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THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA
ARUSHA TANZANIA

CASE NO: ICTR-98-41-I
EXHIBIT NO: ANT 365
DATE ADMITTED: 12-4-2007
TENDERED BY: DEFENCE
NAME OF WITNESS:

AFFIDAVIT OF MICHAEL ANDREW HOURIGAN

Date of document: 8 March, 2007

Filed on behalf of the Plaintiff by: Michael Hourigan
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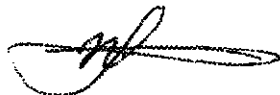
Date and time of filing or transmission: 8 March 2007

AFFIDAVIT

34510

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 Breau (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 Habyarimana'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, of 6 June 1977, these violations shall include, but are not limited to:

(a) Violation of the basic 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) Rape of persons;

(d)

(e)

(f)

(g)

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.

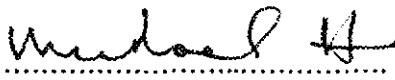


- 18 I briefed Judge Arbour on the informants and their information regarding the involvement of President Kagame and members of the RPF in the downing of President Habyrimana's aircraft.
- 19 I presented her with a copy of a memo I had prepared entitled '*Secret National Team Inquiry - Internal Memorandum*' 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 not 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.

SWORN by the above named Deponent)
 at Adelaide South Australia on the 8th day of)
 March 2007)



 Signature of Deponent

Before me:)

)

NICOLE LIDIS
 A Commissioner for taking affidavits
 in the Supreme Court of South Australia


34506

I, Nicole Lidis, a Commissioner for taking affidavits in the Supreme Court of South Australia, declare that:

On 8 March 2007, in Adelaide, South Australia, I administered an oath to Mr. Michael Hourigan, and witnessed his signature to the attached statement;

and that:

- a) the person making the statement, that is, Mr. Michael Hourigan, is the person identified in the said statement;
- b) the person making the statement, that is, Mr. Michael Hourigan, stated that the contents of the written statement are, to the best of his knowledge and belief, true and correct;
- c) I informed the person making the statement, that is, Mr. Michael Hourigan, that if the content of the written statement is not true then he may be subject to proceedings for giving false testimony;
- d) this declaration is made on 13 March 2007, at Adelaide South Australia.


NICOLE LIDIS
A Commissioner for taking affidavits
In the Supreme Court of South Australia

13/03/07
NICOLE LIDIS
A Commissioner for taking affidavits
in the Supreme Court of South Australia

Date of Report: 1 August 1997

Data Information Obtained: Between 6 April 1996 to 1 May 1997

Source of Information (i.e. Name or CI Index):

CAVEATS (i.e. for IS Chief's eyes only, or the USG/OIOS's eyes only). To be discussed only by Frank Merrill & Barbara Dixon

RELIABILITY OF Information sources: Guidance which level applies

RELIABILITY RATING B: A: Completely reliable; B: Usually reliable; C: Sometimes reliable; but not yet established; or D: (Unreliable)

CREDIBILITY of Information: Guidance which level applies

CREDIBILITY RATING IS: 2: True, corroborated; 1: Usually true, but untested; 0: Doubtful reliability; or -1: Cannot be verified

LOCATION: (refer to the UN System document FAR logging file): OIOS

TEXT of Information: Kouroum worked with the ICTR as the Team Leader of the National Team which was investigating Colonel Théoneste Bagosora and other principal offenders of the 1994 Genocide in Rwanda. These investigations involved high level contact with the UN OPRK and a number of foreign gov't and their intelligence services in particular Belgium, France, Canada & the US. Despite public statements of support for the ICTR, to date almost all of these countries and their foreign intelligence services have completely failed to cooperate with the National Team and any other section of the ICTR.

National Team investigations have revealed a number of critical factors:

(1) In late 1993 and early 1994 UNAMIR 1 (UN Assistance Mission to Rwanda) began receiving extremely high quality intelligence from a senior member of the Interahamwe who provided General Dallaire's G2 office concerning the existence of a cell-forming camp with links to kill combatants and moderate Hutu, secret arms caches in Kigali, secret training of militia groups throughout the country and very real plans to put in effect widespread killings of Tutsi civilians. Much of this information was corroborated by other Belgian sources, together with considerable public comment among leading politicians within the Rwandan community and international community.

