

# Evidence of Kagame's Crimes Suppressed by Chief Rwanda Prosecutor Louise Arbour - Testimony of Michael Hourigan

"Unknown persons from within the UN leadership and possibly elsewhere [Washington] pressured Judge Arbour to end the National Team's investigations into the shooting down of President Habyarimana's plane"

By [Michael Hourigan](#)

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Region: [sub-Saharan Africa](#)

Theme: [Law and Justice](#), [United Nations](#)

## Highlights of Michael Hourigan's Sworn statement

*The statement by the late Michael Hourigan is of crucial importance because it intimates, based on firm evidence, that Paul Kagame –who was supported by US– was instrumental in shooting down president Habyarimana's aircraft on April 6, 1994. This tragic event which led to death of the presidents of Rwanda and Burundi was a trigger in the onslaught of the massacres. In turn the latter was decisive in Kagame's "final military campaign to seize state-power in Rwanda."*

Michael Hourigan had been granted a mandate by Judge Richard Goldstone (the then Chief Prosecutor) and Judge Honoré Rakotomana (the then ICTR Prosecutor) and Mr. Alphonse Breaux (the then Director of Investigations) to focus on a number of issues including "the fatal rocket attack on 6 April 1994 killing President Habyarimana and all others on board".

Hourigan and his "National Team" of roughly 20 investigators found three members of Paul Kagame's Rwandan Patriotic Front who had volunteered the information that it was in fact Kagame's RPF that on April 6, 1994, shot-down then-Rwandan President Juvenal Habyarimana's jet as it approached the airport in Kigali, assassinating Habyarimana as well as President Cyprien Ntaryamira of Burundi, along with 11 others. Both Habyarimana and Ntaryamira were Hutu; Kagame, to this day is still the president of Rwanda, is Tutsi. The shoot-down was the incident upon which Kagame's RPF launched its final military campaign to seize state-power in Rwanda. In less than 100 days, Kagame's RPF succeeded. David Peterson, Michael [Hourigan Obituary](#), ZCommunications, December 13, 2013

Michael Hourigan had advised Louise Arbour that Paul Kagame was behind the plane crash. While first acknowledging Hourigan's advice, Louise Arbour in a subsequent meeting was involved in ensuring that the evidence would be shelved and would not be an object of a followup investigation. The evidence and documents were confiscated by Judge Arbour.



Louise Arbour confiscated the Secret report, according to Hourigan. The detailed information on who was behind the shooting down of the plane would not get out and that there would be no followup.

This was not a civil war. It was an armed insurrection supported by the US and Britain, with a view to destabilizing and destroying an entire country.

Below are key excerpts from Hourigan's sworn statement which refute the "official story" as to what actually happened. Scroll down for the complete statement. {GR Ed. M. Ch, emphasis added.}

*In late January or early February 1997 members of the National Team were approached by three (3) informants (either former or serving member of the R.P.F.) claiming direct involvement in the 1994 fatal rocket attack upon the President's aircraft. Their evidence specifically implicated the direct involvement of President Paul Kagame, members of his administration and military. The informants also advised that the Kagame administration was actively involved in covert operations aimed at murdering high profile expatriate Rwandans - once such murder was the death of Seth Sedashonga in Nairobi.*

*Commander Jim Lyons and I attended at the US Embassy in Kigali and I made a call to Judge Arbour at the US Embassy in the Hague using an encrypted ('secure') STU III telephone. I informed Judge Arbour in considerable detail about the information implicating President Kagame." That information pertaining to the shooting down of the plane leading to the deaths of presidents of Rwanda and Burundi was suppressed.*

...

I briefed Judge Arbour on the informants and their information regarding the involvement of President Kagame and members of the RPF in the downing of President Habyrimana's aircraft.

I presented her with a copy of a memo I had prepared entitled 'Secret National Team Inquiry - Internal Memorandum' and this document which is undated is attached to this statement. This document detailed the information provided by the three informants.

To my surprise Judge Arbour was aggressive and questioned me about the source of the information regarding the informants and the quality and potential reliability of their information. I advised her that the information was given to me by members from my team – the National Team.

