise as one man and kill all the Tutsi, starting with the educated, for they had shown themselves to be the most dangerous.

Akayesu had the eight men from Runda brought out to show the audience that he meant business.

He said he was going to show them who they had to begin with. That is how Akayesu opened the prison of the communal office and took out those eight men from Runda in the presence of the criminals, the militia. The criminals battered them to death with blows of the machete and of the *massue*, close to the cypress hedge which surrounds the office of the commune of Taba. It was about 10:00 a.m. when these men were killed. He released the Hutus who had been imprisoned before the genocide, telling them to bury these individuals near the primary school of Kanyinya, at the place nicknamed 'The Elephants' Bed' [*Kiryamu K' Inzovu*].

Not only did Akayesu free Hutus who had been imprisoned as common criminals before the genocide; he gave them new tasks.

He authorised these prisoners to leave the prison and to participate actively in the chase of Tutsis in their sectors of origin.

After having finished off these men, the criminals asked Akayesu if they shouldn't also finish off the women and children from Runda who were in the office of CCDFP and in the courtyard of the office of the commune. Akayesu told them to first hunt for educated Tutsi men. He added that women were often endowed with curses and that they should be attacked last.

He divided his criminals into two groups: one group went in search of Ephrem Karangwa, a judicial police inspector who was in Kamonyi. Another

group went to abduct the teachers who remained at the Groupe Scolaire of Remera-Rukoma. He told this group to buy a lot of whistles to distribute to small children so that they could alert the Hutu. All these whistles were intended to invite the Hutu to eliminate the Tutsi and to hunt them everywhere. It was enough to discover a Tutsi for a little Hutu child to whistle and his big brothers would come to finish him off.

One of the most damning testimonies about Akayesu's conduct comes from the man who was his driver before and during the genocide, Albert Mutabazi, 33, who comes from the cellule of Nyamabuye in Gishyeshye. He became the driver of Taba commune on 1 July 1993, about two months after Akayesu took the reins. After the genocide, he was accused of being among Akayesu's militiamen. He fled Taba and settled in other communes, at one point escaping to Uganda. He returned to Rwanda and was arrested on 30 April 1996 when he visited Taba to obtain his new identity card.

At the commune office, there were a lot of Tutsis from Runda and Shyorongi who had come to take refuge in our commune. These Tutsis occupied the CCDFP buildings and the house of the vet [Athanasie] which was in front of the commune office. On the morning of 19 April, I saw the militia, led by François, of sector Taba, in the middle of killing the Tutsis who were in the office. To kill them, they were taken behind the primary school which is close to the commune office. They were given machete blows and had grenades thrown at them. Afterwards, the corpses were thrown in some common graves. The people who were not killed that day, were killed a few at a time.²⁸

A 36-year-old farmer from Kanyinya cellule in Taba sector also described the fate of the Runda refugees.

Tutsi survivors of Runda had taken refuge in our communal office in Taba. Among

²⁸ Interviewed in Taba, Gitarama, 3 September 1996.

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Throughout Rwanda, the genocide led to acts of betrayal that defy credibility. As detailed later in this report, some men killed their nieces and nephews with their own hands. Many men and women refused to hide relatives and friends, either out of fear or because they approved of the genocide. As their world crumbled overnight, Tutsis all over Rwanda found themselves abandoned.

Some of the men condemned to death at the commune office had previously considered themselves personal friends of Akayesu. Jean Mugabowumwami, a 35-year-old builder, looked to Akayesu, a fellow-member of MDR, for protection. Jean, who comes from Mbizi in Taba sector, hid in Muhima, Kigali, between 6-19 April. Afraid of the militia who had discovered his hideout, the man who had given him shelter drove Jean and another man, Tharcisse Mutayomba, to Taba.