(2) Some internal UN documents were obtained by the National Team confirm that in early January 1994 General Dallaire advised Mr Anand, then Chief of UNOCPRK of the source and accuracy of information. The General asked permission to apply re-locate the informant and also requested an increased mandate to raid arms caches and confiscate weapons, move troops and armor to deal with the impending outbreak of hostilities and generally the ability to be pro-active instead of re-active. All these requests were denied instead Dallaire was advised to approach the Belgian ambassador in U.R. France, Belgium and advise them of the sensitive situation and, in particular, his wish to advise the national President Juvenal Habyarimana of the UN's knowledge of these matters. Habyarimana promised to look into these matters but as he was initially involved nothing was achieved by discussing these matters with him. Instead arms caches were moved and hidden elsewhere and the formation of death lists continued. General Dallaire was unable to offer and substantive protection



the informant who became displaced and melted back into the population.

(iii) General Dallaire's G2 office and the Belgian Army G2 office continued to receive extraordinary intelligence pointing to the existence of an attacker core within the President's government planning double hits and the impending Genocide. I am informed that these intelligence reports were very accurate. For example one informant, a senior Commissioned Officer of the now defunct Ivairi army (the FAR), advised the UNAMIR G2 on 17 February 1994 that the Chief of the Court of Appeal Mr Kavurunganda was to be murdered by members of the elite Presidential Guard. The intelligence report even named the soldiers who were to conduct the execution at some future unspecified time. On the morning of 7 April 1994 following the shooting down of President Habyarimana, members of the Presidential Guard attended at the Judge's house and executed Mr. Lalou this year another member of the Presidential Guard confirmed that the report of 17 February, 1994, was accurate 2 months prior to 1994 genocide was exactly correct and that the murder occurred as predicted. Essentially, UNAMIR did not act on any of these reports in advance either by telling the victims or preparing some serious counter measure. Once the lack of interest was shown by DPK, then much of the intelligence gathered becomes redundant.

(iv). Of course the Genocide occurred on the evening of the 6 April 1994 with the shooting down of the Presidential jet returning from Arusha. President Habyarimana, the President of Burundi and other leading officials were killed. It was my thought that contractors inside the family circle were involved. Now our investigations have found 3 sources in the current Tutsi regime who say that they were part of an undercover action team known as the "Network" and with the assistance of a foreign government shot down the Presidential aircraft. They advise that Major General Paul Kagame was the overall operations commander and they provided accurate descriptions of the operation together with names, ranks and roles of each soldier involved. They also advised that they can produce hard copy documents of the operation. This information fitted in with claims by the JAK contractors that the RPF killed their President. Two of the sources wanted to cooperate with investigations if their safety could be guaranteed. Their information and request was raised with Judge Arbour and, although she was at first very positive, she later advised that this issue was not within the ICTR mandate and would not be investigated.

(v). Interestingly, some internal UN correspondence suggests that there was a considerable amount of discussion between the UN and Canada on whether General Dallaire would or should give evidence in 1996 in a Belgian court investigating the abduction and murder on 7 April 1994 of 10 Belgian paratroopers. Colonel Luc Marchal, Commanding Officer of the Belgian Parachute Regiment in Rwanda in 1994, had been charged as criminally negligent with their deaths. General Dallaire had been summoned to give the official statement. Dallaire had made it clear that Col. Marchal was not at fault and that he placed the blame squarely at the feet of the UN and international community for failing to act in advance in late 1993 and early 1994, and that even worse still, that they had completely failed to act in April 1994 once the genocide erupted as predicted. Mr Zanetta wrote to Mr Dostrows Call and advised of certain unfulfilled difficulties should Dallaire give evidence. It was decided that Dallaire would not be given any immunity from prosecution in Belgium and therefore should he attend there he could be arrested. Dallaire was effectively gagged. A statement was prepared by the UN and the Canadian Army leaving out all the prior intelligence and Dallaire was requested to sign same. He objected to the accuracy and truth of the document but reluctantly signed. Dallaire never attended the trial. Marchal was ultimately cleared. However, certain forces within the Belgian community continue to press the Belgian foreign affairs for the truth about 1994.

(vi). To date not official assistance from any foreign government intelligence agency or at the UN itself has been given to the ICTR. My personal view was effectively that we are all high level intelligence regarding the planning and preparation of the 1994 Genocide. I am told by members of

...in relation to Rwanda that the negligence of the UN, and other foreign powers will not be
denied. It is for these and other reasons the ICTR struggles to achieve its mandate.

(vii) Forwarded for your information.