Judge Arbour then advised me that the National Team investigation was at an end because in her view it was not in our mandate. She suggested that the ICTR's mandate only extended to events within the genocide, which in her view began 'after' the plane crash.

I was astounded at this statement. I pointed to the temporal mandate of the ICTR being 1 January 1994 until 31 December 1994 and this clearly covered the time of the plane crash. I also addressed the 'terrorism' and 'murder' provisions of the ICTR statute.

More particularly I also told her that this was the first time she had ever suggested that this was outside the ICTR mandate. I reminded her that I had personally briefed her before about our investigations into the plane crash and that she had never ever expressed a view that this matter should [not] be part of an ICTR inquiry.

I expressed my strong view to her that these Rwandan informants were courageous and were deserving of our protection. I cautioned her that the UN had a history of abandoning informants in Rwanda and I specifically reminded her of the UN's abandonment of Jean Pierre Turatsinze in 1994.

Judge then became hostile and asked me if I was challenging her authority to direct to end our investigations into the plane crash.

I told her that I was not questioning her authority only her judgement. I informed her that I was her servant and I would obey her direction.

Judge Arbour then asked me if the memo that I had prepared for her was the only copy. I told her that it was and she said she was pleased to hear that and placed in her office filing cabinet.

She then asked me to leave the room. ...

I feel that unknown persons from within the UN leadership and possibly elsewhere [Washington] pressured Judge Arbour to end the National Team's investigations into the shooting down of President Habyarimana.

According to Hourigan, there was only one copy of the '*Secret National Team Inquiry - Internal Memorandum*'. However in his a statement, he says that the Memo was attached.

Michael Andrew Hourigan passed away on December 13, 2013. His sworn statement survives. The official story is a lie.

Michel Chossudovsky, GR, April 8, 2004

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COMPLETE DOCUMENT

Date of document: 27 November 2006

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AFFIDAVIT

I, MICHAEL ANDREW HOURIGAN Lawyer of 61-63 Carrington Street Adelaide 5000 in the State of South Australia Solicitor MAKE OATH AND SAY as follows:

1 I am a qualified legal practitioner in the State of South Australia. I was also a former police detective before completing a law degree in 1995 after which time I took up a post as a Crown Prosecutor with the Director of Public Prosecutions (D.P.P. Adelaide).

2 In April, 1996 I left the D.P.P. in Adelaide and took up a position as an investigator with the International Criminal Tribunal for Rwanda.

3 Soon after my arrival in Rwanda I was put made a team leader in charge of a team consisting of about 20 members and the team was to be known as 'the National Team'.

4 I was directed by Judge Richard Goldstone (the then Chief Prosecutor) and Judge Honoré Rakotomana (the then ICTR Prosecutor) and Mr. Alphonse Breaux (the then Director of Investigations) to focus my teams investigations on the following matters:-

4.1. investigate the criminal conduct of Colonel Theoneste Bagosora and then locate and arrest him;

4.2. investigate the criminal conduct of Colonel Anatole Nsengiyumva and then locate and arrest him;

4.3. Investigate the murder of thousands of Rwandan elite in the first days of the genocide by the Rwandan Presidential.

4.4. identify the person(s) responsible for the fatal rocket attack on 6 April 1994 killing President Habyarimana and all others on board;

5 Together with my investigators we conducted investigations into these matters throughout the next year. During the course of 1996 I was called upon to brief Judge Goldstone and then his replacement Judge Louise Arbour and other senior prosecutors on the progress of our investigations into Bagosora, Nsengiyumva, the Presidential Guard and the rocket attack upon President Habyarimana's aircraft.

