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#### Munyaneza Trial - the Rwandan Genocide Called Into Question

MONTREAL, Oct 5 (Hirondelle) -- During the cross-examination of General Dallaire, the defence of Désiré Munyaneza called into question Wednesday the existence of a genocide in Rwanda in 1994.

If the defence does not deny the massacre of hundreds of thousands of people (800 000 according to the UN), it nevertheless has reservations as for the use of the term genocide.

"It is a specific legal definition, this trial is the first of its kind in the country and the distinctions are important in regards to the charges", stated to the press at the end of the hearing Mr.Cohen, one of the three lawyers of Désiré Munyaneza.

Roméo Dallaire, former commander of UNAMIR, testified at the lawsuit as an expert-witness. Even if he never met Mr. Munyaneza, the Canadian officer was allowed to establish the existence of the facts charged to the defendant (prosecuted for seven counts: two for war crimes, two for crimes against humanity and one for genocide).

However, according to Mr. Cohen, there would not have been a systematic extermination of Tutsis by Hutus, but rather a "defensive attitude" confronted with "a real threat" from the Tutsi rebels of the RPF.

"The day before the arrival of General Dallaire in Rwanda, the elected president of neighbouring Burundi, a Hutu, was assassinated in a coup led by soldiers of the Tutsi minority", stated the lawyer before the Superior Court of Quebec.

The former commander of the peacekeepers in Rwanda refuted these remarks, asserting that the assassination of 800 000 people, mostly Tutsi, by Hutus, formed part of a "deliberate plan of ethnic cleaning". Continuing, he affirmed that "when people set up roadblocks every 15 meters and that they kill people by the thousands, it is no longer self-defence".

During the testimony of the general, Judge André Denis was himself careful not to use the term genocide, or, when he did so, it was with prudence: "How can human beings manage to do that, to do what you call 'genocide'?", asked the magistrate to the general.

The Munyaneza trial is the first trial for crimes against humanity and war crimes to be held in Canada. It is possible due to a law that came into effect in 2000. For many observers, the stakes go beyond the guilt, or not, of the defendant; but aims at establishing if, in terms of Canadian law, genocide was committed in Rwanda.

Initially scheduled to last three days, the testimony of Roméo Dallaire was completed Wednesday, that is to say a day earlier. The prosecution case, which began on 26 March, should be completed by the end of the month, after the testimony of two expert-witnesses: Alison Des Forges, a historian, and André Guichaoua, a sociologist.