

UNAMIR

SECURITY COUNCIL - CORRESPONDENCE

[1 MAY 1995] - 29 JAN 1996

[2 CONFIDENTIAL]

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PART 1 OF 5

UNITED
NATIONS
SECURITY COUNCIL
DISTR.
GENERAL

S/1996/67

29 JANUARY 1996

ORIGINAL: ENGLISH

LETTER DATED 26 JANUARY 1996 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I HAVE THE HONOUR TO TRANSMIT TO YOU HERewith THE INTERIM
REPORT OF THE INTERNATIONAL COMMISSION OF INQUIRY, SUBMITTED
TO ME BY THE CHAIRMAN OF THE COMMISSION, IN PURSUANCE OF
SECURITY COUNCIL RESOLUTION 1013 (1995) OF 7 SEPTEMBER 1995.

YOU WILL NOTE THAT IN THE CONCLUSIONS OF THE REPORT (PARA.
68), THE COMMISSION INDICATES THAT IT WILL SUBMIT ITS FINAL
REPORT AS SOON AS POSSIBLE, IN ACCORDANCE WITH PARAGRAPH 4 OF
SECURITY COUNCIL RESOLUTION 1013 (1995). IN THE LIGHT OF THE
INFORMATION AND OBSERVATIONS CONTAINED IN THE ATTACHED REPORT,
AND UNLESS SUBSTANTIAL PROGRESS CAN BE MADE IN THE COMING
WEEKS TOWARDS RESOLVING SOME OF THE DIFFICULTIES ENCOUNTERED
BY THE COMMISSION, IT WOULD BE MY INTENTION TO REQUEST IT TO
SUBMIT ITS FINAL REPORT BY THE END OF FEBRUARY 1996.

I SHOULD BE GRATEFUL IF YOU WOULD BRING THIS LETTER AND THE
ATTACHED REPORT TO THE ATTENTION OF THE MEMBERS OF THE
SECURITY COUNCIL.

(SIGNED) BOUTROS BOUTROS-GHALI

ANNEX

(ORIGINAL: ENGLISH/FRENCH)

17 JANUARY 1996

INTERIM REPORT OF THE INTERNATIONAL COMMISSION OF INQUIRY
TO INVESTIGATE REPORTS OF THE SALE OR SUPPLY OF ARMS TO
FORMER RWANDAN GOVERNMENT FORCES IN VIOLATION OF THE
SECURITY COUNCIL ARMS EMBARGO AND ALLEGATIONS THAT THOSE
FORCES ARE RECEIVING TRAINING TO DESTABILIZE RWANDA

I. INTRODUCTION

1. BY PARAGRAPH 1 OF ITS RESOLUTION 1013 (1995) OF 7
SEPTEMBER 1995, THE SECURITY COUNCIL REQUESTED THE SECRETARY-
GENERAL

"TO ESTABLISH, AS A MATTER OF URGENCY, AN INTERNATIONAL
COMMISSION OF INQUIRY, WITH THE FOLLOWING MANDATE:

"(A) TO COLLECT INFORMATION AND INVESTIGATE REPORTS
RELATING TO THE SALE OR SUPPLY OF ARMS AND RELATED MATERIEL TO
FORMER RWANDAN GOVERNMENT FORCES IN THE GREAT LAKES REGION IN
VIOLATION OF COUNCIL RESOLUTIONS 918 (1994), 997 (1995) AND
1011 (1995);

"(B) TO INVESTIGATE ALLEGATIONS THAT SUCH FORCES ARE
RECEIVING MILITARY TRAINING IN ORDER TO DESTABILIZE RWANDA;

"(C) TO IDENTIFY PARTIES AIDING AND ABETTING THE ILLEGAL
ACQUISITION OF ARMS BY FORMER RWANDAN GOVERNMENT FORCES,
CONTRARY TO THE COUNCIL RESOLUTIONS REFERRED TO ABOVE;

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"(D) TO RECOMMEND MEASURES TO END THE ILLEGAL FLOW OF ARMS IN THE SUBREGION IN VIOLATION OF THE COUNCIL RESOLUTIONS REFERRED TO ABOVE".

2. BY PARAGRAPH 3 OF THE SAME RESOLUTION, THE COUNCIL ALSO CALLED ON STATES, RELEVANT UNITED NATIONS BODIES, INCLUDING THE COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 918 (1994), INTERNATIONAL HUMANITARIAN ORGANIZATIONS AND NON-GOVERNMENTAL ORGANIZATIONS (NGOS) TO COLLABORATE INFORMATION IN THEIR POSSESSION RELATING TO THE MANDATE OF THE COMMISSION AND REQUESTED THEM TO MAKE THAT INFORMATION AVAILABLE AS SOON AS POSSIBLE.

3. THE COUNCIL, IN PARAGRAPH 5 OF THE RESOLUTION, FURTHER CALLED UPON THE GOVERNMENTS OF THE STATES IN WHICH THE COMMISSION WAS TO CARRY OUT ITS MANDATE TO COOPERATE FULLY WITH THE COMMISSION, INCLUDING RESPONDING POSITIVELY TO REQUESTS FROM THE COMMISSION FOR SECURITY, ASSISTANCE AND ACCESS IN PURSUING INVESTIGATIONS, INCLUDING:

(A) ADOPTION BY THEM OF ANY MEASURES NEEDED FOR THE COMMISSION AND ITS PERSONNEL TO CARRY OUT THEIR FUNCTIONS THROUGHOUT THEIR RESPECTIVE TERRITORIES WITH FULL FREEDOM, INDEPENDENCE AND SECURITY;

(B) PROVISION BY THEM OF ALL INFORMATION IN THEIR POSSESSION THAT THE COMMISSION REQUESTED, OR WAS OTHERWISE NEEDED TO FULFIL ITS MANDATE AND FREE ACCESS FOR THE COMMISSION AND ITS STAFF TO ANY RELEVANT ARCHIVES;

(C) FREEDOM OF ACCESS AT ANY TIME, FOR THE COMMISSION AND ITS STAFF, TO ANY ESTABLISHMENT OR PLACE AS THEY DEEMED NECESSARY FOR THEIR WORK, INCLUDING BORDER POINTS, AIRFIELDS AND REFUGEE CAMPS;

(D) APPROPRIATE MEASURES TO GUARANTEE THE SAFETY AND SECURITY OF THE MEMBERS OF THE COMMISSION AND GUARANTEES FROM THE GOVERNMENTS OF FULL RESPECT FOR THE INTEGRITY, SECURITY AND FREEDOM OF WITNESSES, EXPERTS AND ANY OTHER PERSONS WORKING WITH THE COMMISSION IN THE FULFILMENT OF ITS MANDATE;

(E) FREEDOM OF MOVEMENT FOR MEMBERS OF THE COMMISSION, INCLUDING FREEDOM TO INTERVIEW ANY PERSON IN PRIVATE, AT ANY TIME, AS APPROPRIATE;

(F) THE GRANT OF RELEVANT PRIVILEGES AND IMMUNITIES IN ACCORDANCE WITH THE GENERAL CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS.

