

## ANNEX E TO RWANDA SUBMISSION

### GEN CHARLES KAYONGA SUMMARY DECLARATION ON ALLEGATIONS CONTAINED IN THE UN GROUP OF EXPERTS REPORT ADDENDUM.

1. General Charles Kayonga is alleged to manage the overall military support to M23. He is allegedly in constant communication with Col Makenga and oversaw the transfer of Makenga's troops and weapons through Rwanda.
2. Gen Kayonga states that the allegations are false, misleading and has twisted the truth of real situation. He clarifies as follows:
  - a. He has only communicated with Col Makenga at the request of GoDRC when President Kabila sent Special Envoys Mr. Katumba Mwanke (deceased) on 5 February 2012 and Kalev Mulond on 31 March 2012. The message was to convince ex-CNDP to accept deployment outside the Kivu Provinces and to contain tension that was escalating.
  - b. He would deliver the message of what they communicated to Maj Gen Gabriel Amisi, the FARDC Land Forces Commander.
  - c. Whenever he communicated with Col Makenga, he would also communicate with Col Delphin Kahimbi, both FARDC officers working together in S.Kivu.
  - d. There are no FARDC troops or equipment that used Rwanda's territory. It would not be possible to move 60 soldiers and the heavy equipment more than two times as mentioned in paragraph 10 of the addendum report across L. Kivu without being intercepted by FARDC marine patrols, as the boats were motorised as mentioned. There are no large motorised boats in Cyangugu capable of transporting 30 people and their equipment. The available motorised boat is one for Rwanda Development Board for tourists with capacity of 18 people, but it has been out of service for 5 months.
  - e. The Group makes the outrageous allegation based on FARDC Military Intelligence report, attached as Annex 1 to the Addendum Report. The FARDC Military Intelligence Report is more precise as to how the 60 soldiers, escorts to Col Makenga and equipment were transported twice using two RDF marine boats. RDF marine boats are speed boats and have no capacity to carry 60 people as mentioned. The FB 38 RB boat can only carry 7 people including 3 crew members, while ARK 38 with no mounted gun can carry 15 people including its crew, while we have mounted ones which can only carry 7 people<sup>1</sup>.
  - e. It is an absurd assertion that RDF provided uniforms to Col Makenga's troops. RDF has not provided any uniforms at all, and it is a

contradiction as to why there would be a change of uniforms at night and on Rwandan territory, only to change them at the border during broad daylight to be witnessed by civilians, local leaders and intelligence officers as mentioned in paragraph 11 of the addendum report. The allegations as contained in paragraph 11 are false and a recycle of FARDC Military Intelligence as contained in the annex 1 and other sources provided by DRC security services.

g. Other allegations regarding RDF support to M23 are false. There are no logistics provided and no supply routes exist in Rwanda. There are no training grounds in Rwanda as alleged. No direct or indirect RDF support to M23 has taken place. The RDF Reserve as alleged cannot have been involved as only a very small active reserve exists and there has not been any mobilisation of Reserve Force members to be able to deploy them.

3. The Group findings and allegations against Gen Kayonga and RDF are false, distorted and a compilation of rumours and unsubstantiated allegations. The Group depended heavily on biased information against Rwanda provided by FARDC, DRC officials and coerced witnesses such as POWs or defectors.

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<sup>1</sup> See Types and specifications of RDF Marine boats