ANALYSIS of information:

ACTION REQUIRED:

NAME of IS staff member making the Information Report: Michael Hourigan

Signature: [Signature] Date: 1 August 1997

IS Chief's comments: It would be useful for this investigation to provide assistance to the Tribunal in the search for the following: 'Kaduna Tribunal'

Signature: [Signature] Date: 1/8/97

Senior Investigator's comments: This is an extremely "sensitive" document. Its information is "confidential". The information sent to the Tribunal should be taken into account in the review of the ICTR by the Tribunal. (For info: info only).

Signature: [Signature] Date: 1/8/97

DISTRIBUTION: _____

[IF] - LIST OF CASES TO WHICH THIS REPORT CONTRIBUTES: _____

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NATIONAL TEAM INQUIRY

INTERNAL MEMORANDUM

Information

Sources have advised that a highly secret attack team formed from a cell within the former RPF known as the "network" was responsible for the rocket attack upon the President Habyarimana's Falcon aircraft killing the President of Rwanda, the President of Burundi and other VIP's on board.

• Source 1

Contact through Amadou Deme. This person is a current senior commissioned officer in the Rwandese Government Forces (RGF). He has advised that he is still a member of the secret RGF "network". He acted as an aviation consultant for the attack team.

• Source 2

Contact through Amadou Deme. This person is a current soldier in the RGF and also a serving member of the "network". He was a team member of the attack team on the President.

• Source 3

Contact through Peter Ndirimenskyi. This person is a former member of the "network" and a member of the preparatory team for the attack on the President.

Informant Sources

Investigators from the ICTR National Team (Amadou Deme, Peter Ndirimenskyi, Mader Diop and Michael Hourigan) have been in recent contact with sources (3 male persons) in Kigali Rwanda.

These sources have provided crucial information concerning the fatal rocket attack upon the Rwandese Presidential aircraft at about 2030 hours on 6 April 1994.

The Network

Sources advise that the former RPF, now known as the RGF, has within it a cell of elite soldiers who are activated and deactivated from time to time to

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conduct special operations. One such operation was the successful rocket attack upon President Ndayarimana in 1994.

We have been advised that the same cell is being reactivated to conduct high level assassinations of major Genocide offenders currently living in and around Rwanda.

We have also been advised that there is a distinct possibility that the same cell was responsible for the recent murders of Medicine Monde staff (3 persons) in Ruhengeri in January 1997 and UN Human Rights staff (8 Persons) in Cyangugu. However at this time there is absolutely no corroboration for this last piece of intelligence.

The Network Members

The Intelligence Network working in Kigali during late 1993 and early 1994, was comprised of the following 10 persons:

- 1- Capt. [REDACTED]
(Working out of OND HQ, he was [REDACTED] and in charge of [REDACTED] in Kigali)
- 2- Capt. [REDACTED]
(He was a [REDACTED] and second in charge of [REDACTED] in Kigali)
- 3- Lt. [REDACTED] *Et al*
(He was a [REDACTED] and in charge of Administration)
- 4- Adjutant [REDACTED]
(He was a [REDACTED])
- 5- Lt. [REDACTED]
(He was a [REDACTED])
- 6- Lt. [REDACTED]
(He was a [REDACTED])
- 7- Sgt. [REDACTED]
(He was a [REDACTED])
- 8- Sgt. [REDACTED]
(He was a [REDACTED])
- 9- Sgt. [REDACTED]
(He was a [REDACTED])
- 10- Sgt. [REDACTED]
(He was a [REDACTED])

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According to the source, this group was advised to put in place a contingency plan to eliminate President HABYARIMANA on or about 16 Mar. 84 as the Arusha talks were not progressing to the extent hoped and anticipated. Their assignment consisted of setting-up five (5) deployment points, 2 in Kigali and 3 around the airport perimeter in the areas of Masaka, Kanombe and Gasogi. This assignment was communicated through meetings; never was there a specific written directive to carry out this task.

Of the two (2) groups, RPF and FAR the chain of command was as follows:

R.P.F.

- 1- Col. Alex KANYARENGWE
(Chairman of RPF and now Minister of Internal Affairs and Deputy Prime Minister)
- 2- Paul KAGAME
(Chairman of the Military High Command and now Vice President of Rwanda)
- 3- Col. Steven NDUGUTE
(Deputy Chairman of the Military High Command and now a retired businessman in the transport business)
- 4- Col. Myrswasa KAYUMBA - Approximately 37 yrs. old
(Head of Intelligence Network whom Capt. Charles KARAMEA, in charge of Kigali Intelligence Operations, reported to directly)

F.A.R.