4. IN A LETTER DATED 16 OCTOBER 1995 (S/1995/879), THE SECRETARY-GENERAL NOTIFIED THE PRESIDENT OF THE SECURITY COUNCIL THAT HE HAD APPOINTED THE FOLLOWING PERSONS AS MEMBERS OF THE INTERNATIONAL COMMISSION:

AMBASSADOR MAHMOUD KASSEM (EGYPT) (CHAIRMAN)
INSPECTOR JEAN-MICHEL HANSENS (CANADA)
COLONEL JURGEN G. H. ALMELING (GERMANY)
LIEUTENANT-COLONEL JAN MEIJUOGEL (NETHERLANDS)
BRIGADIER MUJAHID ALAM (PAKISTAN)
COLONEL LAMECK MUTANDA (ZIMBABWE).

5. BY A LETTER DATED 28 OCTOBER 1995 (S/1995/880), THE PRESIDENT OF THE SECURITY COUNCIL INFORMED THE SECRETARY-GENERAL THAT THE MEMBERS OF THE COUNCIL WELCOMED HIS DECISION AND TOOK NOTE OF THE INFORMATION CONTAINED IN HIS LETTER.

II. METHODS OF WORK OF THE INTERNATIONAL COMMISSION

6. AS AN ORGAN ESTABLISHED PURSUANT TO A RESOLUTION OF THE SECURITY COUNCIL, THE INTERNATIONAL COMMISSION WAS ENTITLED TO SEEK THE ASSISTANCE AND COOPERATION OF STATES AS CALLED FOR IN THAT RESOLUTION, AND IT HAS APPROACHED A NUMBER OF GOVERNMENTS TO SEEK SUCH INFORMATION AND COOPERATION. AT THE SAME TIME,

BEING PRIMARILY A FACT-FINDING BODY AND BEING COMPOSED FOR THE MOST PART OF SERVING MILITARY AND POLICE OFFICERS, THE COMMISSION DECIDED TO BASE ITS CONCLUSIONS TO THE EXTENT POSSIBLE PRIMARILY ON FIRST-HAND EVIDENCE CONCERNING THE SUBJECT OF ITS MANDATE, SUCH AS EYEWITNESS TESTIMONY, ORIGINAL DOCUMENTS AND ITS OWN INSPECTIONS AND OBSERVATIONS.

7. THE INTERNATIONAL COMMISSION HAS NEITHER THE LEGAL POWERS NOR THE PHYSICAL AND HUMAN RESOURCES OF A POLICE FORCE OR AN ESTABLISHED INVESTIGATIVE AGENCY. ACCORDINGLY, IT DOES NOT HAVE AT ITS DISPOSAL A WIDE RANGE OF LEGAL INSTRUMENTS, SUCH AS SEARCH WARRANTS OR THE TECHNICAL CAPABILITIES THAT ARE NORMALLY ASSOCIATED WITH MAJOR AND COMPLEX INVESTIGATIONS OF THE KIND UNDERTAKEN BY THE INTERNATIONAL COMMISSION. INSTEAD, THE COMMISSION WAS OBLIGED TO RELY ON THE ASSISTANCE OF MEMBER STATES WILLING TO PLACE AT ITS DISPOSAL AND THE GOODWILL OF INDIVIDUALS WHOSE COOPERATION IT SOUGHT.

8. NOTWITHSTANDING ITS INVESTIGATIVE LIMITATIONS, THE INTERNATIONAL COMMISSION HAS RECOGNIZED THE NEED TO APPLY IN ITS WORK THE SAME PROFESSIONAL STANDARDS, PROCEDURES AND METHODS AS WOULD BE APPLIED IN ANY CREDIBLE INVESTIGATION. IT SHOULD BE EMPHASIZED THAT IN ANY INVESTIGATION THE RESPONSE TIME TAKEN TO BEGIN THE INQUIRY IS CRITICAL. OVER TIME, WITNESSES TO EVENTS BECOME DIFFICULT TO LOCATE, MEMORIES FAIL, TESTIMONY MAY CHANGE AND CRITICAL PHYSICAL EVIDENCE CAN DISAPPEAR OR BE ALTERED. THE INTERNATIONAL COMMISSION HAS BEEN SERIOUSLY HAMPERED BY ITS LATE DEPLOYMENT, IN THAT IT WAS NOT CREATED UNTIL SOME 16 MONTHS AFTER THE ADOPTION OF THE EMBARGO. THIS DELAY, COMPOUNDED BY THE ABSENCE OF ANY EFFECTIVE MONITORING OR VERIFICATION MECHANISM FOR THE IMPLEMENTATION OF THE EMBARGO, HAS GREATLY IMPAIRED THE COMMISSION'S ABILITY TO CONDUCT ITS INVESTIGATIONS UNDER OPTIMUM CONDITIONS. NEVERTHELESS, FOLLOWING THE INITIAL PERIOD ITS MEMBERS SPENT FAMILIARIZING THEMSELVES WITH THE DETAILS OF THE SUBJECT-MATTER AND ESTABLISHING THEMSELVES IN THE REGION, A NUMBER OF LINES OF INQUIRY HAVE BEEN OPENED, WHICH HAVE NOT YET BEEN EXHAUSTED.

9. THE INTERNATIONAL COMMISSION WAS ESTABLISHED FOLLOWING THE PUBLICATION OF SEVERAL MORE OR LESS DETAILED REPORTS IN A NUMBER OF COUNTRIES, INCLUDING PRESS REPORTS AND TELEVISION BROADCASTS, ALLEGING THAT ARMS HAD BEEN SOLD OR SUPPLIED TO THE FORMER RUANDAN GOVERNMENT FORCES NOW IN ZAIRE IN VIOLATION OF THE UNITED NATIONS EMBARGO, AND THAT MEN WHO HAD SOUGHT REFUGE IN ZAIRE WERE ENGAGED IN MILITARY TRAINING. IN THE ABSENCE OF ANY INFORMATION DERIVED FROM ANY UNITED NATIONS ORGAN CHARGED WITH ENFORCING, IMPLEMENTING, MONITORING OR VERIFYING THE OPERATION OF THE EMBARGO, THE COMMISSION WAS OBLIGED IN THE FIRST INSTANCE TO USE THOSE REPORTS AND BROADCASTS AS PROVISIONAL SOURCES OF INFORMATION UNTIL IT WAS ABLE TO INVESTIGATE THE ALLEGATIONS AT FIRST HAND.

10. THE INTERNATIONAL COMMISSION THEREFORE WROTE IN NOVEMBER AND EARLY DECEMBER 1995 TO THE GOVERNMENTS OF CHINA, FRANCE, SEYCHELLES AND SOUTH AFRICA, COUNTRIES NAMED IN THE REPORTS ON THE ILLEGAL SHIPMENTS OF ARMS, TO ASK FOR THEIR RESPONSE TO THE ALLEGATIONS AND TO INQUIRE IF THEY HAD UNDERTAKEN, WERE UNDERTAKING OR CONTEMPLATED UNDERTAKING ANY INVESTIGATION INTO THOSE ALLEGATIONS, AND INFORMING THEM THAT THE COMMISSION WOULD SUBMIT ITS REPORT TO THE SECRETARY-GENERAL TOWARDS THE END OF JANUARY 1996. DURING ITS FIRST VISIT TO ZAIRE (SEE PARAS. 23-33 BELOW), THE COMMISSION PUT SIMILAR QUESTIONS TO THE GOVERNMENT OF THAT COUNTRY. AS OF THE TIME OF COMPLETING

THE PRESENT REPORT, ONLY THE GOVERNMENTS OF FRANCE AND ZAIRE HAD REPLIED TO THE COMMISSION'S LETTERS. THE GOVERNMENT OF BELGIUM HAS ALSO REPLIED TO TECHNICAL QUESTIONS POSED BY THE COMMISSION (SEE PARA. 42 BELOW).