6 At no time did Judge Goldstone, Judge Arbour or any other member of the ICTR ever indicate to me that our investigations into the downing of the President Habyrimana's aircraft were outside the ICTR mandate. On the contrary, it was made clear to me that our investigations into the rocket attack upon the President's aircraft was an act of international terrorism which clearly fell within the ICTR statute Article 4 Violations of Article 3 common to the Geneva Conventions:-

Article 4: Violations of Article 3 common to the Geneva Conventions and of Additional Protocol II

The International Tribunal for Rwanda shall have the power to prosecute persons committing or ordering to be committed serious violations of Article 3 common to the Geneva Conventions of 12 August 1949 for the Protection of War Victims, and of Additional Protocol II thereto of 8 June 1977. These violations shall include, but shall not be limited to:

- a) Violence to life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment;
- b)
- c)
- d) Acts of terrorism;
- e)
- f)
- g)
- h)

7 I am pleased to say that the National Team was successful and we achieved the following results:-

7.1. Located, arrested and charged Colonel Theoneste Bagosora with Genocide and Crimes Against Humanity;

7.2. Located, arrested and charged Colonel Anatole Nsengiyumva Genocide and Crimes Against Humanity;

7.3. Gathered evidence against senior members of the Presidential Guard in relation to the killing of key Rwandan citizens, including but not limited to, UNAMIR-protected VIPS Justice Joseph Kavaruganda, (President of the Constitutional Court) and Vice President Lando Ndasingwa (the head of the Parti liberal);

7.4. In late January or early February 1997 members of the National Team were approached by three (3) informants (either former or serving member of the R.P.F.) claiming direct involvement in the 1994 fatal rocket attack upon the President's aircraft. Their evidence specifically implicated the direct involvement of President Paul Kagame, members of his administration and military. The informants also advised that the Kagame administration was actively involved in covert operations aimed at murdering high profile expatriate Rwandans – once such murder was the death of Seth Sedashonga in Nairobi.

8 With respect to the highly sensitive information from the three informants regarding the plane crash I immediately informed my Commander Jim Lyons. My Director Mr. Alphonse Breau was out of the country and I arranged for him to be told by telephone.

9 The information from the sources was very detailed and seemed very credible. I was very concerned about the sensitivity of the information and arranged for an urgent 'secure' telephone call to Judge Arbour.

10 Commander Jim Lyons and I attended at the US Embassy in Kigali and I made a call to Judge Arbour at the US Embassy in the Hague using an encrypted ('secure') STU III telephone. I informed Judge Arbour in considerable detail about the information implicating President Kagame. She was excited by the break through and advised me that the information corroborated some other information she had just learnt from Alison Des Forge the week before. At no time did she suggest that our investigations were improper. On the contrary, I would describe her mood as upbeat and excited that at last we were making significant progress into the events surrounding the plane crash.

11 Judge Arbour was concerned about the safety of the informants and my men. I advised her that the informants' identities had been kept secure and if she so directed me I would arrange for my investigators involved in the plane crash to leave Rwanda. She directed that my investigators should leave and I agreed to have them travel from the country on suitable inquiries in Nairobi. As for me I declined to leave Rwanda and advised her that I wanted to stay with my team and assist them complete other important investigations. She consented to this but asked me to keep in touch with her while she considered what to do with this sensitive information.

12 During the next week I was directed by senior members of the UN in Kigali that I was required to travel to the ICTY in the Hague in order to meet with Judge Arbour and brief on her on our investigations in the rocket attack upon President Habyarimana's aircraft.

13 Some days later I was approached at the ICTR headquarters in Kigali by Mr. Michael Hall, UN Deputy Security (NY). He advised me that I would be flying to Arusha the next day on the ICTR aircraft and from there board an international KLM flight to Amsterdam. Mr. Hall asked me to give him any information that I had on air crash and he

would convey it to the airport in a UN diplomatic pouch. I then gave Mr. Hall a single floppy disc containing a memorandum I had prepared for Judge Arbour.

14 The next day Mr. Hall conveyed me to the Kigali airport where I checked in for the UN flight. There Mr. Hall and I were told that the flight was overbooked and that I could not to Arusha. Mr. Hall became agitated and told the UN flight officer that the UN Secretary General Mr. Kofi Annan had personally ordered my attendance in Arusha for an international connection the next day. As a consequence I was given a seat on the UN flight and flew to Arusha.