When we arrived at the office of the commune, the bourgmestre was there. We approached him to greet him. He refused to look at us although he was our friend. Akayesu told the militia who had weapons to go and ask for identity cards from the people who were in the yard and who were not originally from Taba. Tharcisse Mutayomba [a native of Runda commune] was taken straight away and beaten with a stick. He shouted to the bourgmestre to save him because he was his friend. Instead of saving him, Akayesu told his militia to go and take all the people of Taba who had identity cards like Tharcisse and to do the same with them.

We were immediately gathered together. There were about 27 of us; the majority were men. They began by beating us. Then they took us to the football field. When they got behind Kanyinya primary school, a militiaman called Iddi told the others to let me go. I did not have my identity card and the militia wanted to find out my ethnicity. Iddi accompanied me. When we got near the office, I gave a militia 4,000 francs. Some others were killed immediately.

Jean hid in different locations in Gitarama. While Akayesu exposed him to certain death, another Hutu friend was determined to save him. Eventually, the

person who had protected him in April in Muhima came to look for him and took him back to Muhima where he remained until the end of the genocide.³³

Vincent, whose account of the Gishyeshye meeting has been described above, had three of his children murdered on the night of 19 April. The children had been staying at the home of a friend. On his way to visit them, Vincent was slashed across the face with a machete by a militiaman, hit between the nose and the eyes. Unable to see in the dark of the night, the militiaman fell, and Vincent continued to run.

When I arrived at the house, I saw my three children lying dead in the yard of the house. I put clothes over their bodies and I continued walking.

"Since I used to collaborate with this bourgmestre before the genocide, I went to greet him, thinking that he would protect me because he was surrounded by important militiamen. Akayesu, before greeting me, shouted a lot. He said: 'How is it possible that you are not dead?'"

A short while later, he discovered the corpses of his sister-in-law and five of her children. The following day, Vincent's brother was killed, together with his two remaining children. Aware that the militia were searching for them everywhere, Vincent and two of his brothers decided to go to the commune office. But the men who came to Akayesu with a plea for salvation had walked into a death trap.

We had no other place to hide ourselves. We arrived at the office of the commune very early in the morning, at about 5:30 a.m. on 20 April. When we got there, I saw the bourgmestre in front of his office, drinking a bottle of Mutzig beer. He was with Rwabuzisoni, a businessman, Gasigwa, a policeman, Mutabazi, the bourgmestre's driver, and a lot of other

³³ Interviewed in Kigali, 20 July 1996.

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militiamen. It was the bourgmestre who was in charge.

He told me: 'Stay here and don't move. I am going and I will come back in a few minutes.' Akayesu got into his car and left. Gasigwa, the policeman, told me to try and hide because Akayesu had gone to look for the militia to kill me. In the yard of the office of the commune, there were many other refugees from Shyorongi and Runda communes. Some minutes later, I saw Akayesu coming back. He was in the taxi with a lot of other militia from Nyarusange cellule in Taba sector. They had machetes, *massues*, guns and grenades. I did not pay attention to who these militia from Nyarusange were because I was afraid. But I remember someone called Fraçois, an important militiaman.

When Akayesu got out of the car, he went to open the prison and I saw Sempabwa, the teacher from ENT in Remera-Rukoma, and some other Tutsis whose names I didn't know. I ran and hid in a banana plantation near the office of the commune.

Vincent only narrowly escaped.

These militiamen took the people who they had taken out of the prison to a place to be slaughtered. It was raining too. So some other refugees and I found an opportunity to leave Taba.

Vincent and his brothers managed to arrive in the commune of Musambira where the genocide had not yet commenced. It was not long before they saw Akayesu's car in Musambira, forcing them to go into hiding. Vincent was fortunate to be reunited with his wife and remaining children in Musambira. But his two brothers were killed at the Parish of Musambira.

One of the men who believed that Akayesu would want to save him is Pierre Ntereye, a teacher and employee of the US embassy. Albert Mutabazi, Akayesu's driver, watched Pierre die before the eyes of his former friend.