11. THE COMMISSION ALSO WROTE TO THE GOVERNMENT OF BULGARIA CONCERNING A BULGARIAN COMPANY, KINTEX, WHICH HAD BEEN FEATURED IN A BRITISH TELEVISION PROGRAMME AS APPARENTLY WILLING TO SELL ARMS IN VIOLATION OF THE UNITED NATIONS EMBARGO, ASKING WHAT ACTION, IF ANY, THE GOVERNMENT HAD TAKEN OR INTENDED TO TAKE TO INVESTIGATE THE ALLEGATIONS. NO REPLY HAS YET BEEN RECEIVED.

12. IN PURSUANCE OF ITS MANDATE, THE INTERNATIONAL COMMISSION WISHED TO VISIT ALL THE COUNTRIES OF THE GREAT LAKES REGION IN ORDER TO COLLECT INFORMATION AND INVESTIGATE REPORTS, IF ANY, CONCERNING THE POSSIBLE REARMING AND TRAINING OF THOSE FORCES, WHEREVER THEY MIGHT BE IN THAT REGION. THE COMMISSION HAS FOR SOME TIME BEEN TRYING TO ARRANGE HIGH-LEVEL MEETINGS BETWEEN THE COMMISSION AND THE LEADERS OF BURUNDI, UGANDA AND THE UNITED REPUBLIC OF TANZANIA. HOWEVER, THE GOVERNMENTS CONCERNED HAVE NOT YET INDICATED THEIR READINESS TO RECEIVE THE INTERNATIONAL COMMISSION.

13. THE INTERNATIONAL COMMISSION, HAVING ESTABLISHED AN ADMINISTRATIVE BASE AT THE UNITED NATIONS OFFICE AT NAIROBI, VISITED RWANDA AND ZAIRE AND MET IN EACH COUNTRY WITH SENIOR GOVERNMENT OFFICIALS AND THE HEADS OF UNITED NATIONS AGENCIES AND REPRESENTATIVES OF NGOS OPERATING AMONG THE REFUGEES (SEE APPENDIX).

III. ACTIVITIES OF THE INTERNATIONAL COMMISSION

14. THE INTERNATIONAL COMMISSION ARRIVED IN NAIROBI ON 4 NOVEMBER 1995 FOLLOWING AN INTENSIVE SERIES OF BRIEFINGS AND ORIENTATIONS AT UNITED NATIONS HEADQUARTERS. HAVING ESTABLISHED ITSELF IN OFFICES PROVIDED BY THE UNITED NATIONS ENVIRONMENT PROGRAMME, THE COMMISSION PROCEEDED AS SOON AS POSSIBLE TO KIGALI, RWANDA.

A. ACTIVITIES IN RWANDA

15. ON ARRIVAL IN RWANDA ON 8 NOVEMBER 1995, THE CHAIRMAN GAVE A PRESS CONFERENCE AT THE AIRPORT, EXPLAINING THE NATURE

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AND THE MANDATE OF THE INTERNATIONAL COMMISSION OF INQUIRY AND INTRODUCING ITS MEMBERS. THE COMMISSION WAS THEN BRIEFED AT THE HEADQUARTERS OF THE UNITED NATIONS ASSISTANCE MISSION FOR RWANDA (UNAMIR) BY THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL, AMBASSADOR SHAHRYAR KHAN, AND THE FORCE COMMANDER, MAJOR-GENERAL GUY TOUSIGNANT.

16. THAT AFTERNOON, THE INTERNATIONAL COMMISSION MET WITH THE MINISTER OF FOREIGN AFFAIRS OF RWANDA, H.E. MR. ANASTASE GASANA. THE COMMISSIONER MET THE FOLLOWING MORNING WITH THE VICE-PRESIDENT AND MINISTER OF DEFENCE, MAJORGENERAL PAUL KAGAME.

17. DURING THE MEETING WITH THE VICE-PRESIDENT, IN ADDITION TO REQUESTING GENERAL ASSISTANCE IN THE DISCHARGE OF THE COMMISSION'S MANDATE, THE CHAIRMAN REQUESTED THE PARTICULAR COOPERATION OF THE RWANDESE GOVERNMENT IN FACILITATING A VISIT BY THE COMMISSION TO IWAWA ISLAND IN LAKE KIVU. THE ISLAND, WHICH IS RWANDESE TERRITORY, HAD BEEN THE SCENE OF A BATTLE A FEW DAYS BEFORE BETWEEN THE RWANDESE PATRIOTIC ARMY (RPA) AND RWANDAN INSURGENTS APPARENTLY CONTROLLED BY THE FORMER RWANDAN GOVERNMENT FORCES. A QUANTITY OF WEAPONS AND MILITARY MATERIEL, AS WELL AS A NUMBER OF PRISONERS, HAD BEEN CAPTURED THERE.

18. THE COMMISSION'S VISIT TO IWAWA ISLAND TOOK PLACE THE NEXT DAY, 10 NOVEMBER 1995. THE DANGER FROM LAND-MINES, WHICH HAD BEEN HEAVILY AND INDISCRIMINATELY LAID ON THE ISLAND, AND THE TIME CONSTRAINTS IMPOSED BY LIMITATIONS ON THE MEANS OF TRANSPORTATION AVAILABLE, PREVENTED THE COMMISSION FROM UNDERTAKING A COMPREHENSIVE STUDY OF THE SITE AND INTERVIEWING IN DEPTH THE PRISONERS PRESENTED TO IT.

19. NEVERTHELESS, THE COMMISSION WAS ABLE TO INSPECT WEAPONS, EXPLOSIVES AND OTHER MILITARY EQUIPMENT BOTH ON THE SHORE AND AT ANOTHER SITE FURTHER INLAND. MOST OF THE WEAPONS INSPECTED WERE FOUND TO BE OLD AND UNSERVICEABLE, WHILE THE NEW MATERIEL, STILL WRAPPED IN PLASTIC BAGS, MOSTLY COMPRISED UNASSEMBLED MACHINE-GUNS. THE COMMISSION WAS LATER INFORMED BY THE RPA SENIOR OFFICER PRESENT THAT SOME WEAPONS IN WORKING ORDER HAD BEEN REMOVED FROM THE ISLAND AND DISTRIBUTED AMONG THE RPA, BUT THAT NONE OF THESE HAD BEEN NEW.

20. THE CHAIRMAN AND SOME MEMBERS OF THE COMMISSION THEN INTERVIEWED SOME YOUNG MEN AND A SENIOR NON-COMMISSIONED OFFICER OF THE FORMER RWANDAN GOVERNMENT FORCES WHO, THEY WERE INFORMED BY THE RPA OFFICER PRESENT, HAD BEEN CAPTURED ON THE ISLAND. THE COMMISSION MEMBERS WERE OBLIGED TO USE THE RPA OFFICER AS AN INTERPRETER IN THEIR INTERVIEWS, BUT HAD NO REASON TO DOUBT THAT THE INTERPRETATION WAS ACCURATE. THE YOUNG MEN WERE INFORMED OF THE NATURE OF THE INTERNATIONAL COMMISSION AND AGREED TO ANSWER QUESTIONS POSED BY IT. THE ANSWERS THEY GAVE INDICATED THAT THE MEN WERE RWANDANS, AND HAD BEEN LIVING IN MUGUNGA CAMP NEAR GOMA, ZAIRE. THEY HAD BEEN UNDERGOING ELEMENTARY WEAPONS TRAINING ON THE ISLAND

Shahryar Khan Spokesman

UNDER THE SUPERVISION OF A MILITARY COMMANDER OF THE FORMER RWANDAN GOVERNMENT FORCES AND A CIVILIAN. NO FOREIGNERS WERE SAID TO BE INVOLVED.

