

*Attachment A/1 to Minutes No. 1311 of 29/11/95*

*Legal police service at the Brussels Court*

*HEARING REPORT*

*On 29/11/1995 at 11.03 hours heard by me the reporting officer:*

*IDENTITY:*

*Surname and Christian names: MARCHAL Luc*

*Place and date of birth: already identified in the file*

*Profession: Civil status:*

*Address:*

*For servicemen*

*Rank and roll number:*

*Unit:*

*Who has stated:*

I wish to express myself in French and choose this language for legal proceedings.

To your questions regarding the contacts that I had with the Minister CLAES at KIGALI, during his visit in February 1994, I can reply that his visit was mainly geared towards contacts with politicians. It was planned that I should give a briefing on our activities, but since his timetable for his political contacts was full, this briefing did not take place. During informal contacts, reception at the embassy or another point of contact, I do not remember having had the opportunity to address myself to the Minister and to make him aware of my concerns about the execution of my mission.

To your question concerning Minister DELCROIX, it was planned during his visit that I should hold a briefing for the Minister and the members of the National Defence Parliamentary Commission. At the time of this briefing and the question-and-answer session, I mentioned the occasional problems that we had to face. During various personal contacts that I had with the Minister, I mentioned the problems of the RTLM, the differences in conduct of 1 battalion, the problem of caches of weapons and the insecurity at KIGALI. I told him of the fact that I considered these problems a hindrance to the good execution of our mission, and that beyond this daily reality, the installation of the transition institutions, and the effective start of the peace process, constituted the only possible alternative for the country, and that thereafter all energies should be focused on this goal.

To your precise question concerning a plan which was aimed at killing Belgian soldiers, with a view to accelerating their withdrawal from MINUAR, I can tell you that this point was never mentioned in an explicit and so simplistic way but arose in fact from points which had been discussed with the Minister, in particular the actions of RTLM, and the incidents encountered by 1 Para, which sometimes could be the consequence of provocation by certain persons.

I must add that at the time of the presence of the National Defence Minister at KIGALI, the situation in the town had changed a little, and in particular ministers within the presidential circle of influence had themselves encouraged the population to collaborate in implementation of transition bodies and consequently in the action led by MINUAR. Elsewhere local administrative authorities, magistrates, had taken concrete measures in order to combat the climate of insecurity which reigned and to promote, by this, collaboration with the MINUAR and the Police. During the visit of the National Defence Minister, he had encouraged responsible Rwandans, the President and the government,

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to pursue the process, and informed them that he was inclined to increase the Belgian participation, especially during the merger period of the two armies (FAR, FPR) and the police, as well as maintenance of the Belgian presence after the holding of free elections, planned for October 1995. These measures coming to the help of the two parties present, and not only the President, were of such a nature as to reassure all the parties involved in the process.

To your question concerning the fact that I had spoken with Colonel BAGOSORA of the existence of a plan aimed at attacking Belgian soldiers with a view to accelerating their withdrawal from MINUAR, I can reply to you that the only contacts that I had with this Colonel were official contacts organised by the Force and during which I accompanied General DALLAIRE. At these contacts, we regularly mentioned the occasional problems and in particular the attitude of RTLM. I do not remember specifically having mentioned the problem of a plan aimed at Belgian soldiers. During other ceremonies, such as for example the reception organised by the SENEGAL National fair, I also had the opportunity to meet with Colonel BAGOSORA but I did not even on these occasions mention this particular point. However I have to stress that each time that we were confronted by an incident between a member of KIBAT and a Rwandan authority, I had contact with the various Rwandan authorities involved in the incident in order to smooth the incident over, and at the level of General DALLAIRE, he intervened with these authorities in order to obtain their collaboration, as well as to obtain adequate information about soldiers and police, likely to be the subject of controls.

I must add, as regards the plan aimed at attacking Belgian soldiers, that after the demonstration of 8 January 1994 there was between that date and 6 April many other demonstrations, including some violent ones, without there being an attack aimed at the Belgian soldiers of MINUAR. To your question concerning point 5 of the note that I sent on 15 January 1994 to EVERE and whose content was sent by encrypted telephone call, and for which you want to know the correspondent in Belgium, I can tell you that I do not recall the name of this officer but that it was the permanent radio officer at the operational centre, an officer who should furthermore respect certain procedures in order to allow the transmission of the communication from clearly specific equipment.

To your question concerning the words of the Minister CLAES "It is five minutes to midnight", I can tell you that I do not remember these words being said in my presence. After reading, I remember I attended the meal organised by the Rwandan National Defence Minister which Colonel BAGOSORA attended, as well as the various military authorities of MINUAR of the KIGALI sector. During this meal we mentioned the occasional differences but I cannot remember whether this plan to eliminate Belgian soldiers was specifically mentioned. To your question concerning the remarks of Colonel BAGOSORA on the subject of a plan aimed at eliminating the Tutsis, I can tell you that effectively at the reception of 4 April at the Meridien hotel, during the time of the Senegal National fair, Colonel BAGOSORA said that the only plausible solution for RWANDA would be the elimination of the Tutsis. These views were held in the presence of General Dallaire, Mr KHAN, the technical adviser for SRSB (BOOH-BOOH) and myself, and followed the fears expressed by Colonel BAGOSORA of an attack by FPR. I have nothing further to add.

After reading, signed in the information file of the reporting officer at 12.50 hours