I saw Pierre Ntereye, a great friend of Akayesu's, in the dungeon. He had banged his leg. At the moment of killing him, the militia made him come out of the dungeon.

He came out, limping with a stick. He was killed behind the primary school. While Pierre was being killed, the bourgmestre was in his commune office. Afterwards, the militia went to fetch Pierre's wife and she too was killed.

Concilia Mukasoni also accuses Akayesu of failing to protect Pierre and another former friend.

He handed over two men who had thought of him as a friend. They were Pierre Ntereye, a lecturer at the Ruhengeri campus of the National University of Rwanda and the businessman, called Karuranga, from Gacurabwenge in Taba. They came to ask him for refuge and Akayesu imprisoned them. When he saw Silas Kubwimana, he gave him the lecturer since Silas had looked around a lot in order to kill him. As for the businessman, as he is originally from the commune of Runda, Akayesu drove him there.

Many other witnesses spoke of the intensity with which Akayesu sought the whereabouts of Pierre Ntereye. Josué, whose long testimony about the meeting in Gishyeshye appears above, commented:

Akayesu sent the militiamen to Murambi sector, Taba commune, to look for Pierre Ntereye, a teacher from the National University of Rwanda and also an employee of the American embassy, originally from Taba commune and Akayesu's good friend.

Ntereye was driven to the office of the commune and they put him in the commune's prison cell. His house was looted and destroyed. They found computers and disks at his house and his children's toys. The militia said that he was using these objects to communicate with the RPF. At this time, I could move around and I saw everything.

Akayesu did nothing to protect Ntereye. He had the ability to drive him to [the bishopric of] Kabgayi or to hide him at his house since no one could search there. Ntereye was his good friend. Ntereye and his wife were killed at the office of the commune, with Akayesu there.

If Akayesu was a man who did not express unease about ordering the murder

When he said he did not have it on him, the pastor told him that "he did not have a long life." The boy was taken out. Samuel started to follow him out, thinking it would be his turn next. He was pulled back by another student. Elias was immediately killed. His body was thrown on the road. Samuel, who was fortunate to find his wife and children, stayed at the church until the end of the genocide.³⁵

Akayesu's driver, Albert Mutabazi, also commented on the death of the pastors.

One evening, Olivier, a businessman who had hidden at ENT, was killed. The following day, François and his team went to look for the pastors who were also hiding there at ENT. They were brought to the commune office and they were killed. Their corpses were thrown in a pit near *Kiryamo K'Inzovu*.

The assassination of Olivier and his family terrified many Hutus in Taba, especially those married to Tutsis. They feared that Akayesu, having eliminated the Tutsis, might turn his fury on them. Their worries were heightened by the fact that another Hutu man, Gahizi, a teacher, was killed along with his Tutsi wife and children. His wife was accused of being an *Inkotanyi*.

These were not ill-founded fears, as the experience of many Hutu women married to Tutsis was to prove. By May, there were few Tutsis left in Taba. Most of those who remained alive had been saved by close relatives. But Akayesu was not to let family ties stand in his way.

A STRATEGY OF BETRAYAL: ENCOURAGING HUTUS TO KILL THEIR TUTSI RELATIVES

Akayesu's order that Tutsis should be written out of Taba's future has left the commune with a substantial number of Hutu widows of the genocide. Many of

these women lost their husbands and children as a direct result of Akayesu's policies and encouragement. Akayesu, to break intercommunal bonds, made sure that they were killed by the brothers, uncles and cousins of these unfortunate women. Forced to make unbearable choices, families agreed to split up, in the desperate—and often vain—hope that separation might ensure the survival of some members. In marriages where the wife was Hutu, many couples took the precaution of hiding their children with the wife's family. All too often, the husbands forced to seek refuge on their own also died on their own.