21. DURING ITS STAY IN RWANDA, THE INTERNATIONAL COMMISSION ALSO MET WITH REPRESENTATIVES OF THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR) AND OTHER UNITED NATIONS AGENCIES, THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC) AND A NUMBER OF NGOS, AS WELL AS REPRESENTATIVES OF MAJOR DONOR COUNTRIES (SEE ANNEX). THE COMMISSION ALSO ESTABLISHED DIRECT WORKING-LEVEL LINKS WITH RWANDAN GOVERNMENT OFFICIALS.

22. DURING NOVEMBER AND DECEMBER 1995, COMMISSION MEMBERS TRAVELLED BACK TO KIGALI FROM TIME TO TIME TO MEET WITH OFFICIALS THERE IN AN EFFORT TO GATHER AND ANALYSE AS MUCH INFORMATION AS POSSIBLE THAT MIGHT CORROBORATE THE ALLEGATIONS UNDER INVESTIGATION. HOWEVER, ON THE BASIS OF THE INFORMATION MADE AVAILABLE TO IT THROUGH THIS CHANNEL TO DATE, THE COMMISSION HAS NOT BEEN ABLE TO REACH A FIRM CONCLUSION AS TO THE TRUTH OF THE ALLEGATIONS.

B. ACTIVITIES IN ZAIRE

1. ACTIVITIES IN KINSHASA

23. THE INTERNATIONAL COMMISSION HAD INTENDED TO TRAVEL TO ZAIRE ON 22 NOVEMBER 1995 FOR A VISIT TO KINSHASA, GBADOLITE AND THE GOMA AREA, INCLUDING BUKAVU AND UVIIRA, AND HAD PREPARED AN ITINERARY ACCORDINGLY WITH THE ASSISTANCE OF THE UNAMIR LIAISON OFFICER IN KINSHASA.

24. HOWEVER, ON 21 NOVEMBER, THE AFTERNOON BEFORE THE COMMISSION'S SCHEDULED DEPARTURE, THE CHAIRMAN WAS INFORMED THAT THE OFFICE OF THE PRIME MINISTER OF ZAIRE HAD RAISED QUESTIONS CONCERNING THE TERMS OF REFERENCE OF THE COMMISSION AND ITS PROPOSED ACTIVITIES WHILE ON ZAIRIAN SOIL. THE COMMISSION WAS GIVEN TO UNDERSTAND THAT THE PROPOSED LENGTH OF ITS STAY IN ZAIRE - SOME 28 DAYS, INITIALLY - WAS "TOO MUCH" AND SHOULD BE REDUCED, AND ITS PROPOSAL TO BE ACCOMMODATED AT GISENYI IN RWANDA WHILE CONDUCTING INVESTIGATIONS JUST ACROSS THE BORDER IN GOMA WOULD BE REJECTED. IT WAS ALSO EXPLAINED THAT SENIOR FIGURES IN THE ZAIRIAN GOVERNMENT WERE ENGAGED IN PREPARATIONS FOR THE CAIRO CONFERENCE ON THE GREAT LAKES REGION TO BE HELD ON 28 AND 29 NOVEMBER 1995. IT WAS THEREFORE RECOMMENDED THAT THE VISIT OF THE INTERNATIONAL COMMISSION TO ZAIRE BE POSTPONED UNTIL ARRANGEMENTS COULD BE AGREED UPON WITH THE ZAIRIAN GOVERNMENT.

25. ACCORDINGLY, THE FOLLOWING DAY THE CHAIRMAN VISITED THE AMBASSADOR OF ZAIRE TO KENYA, EXPLAINED TO HIM THE TERMS OF REFERENCE OF THE INTERNATIONAL COMMISSION AND RECALLED THE ROLE PLAYED BY THE ZAIRIAN GOVERNMENT IN THE COMMISSION'S CREATION. HE DREW TO THE AMBASSADOR'S ATTENTION RESOLUTION 1813 (1995), WHICH SETS OUT THE COMMISSION'S MANDATE AND CALLS ON THE STATES ON WHOSE TERRITORY THAT MANDATE WAS TO BE CARRIED OUT TO COOPERATE FULLY WITH IT. THE AMBASSADOR UNDERTOOK TO CONVEY THE CHAIRMAN'S POSITION TO KINSHASA AND TO INFORM HIM OF HIS GOVERNMENT'S REACTION.

26. IN THE EVENT, AFTER MORE THAN TWO WEEKS' DELAY, DURING WHICH HIGH-LEVEL DIPLOMATIC EFFORTS WERE BEING MADE TO EXPEDITE THE VISIT, THE ZAIRIAN AUTHORITIES FINALLY, AND WITH SOME APPARENT RELUCTANCE, AGREED TO PERMIT THE INTERNATIONAL COMMISSION TO PAY A PRELIMINARY VISIT TO KINSHASA FROM 8 TO 16 DECEMBER 1995. DURING THAT VISIT, THE COMMISSION WAS RECEIVED BY THE PRIME MINISTER AND THE MINISTERS OF FOREIGN AFFAIRS, JUSTICE, DEFENCE, THE INTERIOR AND TRANSPORT. THE

INTERNATIONAL COMMISSION ALSO MET WITH THE AMBASSADORS TO ZAIRE OF BELGIUM, FRANCE, GERMANY AND THE UNITED STATES OF AMERICA, AS WELL AS HEADS OF UNITED NATIONS AGENCIES IN KINSHASA AND REPRESENTATIVES OF THE EUROPEAN UNION AND ICRC. DURING HIS MEETING WITH THE PRIME MINISTER, THE CHAIRMAN OF THE INTERNATIONAL COMMISSION PRESENTED TO HIM A PERSONAL LETTER FROM THE SECRETARY GENERAL.

27. THE ZAIRIAN GOVERNMENT MINISTERS, RECALLING THE ROLE PLAYED BY THEIR COUNTRY IN PROPOSING THE CREATION OF THE INTERNATIONAL COMMISSION OF INQUIRY, PROMISED THEIR FULL COOPERATION AND ASSISTANCE. IN RESPONSE TO A REQUEST BY THE INTERNATIONAL COMMISSION THAT THE ZAIRIAN GOVERNMENT NOMINATE AN OFFICIAL TO LIAISE WITH THE COMMISSION, THE MINISTER FOR FOREIGN AFFAIRS, MR. GERARD KAMANDA WA KAMANDA, PROPOSED A 10-DAY "ACCLIMATIZATION" VISIT FOR THE COMMISSION TO NORTH AND SOUTH KIVU, AND OFFERED THE INTERNATIONAL COMMISSION THE ASSISTANCE OF A TEAM OF ZAIRIAN OFFICERS LED BY THE AUDITOR GENERAL OF THE ZAIRIAN ARMED FORCES (FAZ), GENERAL FARIALA EUTCHA.