15 The next day I flew to the Hague and over-nighted in a hotel near the ICTY.

16 The following morning I met with Mr. Al Breau and briefed him on the information concerning the plane crash. Together we discussed forming a special ICTR investigations unit based outside of Kigali to investigate the plane crash.

17 Following breakfast Mr. Breau and I attended at the ICTY and met with Judge Arbour. Also present was Mr. Mohammed Othman, Acting ICTR Prosecutor.

18 I briefed Judge Arbour on the informants and their information regarding the involvement of President Kagame and members of the RPF in the downing of President Habyrimana's aircraft.

19 I presented her with a copy of a memo I had prepared entitled '*Secret National Team Inquiry - Internal Memorandum*' and this document which is undated is attached to this statement. This document detailed the information provided by the three informants.

20 To my surprise Judge Arbour was aggressive and questioned me about the source of the information regarding the informants and the quality and potential reliability of their information. I advised her that the information was given to me by members from my team - the National Team. Those members were Amadou Deme and Peter Dnistriansky. I advised her that I held both investigators in the highest regard. I did say that I was not able to provide any advice as to the reliability of their information as it had not been tested. However, I did suggest that it was very detailed and this is itself meant that it could be subjected to considerable forensic examination.

21 Mr. Al Breau also expressed his strong view that both Amadou Deme and Peter Dnistriansky were highly effective and reliable men.

22 Judge Arbour then advised me that the National Team investigation was at an end because in her view it was not in our mandate. She suggested that the ICTR's mandate only extended to events within the genocide, which in her view began 'after' the plane crash.

23 I was astounded at this statement. I pointed to the temporal mandate of the ICTR being 1 January 1994 until 31 December 1994 and this clearly covered the time of the plane crash. I also addressed the 'terrorism' and 'murder' provisions of the ICTR statute.

24 More particularly I also told her that this was the first time she had ever suggested that this was outside the ICTR mandate. I reminded her that I had personally briefed her before about our investigations into the plane crash and that she had never ever expressed a view that this matter should be part of an ICTR inquiry.



25 I expressed my strong view to her that these Rwandan informants were courageous and were deserving of our protection. I cautioned her that the UN had a history of abandoning informants in Rwanda and I specifically reminded her of the UN's abandonment of Jean Pierre Turatsinze in 1994.

26 Judge then became hostile and asked me if I was challenging her authority to direct to end our investigations into the plane crash.

27 I told her that I was not questioning her authority only her judgement. I informed her that I was her servant and I would obey her direction.

28 Judge Arbour then asked me if the memo that I had prepared for her was the only copy. I told her that it was and she said she was pleased to hear that and placed in her office filing cabinet.

29 She then asked me to leave the room.

30 I was extremely concerned at Judge Arbour's decision and felt that it was wrong both in law and policy.

31 I returned to Kigali and a short time later resigned from the ICTR.

32 After my resignation from the ICTR I was offered a position as an investigator with the UN's Office of Internal Oversight Services (OIOS) in New York. Soon after taking up my appointment I was asked to provide OIOS investigators investigating corruption within the ICTR with a statement re my service in Rwanda for the ICTR.

33 On 1 August 1997 I prepared an internal memorandum detailing various issues which I felt lay behind some of the difficulties with the ICTR. A copy of this memorandum is attached here.

34 The OIOS leadership were not at all interested in the memorandum and they expressed their concern at some of the contents of the document implicating the Secretary General in some of the serious events in Rwanda in 1994.

35 I completed six months with OIOS and resigned.

36 I feel that unknown persons from within the UN leadership and possibly elsewhere pressured Judge Arbour to end the National Team's investigations into the shooting down of President Habyarimana.

37 Following my resignation my National Team was dismembered – the National Team investigations into the plane crash were brought to an end.

38 I have suffered at the hands of Judge Arbour and the UN because my career with the ICTR was brought to an untimely and ignominious end. I was proud of serving with the ICTR but I felt that I could not work for Judge Arbour when, in my view, she acted for personal reasons against the interests of the ICTR, the UN and world community which we served.

39 I know the facts deposed to herein to be true of my own knowledge, information and belief except where otherwise plainly appears.



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