While many Hutu families did all they could to protect the children entrusted to them by their daughters, sisters and nieces, some family members were not so accommodating. Faced with moral choices for which life had not prepared them, many people took the path of least resistance. Some colluded in the death of the children, sometimes hacking them to death with their own hands, either because of their own extremism, fear, cowardice or the desire to protect their property.

For these women, life is a daily routine of recalling terrible memories, their suffering etched on their faces. Their loved ones were murdered near them or in front of them, with the little ones snatched off their backs or out of their hands. Still shell-shocked, they nurse their grievances and relive the nightmare of their lives through a thousand prisms.

Talking to Joséphine Mukankusi takes a person on a rare journey, to the other side of a living hell. On a day-to-day basis, Joséphine's lives with a depth of pain beyond what most people could even imagine. Joséphine, 43, is a peasant from Gisitwe cellule in Kamonyi sector. She was married to Edouard Nyamaswa, a mason; they had three sons and three daughters. Edouard was the first to be killed; he was thrown into their toilet, while Joséphine hid with her children in a banana plantation for a month. She then decided to go to her parents' home in Kayenzi. She put her three-year-old son on

³⁵ Interviewed in Taba, Gitarama, 22 June 1996.

Déogratias, a Tutsi who was a teacher at the Small Seminary in Kabgayi. I was outside. These soldiers and policemen went into the house to look for me. They asked the people who were living with me where I was. They replied they didn't know me. The policeman who had taken my card also said that he had only seen the card, but that he did not know my face. They beat up the people, asking where I was. Joseph Mutimura, who worked for TELECOM, advised me to go and hide.

Ephrem heeded Joseph's advice. As a reprisal, the soldiers killed Marcel Déogratias. In order not to be conspicuous, Ephrem followed the people attending mass.

After mass, I was afraid to stay in the church alone. When I got outside, the soldiers and policemen passed by me, to go back to our house and look for me again. They again beat up people, asking them for their identity cards. Mutimura came again to tell me to leave so that I wouldn't die. I asked my little sister to go with me and to chat so as not to show that I was afraid. We went into the church. I hid in a part of the church. There I found a man who was reading the bible; then he came down. I begged him not to tell anyone that I was hiding in this place. The man agreed, but I became afraid and I changed my hiding place. I went into a very tight corner, where I couldn't sit down comfortably, nor could I stay standing. I didn't move. Only my little sister knew of this hiding place and she used to bring me food. After two weeks, I began to be sick because I couldn't keep clean. I didn't wash myself anymore; I never changed my clothes anymore. I was also afraid that the militia would follow my little sister when she was bringing me food.

Driven beyond despair, Ephrem decided to leave his hideout and take his chances.

I took the decision to go out, because I could also die if I stayed in that place which was too narrow. When I got outside the church, I saw a policeman, Gakwisi, and two young men. When they saw me they shouted a lot. They asked me: 'Where were you hiding? We were looking for you everywhere to kill you'. They accused me

of being an accomplice of the RPF. Because of that they wanted to kill me. I begged them to leave me alone. They asked me for 10,000 francs. As for the policeman, he asked me for 150,000 francs.

I went to look for my wife who gave me 5000 francs. I gave this amount to the two men. They left. The policeman followed me, saying that he was going to kill me if I didn't give him the amount he had asked me for. I went to look for more money. I found 30,000 francs, the only money that we had to feed my family. The policeman took the 30,000 francs. He said that he was going to kill me if I didn't give him the rest of the amount. I lied to him that there was someone who could give me the money in the business district of Gitarama. He asked me for his name; I refused to tell him. The policeman put me in the room alone and guarded me, not taking his eyes off me while he was waiting for his money.

Ephrem escaped because his survival represented a profitable business for an unscrupulous policeman. This assured him protection against Akayesu.

I got sick. I couldn't get any medicines. The policeman was always demanding his money. Akayesu, Silas Kubwimana, president of MRND in Taba, Setiba, leader of the militia in Giti-Kinyoni and many policemen came to look for me. The policeman, Gakwisi, who had put me in the room, told them that I wasn't there, because he was expecting his money. Akayesu and his policemen trusted Gakwisi and they left. So Akayesu never saw me.