28. THE CHAIRMAN SUBMITTED TO THE MINISTER FOR FOREIGN AFFAIRS A LIST OF WRITTEN QUESTIONS CONCERNING THE REACTION OF THE GOVERNMENT OF ZAIRE TO THE ALLEGATIONS MADE PUBLIC THUS FAR TO THE EFFECT THAT IT HAD BEEN INVOLVED IN THE ARMING OF FORMER RWANDAN GOVERNMENT FORCES IN VIOLATION OF THE SECURITY COUNCIL RESOLUTIONS AND THAT THOSE FORCES WERE RECEIVING MILITARY TRAINING ON ZAIRIAN SOIL. THE MINISTER FOR FOREIGN AFFAIRS, STATING THAT THE BURDEN OF PROOF LAY ON THE ACCUSER, DELIVERED A WRITTEN RESPONSE MAKING THE FOLLOWING POINTS:

"THE COMMISSION'S LIST OF QUESTIONS IS, IN ESSENCE, BASED ON THE ALLEGATIONS BY HUMAN RIGHTS WATCH RATHER THAN ON FACTS WHOSE SOLIDITY HAS BEEN ESTABLISHED IN ADVANCE.

"AFTER REGISTERING THE ACCUSATIONS BY HUMAN RIGHTS WATCH AND TAKING NOTE OF THE BBC TELEVISION DOCUMENTARIES BROADCAST EARLY IN THE YEAR, THE GOVERNMENT TOOK THE INITIATIVE IN MARCH BY DISPATCHING AN INVESTIGATION TEAM TO KIVU, UNDER THE VICE-PRIME MINISTER AND MINISTER OF NATIONAL DEFENCE, TO DETERMINE THE ACCURACY OF THE COMPLAINTS AGAINST ZAIRE IN CONNECTION WITH THE ALLEGED DESTABILIZATION OF RWANDA.

"THIS INVESTIGATION TEAM DECLARED THE ACCUSATIONS TO BE UNFOUNDED.

"HOWEVER, IN THE LIGHT OF PERSISTENT ACCUSATIONS IN THE INTERNATIONAL MEDIA AND BY THE RWANDAN AUTHORITIES, THE GOVERNMENT FELT OBLIGED TO CALL FOR THE ESTABLISHMENT OF AN INTERNATIONAL COMMISSION OF INQUIRY.

"AT THIS STAGE OF THE INVESTIGATION, THE GOVERNMENT IS ENTITLED TO EXPECT THAT THE COMMISSION PUT FORWARD SOME SPECIFIC FACTS TO WHICH IT COULD PROVIDE APPROPRIATE RESPONSES. INSTEAD, IT IS BEING ASKED TO ANSWER ALLEGATIONS BY AN ASSOCIATION WHOSE ACCUSATIONS CONCEAL ULTERIOR MOTIVES. IN ADDITION, IT IS CLEAR TO EVEN THE LEAST WELL-INFORMED OBSERVER THAT THE BBC TELEVISION DOCUMENTARY WAS MOST CRUDELY STAGED."

29. THE MINISTER THEN REPLIED TO EACH OF THE COMMISSION'S QUESTIONS. THE GOVERNMENT HAD NO KNOWLEDGE OF SOME OF THE INCIDENTS SAID TO HAVE OCCURRED, AND CONSIDERED IN RESPECT OF OTHERS THAT THE EVIDENCE WAS INSUFFICIENT TO WARRANT ANY ACTION. IT HAD THEREFORE NOT UNDERTAKEN ANY INVESTIGATION INTO THE POSSIBLE INVOLVEMENT OF ANY ZAIRIAN NATIONAL OR COMPANY IN THE SALE OR SUPPLY OF ARMS TO THE FORMER RWANDAN

GOVERNMENT FORCES IN VIOLATION OF THE SECURITY COUNCIL RESOLUTIONS.

30. STRESSING THAT THEY HAD NEITHER THE INTENTION NOR THE RESOURCES TO DESTABILIZE RWANDA, THE ZAIRIAN AUTHORITIES DENIED HAVING ARMED OR PROVIDED TRAINING TO THE FORMER RWANDAN GOVERNMENT FORCES IN VIOLATION OF THE SECURITY COUNCIL EMBARGO.

31. THE MINISTER FOR FOREIGN AFFAIRS ALSO POINTED OUT THAT, DURING THE PERIOD WHEN MANY OF THE ALLEGED ARMS DELIVERIES IN VIOLATION OF THE EMBARGO WERE SAID TO HAVE TAKEN PLACE, NAMELY IN MID-1994, THE SITUATION AROUND GOMA WAS MARKED BY GREAT TURMOIL AND CONFUSION. SOME 2 MILLION REFUGEES POURED ACROSS THE BORDER, OVERWHELMING THE EFFORTS OF RELIEF AGENCIES TO ACCOMMODATE AND FEED THEM; AN OUTBREAK OF CHOLERA COST 50,000 LIVES; AND THE WAR WAS STILL RAGING IN NEIGHBOURING RWANDA. IN RESPONSE TO PLEAS FROM THE INTERNATIONAL COMMUNITY, THE AUTHORITIES WAIVED VISA AND CUSTOMS REQUIREMENTS TO EXPEDITE THE DELIVERY OF RELIEF SUPPLIES AND PERSONNEL. THE AIRPORT AT GOMA WAS RECEIVING FLIGHTS DAY AND NIGHT CARRYING EQUIPMENT AND SUPPLIES OF ALL KINDS, INCLUDING TONS OF DRINKING WATER. DURING THAT PERIOD, SAID THE GOVERNMENT, INCOMING FLIGHTS TO THE AIRPORT WERE COORDINATED BY UNHCR.

32. THE MINISTER POINTED OUT THAT THE INTERNATIONAL COMMUNITY WAS PRESENT IN GOMA IN FULL FORCE DURING THE PERIOD IN QUESTION AND WOULD CERTAINLY HAVE OBSERVED ANY ATTEMPTS TO TRANSPORT WEAPONS THROUGH THE AIRPORT. THE INTERNATIONAL COMMISSION IS ALSO AWARE THAT DURING THE PERIOD OF OPERATION TURQUOISE (JUNE-AUGUST 1994), THE FRENCH MILITARY MAINTAINED A SIZEABLE PRESENCE AT GOMA AIRPORT AND EXERCISED SUBSTANTIAL CONTROL OVER ITS OPERATIONS.

33. THE MINISTER OF DEFENCE, IN HIS MEETING WITH THE COMMISSION, STATED THAT THE ZAIRIAN ARMY HAD DISARMED THE RETREATING RWANDAN GOVERNMENT FORCES AS THEY CROSSED THE BORDER. HE SAID THE CONFISCATED WEAPONS HAD BEEN PLACED IN STORAGE IN DEPOTS. HE ADDED THAT SOME SMALL ARMS MIGHT HAVE BEEN SMUGGLED IN AMID THE LARGE INFUX OF REFUGEES AND SOLDIERS, AND NOT CONFISCATED.