- 1- President HABYARIMANA
- 2- The Minister of Defense
- 3- Col. Theoneste BAGOSORA (MOD)
- 4- Lt. Col. NSENGIYUMVA
(Director of Military Intelligence)

One of the Military Intelligence operatives under Lt. Col. NSENGIYUMVA, who often went with Pres. HABYARIMANA to Arusha to attend the negotiations, was Lt. Col. Karaka KARENZI, now head of Rwanda's G-2 Army Intelligence Unit.

The implication with these chains of command is that Capt. Charles KARAMEA, as *lic* of Intelligence Operations in Kigali for the RPF and



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reporting to Col. KAYUMBA, would have received munitions for his operations from the 3 key figures above him namely, NDUGUYE, KAGAME and KANYARENGWE.

The source advises that the current Vice President, Paul KAGAME and the Minister of Internal Affairs and Deputy Prime Minister, Alex KANYARENGWE, were part of the plot to eliminate the President.

The Rocket Attack

The sources have all confirmed that the "network" under the Command of General Paul Kagame planned and executed the rocket attack upon President Habyarimana.

- The Sites

3 rocket sites were identified to investigators. First, Musaka Hill (SAM) and used by the attack team. Second, Gasogi Hill (SAM) and used by the attack team. Third, Camp Karambo (RPG) and not required to be used by the attack team.

- Control Posts

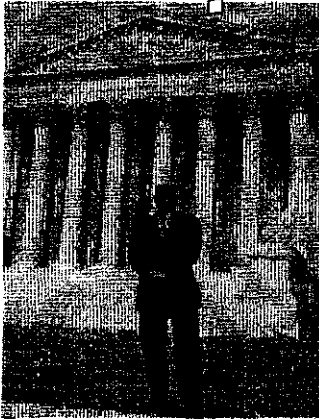
3 command posts were used. Operations were controlled overall out of Camp Karambo, field control in Kigali was maintained at a second post and initial control regarding the president's aircraft schedule was controlled in Arusha at a third post.

- Rocket Fires

Two FAR soldiers fired the SAM's from Musaka and Gasogi Hills. One survives and may be available to the ICTR through the intervention of the sources.

- Attack Plan

Source advises that they can provide the ICTR with hard copy evidence of the attack plan. To date the ICTR has requested that this not be provided.



*Michael outside the US Supreme Court, Washington DC.
"When one man stands alone a voice can create a ripple."*

Michael Andrew Hourigan LLb, M.Ed, B.Ed

Current: Principal, Michael Hourigan & Associates, Barristers and Solicitors
Managing Director, Good Works & Just Solutions – A CSR Training & Facilitation Company

Prior Roles: UN War Crimes Investigator
Special Legal Counsel, US Congress
Trial Lawyer (USA)
Crown Prosecutor (DPP – South Australia)
Educator

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Personal Profile in Summary

Lawyer Michael Hourigan brings a unique perspective to the emerging awareness and partnering opportunities for Corporate Social Responsibility in Australia. A former South Australian Prosecutor with the Director of Public Prosecutions, Michael is known internationally as a human rights lawyer who is genuinely committed to defending the rights of the voiceless. He has worked alongside famed Australian lawyer Geoffrey Robertson QC and has collaborated with leading female human rights activists such as Bianca Jagger and Dame Anita Roddick.

Michael has worked as a war crimes investigator with the UN in Rwanda, Special Legal Counsel to a member of the US Congress and as a trial lawyer with leading US plaintiff law firms in Atlanta. His most recent human rights work has required him to personally lead investigations on the ground in Iraq into allegations of the murder and torture of prisoners in the now infamous Abu Ghraib prison in Baghdad. He is also currently working with human rights activists on cases of human trafficking and the enslavement of young women in Eastern Europe.

After 10 years working overseas he has recently returned to Adelaide to his own legal practice and CSR focussed company International Business Connections (IBC).

Professional Qualifications, Education & Memberships

- **Bachelor of Law (LLb)** – University of Adelaide
- **Master Degree of Education (M.Ed)** – University of South Australia
- **Bachelor Degree of Education (B.Ed)** – University of South Australia
- **Business Ambassador for the State of South Australia** (Appointed by the Premier of South Australia the Hon Mike Rann MP)

