

Colonel denies masterminding Rwandan genocide

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ARUSHA, Tanzania, Oct 24 (AFP) -- A man accused of planning Rwanda's 1994 genocide denied a role in the mass slaughter of some 800,000 people as he took the stand in his own defence before a UN-backed tribunal.

On the first day of long-awaited testimony to the International Criminal Tribunal for Rwanda (ICTR) expected to last at least two weeks, Colonel Theoneste Bagosora said the charges against him were malicious and untrue.

"These are falsehoods propagated by ill-intentioned people to discredit me", he said. "They have described me and continue to describe me as the mastermind behind the massacres."

Bagosora, the cabinet director of Rwanda's defence ministry when the genocide began, also questioned whether a genocide had occurred and accused the court and current Rwandan leadership of bias.

"Me, I don't believe that genocide took place," he told a packed ICTR courtroom at its headquarters in northern Tanzania. "Most reasonable people think there were excessive massacres."

"The ICTR is biased against Hutus and courts Tutsi criminals who were the victors of a war they prepared," Bagosora said.

He and three fellow senior army officers are charged with genocide, crimes against humanity, war crimes and conspiracy to commit genocide.

All four have pleaded not guilty to charges that they played key roles in the deaths of some 800,000 mainly minority Tutsis and politically moderate Hutus slain by Hutu extremists during a 100-day killing spree between April and July 1994.

According to prosecutors, Bagosora used defense ministry communications equipment to order military commanders to begin the massacres shortly after the assassination of Rwandan president Juvenal Habyarimana on April 6, 1994.

Bagosora has strongly denied the charges and his lawyer, French attorney Raphael Constant, has questioned the very basis for the case, arguing that prosecutors have failed to prove the killings meet the legal definition of "genocide."

"We contest the theory that there were preparations, thereby signifying that the massacres were premeditated," Constant said in an interview last week with the independent Hironnelle News Agency that is covering the ICTR proceedings.

"We challenge the use of genocide in the judicial sense," he said.

"However dramatic, the fact is that even if there were tens or hundreds of thousands of deaths is not enough by itself to pretend genocide ever happened," Constant said, adding that neither he nor Bagosora believe the trial has been fair.

"The absence of impartiality in only pursuing Hutus, the regional political situations and the difficulties encountered by his defence team makes him greatly doubt that he will get a fair trial," he said.

Constant has said his examination of the 64-year-old defendant will cover a wide range of issues including his military career, his relations with Habyarimana and the events from April to July 1994 when the massacres took place.

In addition to Bagosora, Constant intends to call former United Nations envoy to Rwanda, Jacques Roger Booh-Booh and several current Rwandan officials, including Defence Minister Marcel Gatsinzi, as witnesses.

Bagosora is jointly accused with Lieutenant-Colonel Anatole Nsegyumva, the former commander of Gisenyi military region, Brigadier Gratien Kabiligi, the former chief of military operations, and Major Alloys Ntabakuze, the former commander of the Para-Commando battalion of Kanombe (Kigali).

The slow-moving trial, known as legal circles as "Military I," began in April 2002, and resumed earlier this month after a four-month hiatus. It is expected to run until December 14, court officials have said.

The Arusha-based ICTR was set up set up in 1994 and began work three years later trying key suspects in the genocide. It has thus far convicted 22 suspects and acquitted three.