2. ACTIVITIES IN GOMA

34. TWO MEMBERS OF THE COMMISSION ARRIVED IN GOMA ON 5 JANUARY 1996 AND ON THE FOLLOWING TWO DAYS, WITH THE PERMISSION OF THE GOVERNOR AD INTERIM OF KIVU PROVINCE, MR. ATHANASE TASSI, VISITED MUGUNGA AND KIBUMBA CAMPS. THE COMMISSION MEMBERS ALSO MET WITH THE CHIEF OF THE UNHCR SUB-OFFICE IN GOMA AND OTHER UNHCR OFFICIALS, MEMBERS OF A GERMAN HUMANITARIAN AID ORGANIZATION AND THE COMMANDER AND OFFICERS OF THE UNHCR CIVILIAN SECURITY LIAISON GROUP. CONTACT WAS

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ALSO MADE WITH THE ZAIRIAN CAMP SECURITY CONTINGENT. THE COMMISSION LEARNED INDEPENDENTLY THAT THE ZAIRIAN AUTHORITIES HAD INVESTIGATED ALLEGATIONS THAT RWANDAN RESIDENTS OF THE CAMPS HAD BEEN ENGAGED IN THE RECRUITMENT OF YOUTHS FROM THE CAMPS FOR CLANDESTINE TRAINING AND OTHER MILITARY PURPOSES.

35. SHORTLY THEREAFTER, HOWEVER, THE OFFICER ASSIGNED BY THE ZAIRIAN GOVERNMENT TO ASSIST THE INTERNATIONAL COMMISSION IN ITS INQUIRIES, GENERAL FARIALA EUTCHA, ACCOMPANIED BY EIGHT OTHER ZAIRIAN OFFICIALS, ARRIVED IN GOMA FROM KINSHASA. THE CHAIRMAN AND OTHER MEMBERS OF THE COMMISSION NOW HAVING ARRIVED, SHARP DISAGREEMENT IMMEDIATELY AROSE BETWEEN THE COMMISSION AND THE ZAIRIAN OFFICIALS OVER THE COMMISSION'S PROPOSED ACTIVITIES. THE TWO SIDES HELD A SERIES OF MEETINGS AT WHICH SHARPLY CONFLICTING INTERPRETATIONS OF THE COMMISSION'S MANDATE WERE DEBATED. THE ZAIRIAN SIDE APPEARED TO WISH TO RENEGOTIATE THE TERMS OF REFERENCE OF THE COMMISSION AND INSISTED ON ATTENDING ITS MEETINGS WITH POTENTIAL WITNESSES AND ON REVIEWING THE DRAFT REPORT OF THE COMMISSION ON ITS ACTIVITIES IN GOMA BEFORE IT LEFT ZAIRE.

36. THE COMMISSION FIRMLY REBUFFED THESE DEMANDS. IT EMPHASIZED THAT ITS MANDATE HAD BEEN ENTRUSTED TO IT BY THE SECURITY COUNCIL, WHICH ALONE HAD THE POWER TO CHANGE ITS TERMS OF REFERENCE. THE COMMISSION THEREFORE COULD NOT ENTER INTO NEGOTIATIONS ON THE MATTER. IT INSISTED ON THE RIGHT TO COMPLETE FREEDOM OF MOVEMENT AND THE RIGHT TO CONDUCT ITS INTERVIEWS IN PRIVATE, CITING PARAGRAPH 5 OF RESOLUTION 1013 (1995), STRESSED ITS OBLIGATION TO REPORT DIRECT TO THE SECRETARY-GENERAL AND MADE IT CLEAR THAT NO THIRD PARTY WOULD BE ALLOWED TO SEE ITS REPORT BEFOREHAND.

37. ON 9 JANUARY 1996, THE PRIME MINISTER OF ZAIRE APPEALED TO THE SECRETARY-GENERAL FOR HIS INTERPRETATION OF RESOLUTION 1013 (1995), AND THE SECRETARY-GENERAL CONFIRMED THAT THE INTERNATIONAL COMMISSION'S INTERPRETATION OF ITS MANDATE WAS CORRECT. ON 12 JANUARY 1996, THE MINISTER FOR FOREIGN AFFAIRS WROTE TO THE SECRETARY-GENERAL, REPEATING THE DEMANDS THAT THE COMMISSION HAD FOUND OBJECTIONABLE. AT THAT POINT, SINCE THE ZAIRIAN SIDE MAINTAINED ITS UNCOOPERATIVE POSITION, THE COMMISSION DECLARED THAT IT COULD NOT PURSUE ITS INVESTIGATIONS IN GOMA IN THE FACE OF THAT OBSTRUCTIONIST ATTITUDE OF THE ZAIRIAN AUTHORITIES AND CONSIDERED THAT IT HAD NO ALTERNATIVE BUT TO WITHDRAW TO NAIROBI.

38. ALTHOUGH UNABLE TO PURSUE A FULL AND PROPER INVESTIGATION IN GOMA, DURING THE BRIEF TIME THEY SPENT THERE, THE MEMBERS OF THE COMMISSION GATHERED ADDITIONAL INFORMATION FROM A VARIETY OF SOURCES THAT GAVE RISE TO SUSPICION THAT CLANDESTINE ACTIVITIES WERE BEING CARRIED OUT. THESE INCLUDED PERSISTENT EYEWITNESS REPORTS OF MYSTERIOUS NIGHT FLIGHTS, DESPITE THE FACT THAT GOMA AIRPORT IS NOT PROPERLY EQUIPPED TO RECEIVE FLIGHTS AFTER DARK, AND THE EXCLUSION OF THOSE WITNESSES FROM THE AIRPORT BY THE AUTHORITIES AT THOSE TIMES.

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SOMETIMES CARGO IS REPORTEDLY UNLOADED FROM CERTAIN AIRCRAFT IN SECRET. THE COMMISSION WAS ALSO MADE AWARE THAT UNHCR STAFF AND NGO PERSONNEL ARE EXCLUDED BY THE FORMER RWANDAN GOVERNMENT FORCES FROM CERTAIN AREAS, NOTABLY AN AREA OUTSIDE LAC VERT CAMP COMMONLY KNOWN AS 'L'ETAT MAJOR'. FURTHERMORE, THEY DO NOT STAY IN THE CAMPS AFTER DARK, AND A CURFEW IS IN EFFECT. WHILE THE COMMISSION HAS INSUFFICIENT EVIDENCE TO DRAW CONCLUSIONS AS TO THEIR SIGNIFICANCE, IT IS PERSUADED THAT THESE REPORTS ARE ACCURATE. FINALLY, THE COMMISSION COULD NOT BUT BE IMPRESSED BY THE VERY NOTICEABLE CLIMATE OF FEAR OF RETRIBUTION THAT PREVAILS IN GOMA.

C. OTHER ACTIVITIES OF THE INTERNATIONAL COMMISSION

1. APPROACHES TO GOVERNMENTS

39. ALTHOUGH THE COMMISSION HAD DECIDED NOT TO BASE ITS ACTIVITIES ON SECONDHAND TESTIMONY, SOME OF THE INFORMATION MADE AVAILABLE TO IT FROM PUBLISHED SOURCES WAS EXTREMELY DETAILED AND CIRCUMSTANTIAL. THE CHAIRMAN OF THE COMMISSION THEREFORE WROTE TO A NUMBER OF GOVERNMENTS WHOSE NATIONALS WERE SAID TO HAVE PARTICIPATED IN THE DELIVERY OF WEAPONS AND RELATED MATERIEL TO THE FORMER RWANDAN GOVERNMENT FORCES IN VIOLATION OF THE SECURITY COUNCIL EMBARGO, ASKING IF THOSE GOVERNMENTS THAT HAD CONDUCTED AN INVESTIGATION WERE IN THE PROCESS OF INVESTIGATING OR INTENDED TO INVESTIGATE THE ALLEGED PARTICIPATION OF THESE INDIVIDUALS OR COMPANIES IN THIS ACTIVITY ON THE BASIS OF THE ALLEGATIONS MADE BY HUMAN RIGHTS WATCH ARMS PROJECT, A WASHINGTON-BASED NGO. THE GOVERNMENTS APPROACHED IN THIS WAY WERE THOSE OF BULGARIA, CHINA, FRANCE, SEYCHELLES, SOUTH AFRICA AND ZAIRE. THE COMMISSION SENT FOLLOW-UP LETTERS TO THE GOVERNMENT OF FRANCE, REQUESTING IT TO NOMINATE AN OFFICIAL WITH WHOM THE COMMISSION COULD DEAL ON A WORKING LEVEL IN OBTAINING ANSWERS TO ITS QUESTIONS CONCERNING THE DETAILED INFORMATION AVAILABLE TO IT.