Luckily on 2 June, the soldiers of the RPF came. They took us to Ruhango, then to Bugesera. We went to live in Kigali because my house had been destroyed. Our Tutsi neighbours and family members were all killed during the genocide.⁴⁴

Testimonies from a wide range of witnesses confirm Akayesu's desire to have Ephrem killed. According to Akayesu's driver, Albert Mutabazi, Akayesu lost no time in pursuing Ephrem.

⁴⁴ Interviewed in Taba, Gitarama, 14 March 1996.

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On 19 April, Akayesu, assistant bourgmestre Mutijima and a communal policeman, Mushumba, went to Kamonyi to look for the IPJ of the commune, Ephrem Karangwa, saying that he was a great accomplice of the RPF. Akayesu and his team came back in the afternoon.

Other residents of Musambira and fellow-refugees at Kabgayi have also spoken of Akayesu's hunt for Ephrem. Emmanuel Rukundo fled to Kabgayi from Musambira. While there, he recorded Akayesu's hunt for certain men from Taba. Emmanuel, 27, was a teacher at Shaka Primary School before the genocide.

The bourgmestre of Taba, Jean-Paul Akayesu, used to come to Musambira chasing nationals from his commune. He came to Musambira in pursuit of the inspector of judicial police, named Ephrem. He did not find him. But he took his younger brothers and killed them all.⁴⁵

Pierre had fled Taba to escape Akayesu. But his departure from his native commune would not be the last time he saw Akayesu in pursuit of his quarry. He was in Kabgayi when Akayesu came in search of Tutsis to kill.

In May 1994 I took refuge at Kabgayi. The bourgmestre was looking for Ephrem Karangwa, inspector of the judicial police. He continued searching for other individuals of Taba, namely Pierre Sirikare whom he did not find.

Pélagie's home in Gihembe, Musambira, was located near Karangwa's in-laws. Akayesu knew Pélagie because she was a native of Taba. Akayesu stopped in front of her house on the 19 April. He sent his policemen to look for Ephrem, while he kept an eye on a hostage, a teacher who was already badly wounded.

The policemen went in the home of the in-laws of a man called Ephrem Karangwa. It was to look for the latter so as to kill him.

⁴⁵ Interviewed in Musambira, Gitarama, 16 November 1995.

The policemen who were at the home of Ephrem's sister-in-law came back with two men who were in this house. These men had been beaten with a stick and they were bleeding. But they were not killed. Maybe they were killed later.

Akayesu and his policemen went back into their car immediately and went to the home of Laurent Kamondo, whose wife was the sister of Ephrem's wife, to look for Ephrem there. After a few hours, I heard gunshots. I was told that three people were killed instantly, including Ephrem's brothers.

Akayesu's energetic pursuit of Tutsis was regarded as an inspiration in Musambira. Pélagie spoke of the effect of his visit to this commune.

After Akayesu left with his policemen, the people in Musambira commune also began the genocide of the Tutsi.

"People in Musambira used to say that they had to follow the example of the bourgmestre of Taba commune who had come to search for the enemies of the country, the Tutsi. It was Akayesu who began the genocide in the commune of Musambira".

The people who died in Taba include most members of Pélagie's family.⁴⁶

When he arrived in Musambira on 20 April, Vincent, whose ordeal appears above, believed he had escaped Jean-Paul Akayesu. But he was wrong.

On 22 April, at the time when I went to buy ripe bananas, I saw Akayesu's car, who was with the bourgmestre of Runda commune. Their car was in the forest near our camps. I went back to warn the Tutsis from Runda and Taba. We hid immediately.

Akayesu did not only visit Musambira at the beginning of the genocide. He was there in late May, still looking for the

⁴⁶ Interviewed in Taba, Gitarama, 9 May 1996.