Key Expertise

- Investigator with unique experience in interconnected issues of crime and corruption, human trafficking, genocide, war and crimes against humanity
- Excellent knowledge of and ongoing working relationships with media worldwide (including developing important "on camera" investigative roles for BBC and French productions)
- Intimate Knowledge of International, US and Australian legal systems
- Strong experience in criminal, civil and international Law
- Experienced US political policy advisor and experienced advisor to other foreign governments
- Demonstrated experience in establishing high level connections and global networks
- Worked with the following high level Government agencies:
 - **The United Nations** (including the Office of Legal Affairs, Anti Corruption, Building Development, Peacekeeping, Human Rights)
 - **Law enforcement** (including: FBI, CIA, Scotland Yard, the French National Anti Terrorist Division, ASIO, and the Police Forces of Australia, etc.)
 - **US Government** (including: The White House, Defence, Justice Department, US Congress and US Senate)
 - **Diplomatic Missions of Foreign Governments in the United States** (including: Middle East, Africa, Pakistan, Europe and the South Americas)

Key Career Achievements**Rwanda**

- I personally led an international team of United Nations Investigators known as the 'National Team' conducting world wide investigations into the 1994 Rwandan genocide in which over one million men, women and children were murdered. Key investigation areas included:-
 - Colonel Theoneste Bagosora
 - Colonel Anatole Nsengiyumva
 - Rocket Attack upon Rwandan Presidential Aircraft
 - Rwandan Presidential Guard
- My team members were predominantly non-English speaking from a wide range of multi-cultural and religious backgrounds.
- The National Team consisted of a multi disciplinary task force made up of over 20 leading law enforcement and legal figures from Europe, Africa and North America.

Media Consultant

- From January 1998-June 1999 I worked as a special consultant to Panorama BBC-TV England, Frontline - USA, Four Corners ABC TV-Australia and Sixty Minutes NineMSN-Australia

- The BBC documentary "*When Good Men do Nothing*" was shown worldwide and won a number of prestigious awards including a Peabody and the 1999 Amnesty International Film of the Year Award.

Member of United Nations Office of Oversight (OIOS)

- Based in New York I investigated serious corruption in UN building projects worldwide. The task force consisted of lawyers and investigators from the US Department of Justice, the UK Director of Public Prosecutions, the FBI and Scotland Yard.

Special Legal Counsel to US Congresswoman

- Provided Congressional office with expert advice on international law, especially as it applied to human rights, the environment and armed conflict
- Provided advice to assist the House International Relations Committee
- Provided advice to assist the House Defence Committee
- Provided advice on domestic legal matters arising in and pertaining to the State of Georgia
- Met and liaised with President Clinton, members of the White House staff, members of the Senate and the US Congress, Congressional staff, Heads of State and their diplomatic missions, CEO's and corporate leaders of various "Fortune 50" and "Fortune 500" companies.

Geoffrey Robertson QC

- I worked with renowned Australian born Lawyer Geoffrey Robertson QC to assist victims of the 1994 Rwandan Genocide to bring about an unprecedented civil lawsuit against the UN. This was an important and ground-breaking lawsuit to hold the United Nations accountable for the ongoing complicity of its peacekeepers in human rights abuses.

Dame Anita Roddick DBE

- The Founder of The Body Shop has been speaking out and campaigning on issues of peace, trade justice and human rights for over 20 years. Dame Anita supported me in my work taking action against US corporations working in Bosnia who were found to be complicit in the human traffickers and the sexual enslavement of young Eastern European women.

Trial Lawyer, Atlanta

- As special Legal Counsel for The Mathis Law Firm LLC in Atlanta, Georgia, I was exposed to the workings of a highly regarded and successful US plaintiff firm. Working as a trial lawyer I had the opportunity to blend mass tort litigation with high profile human rights cases.

Abu Ghraib Prison – Iraq

- I was responsible for and successfully coordinated and led enquiries on the ground in Bagdad and Faluja to meet with the torture victims and their families of people who had been murdered and tortured by the US Armed Forces in the Abu Ghraib prison.
- I returned to the US where I assisted other members of the trial team in preparing statements of claim and other court documents against two prominent US defence companies Titan Corporation and CACI International. The claim was filed in the US Federal Court for the District of Columbia and is currently in the process of litigation.
- I acted as spokesperson in the national Media Conference in July 2004 when details were released to the American public about this historic legal action.

Public Prosecutor, DPP South Australia

- Trail prosecutor litigating major crimes in South Australia

Testimonials:

US Congresswoman Cynthia McKinney – 4th District State of Georgia

Geoffrey Robertson QC - London

Jeff McMullen, Sixty Minutes Australia, Nine Television Network

William (Bill) Fletcher Jnr (Media And Political Campaign Specialist, TnUS)

Andrew Deere, General Manager Australian and New Zealand, DTex Systems,