40. FOLLOWING THE COMMISSION'S INSPECTION OF THE ARMS CAPTURED ON IWAWA ISLAND, THE CHAIRMAN ALSO WROTE TO THE GOVERNMENTS OF BELGIUM AND SOUTH AFRICA, THE APPARENT COUNTRIES OF ORIGIN OF SOME OF THE WEAPONS, WHERE THESE COULD BE IDENTIFIED, INFORMING THEM OF THE SERIAL NUMBERS FOUND ON THE EQUIPMENT AND REQUESTING INFORMATION ON THE DATE OF MANUFACTURE; THE DATE OF SALE AND THE IDENTITY OF THE BUYER; THE DELIVERY DATE TO THE BUYER; AND ANY OTHER RELEVANT INFORMATION. THE COMMISSION ALSO ASKED THE SOUTH AFRICAN GOVERNMENT TO SUPPLY INFORMATION ABOUT THE FINDINGS OF THE CERON COMMISSION, WHICH MIGHT HAVE A BEARING ON THE WORK OF THE COMMISSION.

41. THE CHAIRMAN OF THE INTERNATIONAL COMMISSION ALSO WROTE TO THE CHAIRMAN OF THE COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 918 (1994), REQUESTING ANY INFORMATION THAT MIGHT PERTAIN TO THE COMMISSION'S MANDATE. THE CHAIRMAN, AMBASSADOR WISNUMURTI OF INDONESIA, REPLIED THAT THE GOVERNMENTS OF CHINA AND FRANCE, ACTING IN RESPONSE TO QUESTIONS RAISED IN THE COMMITTEE CONCERNING THE HUMAN RIGHTS WATCH REPORT AVAILABLE TO THE INTERNATIONAL COMMISSION, HAD FORMALLY DENIED THE ALLEGATIONS THEREIN.

42. ON 18 JANUARY 1996, THE GOVERNMENT OF BELGIUM REPLIED TO THE CHAIRMAN OF THE INTERNATIONAL COMMISSION, STATING THAT IT HAD INITIATED INVESTIGATIONS IN BELGIUM CONCERNING THE ORIGIN OF THE WEAPONS INSPECTED BY THE COMMISSION ON IWAWA ISLAND. THE INFORMATION PROVIDED BY THE BELGIAN AUTHORITIES CONTAINED NO INDICATION THAT THE WEAPONS HAD BEEN SOLD OR SUPPLIED TO THE FORMER RWANDAN GOVERNMENT FORCES IN VIOLATION OF THE ARMS

EMBARGO. THE COMMISSION HAS AS YET RECEIVED NO REPLY FROM THE GOVERNMENTS OF BULGARIA, CHINA OR SOUTH AFRICA.

43. THE COMMISSION RECEIVED THE REPLY OF THE GOVERNMENT OF FRANCE ON 5 JANUARY 1996. IN IT, THE FRENCH GOVERNMENT STATED THE FOLLOWING:

"THE INVESTIGATION CONDUCTED BY THE FRENCH AUTHORITIES INTO THE ACCUSATIONS AND INSINUATIONS CONTAINED IN THE HUMAN RIGHTS WATCH REPORT SHOWS, AS THE FRENCH GOVERNMENT HAS ALREADY STATED, THAT FRANCE HAS COMPLIED IN THE STRICTEST POSSIBLE MANNER WITH THE ARMS EMBARGO IMPOSED ON RWANDA BY THE SECURITY COUNCIL ON 17 MAY 1994 AND THAT NO ARMS HAVE BEEN SUPPLIED TO RWANDANS LIVING AS REFUGEES OUTSIDE THEIR COUNTRY.

"THE FRENCH AUTHORITIES HAVE NO INFORMATION CONCERNING THE POSSIBLE INVOLVEMENT OF FRENCH NATIONALS OR FRENCH COMPANIES IN ARMS TRAFFICKING WHICH VIOLATES THE EMBARGO. THE FRENCH GOVERNMENT WOULD BE INTERESTED TO RECEIVE FROM THE INTERNATIONAL COMMISSION OF INQUIRY ANY EVIDENCE OR CLARIFICATION AVAILABLE TO THE LATTER WHICH MIGHT HELP THE GOVERNMENT TO CARRY OUT INVESTIGATIONS AND TO CONSIDER WHAT MEASURES MIGHT BE REQUIRED TO DEAL WITH ANY POSSIBLE OFFENCE AGAINST FRENCH LAW CURRENTLY IN FORCE.

"AT THE REQUEST OF THE COMMISSION AND IN ACCORDANCE WITH PARAGRAPH 3 OF SECURITY COUNCIL RESOLUTION 1813 (1995) OF 7 SEPTEMBER 1995, WHICH CALLS ON STATES TO COLLECT INFORMATION IN THEIR POSSESSION RELATING TO THE MANDATE OF THE COMMISSION, THE FRENCH AUTHORITIES HEREBY TRANSMIT TO YOU INFORMATION GATHERED BY FRENCH OPERATION TURQUOISE MILITARY PERSONNEL WHILE DEPLOYED IN RWANDA'S SAFE HUMANITARIAN ZONE.

"THIS INFORMATION WAS ALREADY TRANSMITTED, ON 24 AUGUST 1994, TO THE COMMISSION OF EXPERTS ESTABLISHED PURSUANT TO SECURITY COUNCIL RESOLUTION 935 (1994) OF 1 JULY 1994."

AS REQUESTED BY THE COMMISSION, THE FRENCH GOVERNMENT NOMINATED A SENIOR OFFICIAL, THE DEPUTY PERMANENT REPRESENTATIVE OF FRANCE TO THE UNITED NATIONS, TO ASSIST THE COMMISSION WITH ANY FURTHER INQUIRIES IT MIGHT HAVE.

44. ALTHOUGH GOMA WAS AN IMPORTANT FOCUS OF THE COMMISSION'S ACTIVITIES, THE COMMISSION WAS AWARE THAT MANY OF THE PERSONS HAVING FIRST-HAND KNOWLEDGE OF EVENTS SAID TO HAVE TAKEN PLACE THERE MIGHT NO LONGER BE IN THE AREA. MANY WORKED FOR NGOS, WHICH, AS THE COMMISSION WAS INFORMED, HAD A HIGH RATE OF STAFF TURNOVER. THE COMMISSION THEREFORE CONTACTED MAJOR NGOS KNOWN TO HAVE HAD PERSONNEL IN THE GOMA AREA BETWEEN 17 MAY 1994 AND THE PRESENT TO ASK FOR THE NAMES OF STAFF WHO WERE NO LONGER EMPLOYED, AND SOME INDICATION, IF POSSIBLE, AS TO THEIR CURRENT WHEREABOUTS.

45. A MEMBER OF THE COMMISSION, ACCOMPANIED BY ITS POLITICAL OFFICER, VISITED LONDON FROM 8 TO 12 JANUARY 1996 TO INTERVIEW BRITISH GOVERNMENT AID OFFICIALS, HER MAJESTY'S CUSTOMS INVESTIGATORS, NOG STAFF, AIRCREWS SAID TO HAVE BEEN INVOLVED IN FLYING TO GOMA AND JOURNALISTS WHO HAD FILMED IN THE AREA.

46. THE BRITISH OVERSEAS DEVELOPMENT ADMINISTRATION PERSONNEL INTERVIEWED BY THE COMMISSION HAD SPENT CONSIDERABLE TIME AT GOMA AIRPORT, FROM THE CRISIS PERIOD UP TO THE PRESENT, AND HAD BEEN HEAVILY INVOLVED IN UNLOADING AND HANDLING CARGO. MOST OF THEIR PERSONNEL ARE FORMER MILITARY PERSONNEL FAMILIAR WITH THE SIZE, WEIGHT AND APPEARANCE OF ARMS, AMMUNITION AND MATERIEL EVEN WHEN THEY ARE PACKED IN BOXES. THE OFFICIALS INTERVIEWED STATED TO THE COMMISSION THAT THEY HAD SEEN NO ARMS FLOWN INTO GOMA; HAD NO EVIDENCE OF SUCH DELIVERIES; AND HAD THEMSELVES UNLOADED NOTHING BUT HUMANITARIAN SUPPLIES FROM

THE AIRCRAFT THEY HAD HANDLED.

47. THE COMMISSION ALSO MET WITH HER MAJESTY'S CUSTOMS INVESTIGATORS, WHO STATED THAT THEY HAD LAUNCHED AN INVESTIGATION INTO BRITISH COMPANIES AND INDIVIDUALS SUSPECTED OF PARTICIPATING IN ARMS FLIGHTS IN VIOLATION OF THE EMBARGO, BUT HAD DISCOVERED INSUFFICIENT EVIDENCE TO SUPPORT A PROSECUTION UNDER UNITED KINGDOM LAW.

48. AIRCREWS INTERVIEWED BY THE COMMISSION DENIED HAVING FLOWN ARMS OR AMMUNITION TO GOMA AFTER THE IMPOSITION OF THE EMBARGO AND COULD NOT SUPPLY THE NAMES OF ANY OTHERS KNOWN TO HAVE DONE SO.

49. THE INTERNATIONAL COMMISSION ALSO WROTE TO THE GOVERNMENTS OF BURUNDI, UGANDA AND THE UNITED REPUBLIC OF TANZANIA, REQUESTING APPROVAL TO VISIT AND HOLD HIGH-LEVEL MEETINGS WITH GOVERNMENT OFFICIALS. THE COMMISSION ALSO REQUESTED THOSE GOVERNMENTS TO MAKE AVAILABLE INFORMATION THEY HAD, IF ANY, CONCERNING THE SUBJECT OF THE COMMISSION'S MANDATE. NONE OF THE GOVERNMENTS HAS YET REPLIED.

2. CASE-STUDY: ALLEGED INVOLVEMENT OF SEYCHELLES

50. A PARTICULARLY DETAILED ALLEGATION OF INVOLVEMENT IN THE SALE OR SUPPLY OF ARMS AND AMMUNITION TO THE FORMER RWANDAN GOVERNMENT FORCES AFTER THE IMPOSITION OF THE EMBARGO CONCERNS SEYCHELLES. BECAUSE OF THE PRECISION WITH WHICH THE DATES AND CIRCUMSTANCES HAD BEEN DESCRIBED, THE INTERNATIONAL COMMISSION WAS ABLE TO DEVOTE PARTICULAR ATTENTION TO THIS ALLEGATION.

51. ACCORDING TO THE HUMAN RIGHTS WATCH REPORT "REARMING WITH IMPUNITY: INTERNATIONAL SUPPORT FOR THE PERPETRATORS OF THE RWANDAN GENOCIDE", DC-8 AIRCRAFT BELONGING TO AIR ZAIRE HAD TAKEN TWO SHIPMENTS OF ARMS, INCLUDING GRENADES AND HIGH-CALIBRE AMMUNITION, FROM SEYCHELLES TO GOMA ON 17 AND 19 JUNE 1994. THE WEAPONS WERE SAID TO HAVE BEEN PAID FOR WITH \$300,000 IN CASH SUPPLIED BY A SENIOR RWANDAN MILITARY OFFICER ACCOMPANIED BY A CITIZEN OF SOUTH AFRICA, BOTH NAMED IN THE REPORT. THE GOVERNMENT OF ZAIRE WAS SAID TO HAVE PROVIDED AN END-USER CERTIFICATE IN RESPECT OF THE ARMS, BUT WHEN THE INTERNATIONAL COMMISSION MET IN KINSHASA WITH ZAIRIAN GOVERNMENT MINISTERS AND REQUESTED INFORMATION, THE GOVERNMENT REPLIED IN WRITING THAT IT HAD NO KNOWLEDGE OF THIS MATTER.

52. THE INTERNATIONAL COMMISSION OF INQUIRY SUBSEQUENTLY INDEPENDENTLY ESTABLISHED THAT AN AIR ZAIRE DC-8 AIRCRAFT HAD LEFT KINSHASA FOR MOMBASA ON 16 JUNE 1994 AND RETURNED FROM GOMA TO KINSHASA ON 20 JUNE. INFORMATION FROM SOURCES IN SEYCHELLES INDICATES THAT THE HUMAN RIGHTS WATCH REPORT IS ACCURATE, AND THAT VERY SENIOR GOVERNMENT FIGURES ARE SAID TO BE INVOLVED.

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53. ON 7 DECEMBER, THE INTERNATIONAL COMMISSION WROTE TO THE SEYCHELLES MINISTER OF DEFENCE, MR. JAMES MICHEL, DRAWING HIS ATTENTION TO THE ALLEGATIONS AND REQUESTING INFORMATION FROM THE SEYCHELLES GOVERNMENT TO ASSIST THE COMMISSION IN MAKING ITS REPORT. THE INTERNATIONAL COMMISSION ALSO ASKED WHETHER OR NOT THE GOVERNMENT OF THE SEYCHELLES HAD INVESTIGATED, WAS INVESTIGATING OR PLANNED TO INVESTIGATE ANY NATIONAL OF OR COMPANY BASED IN THE SEYCHELLES IN CONNECTION WITH ALLEGED VIOLATIONS OF THE SECURITY COUNCIL EMBARGO ON ARMS FOR THE FORMER RWANDAN GOVERNMENT FORCES, AND INVITED THE GOVERNMENT TO NOMINATE AN OFFICIAL WITH WHOM THE INTERNATIONAL COMMISSION COULD DEAL ON A WORKING LEVEL. NO REPLY HAS YET BEEN RECEIVED.

54. THE INTERNATIONAL COMMISSION HAS ALSO REQUESTED THE ASSISTANCE OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION IN TRACKING THE MOVEMENTS OF THE AIR ZAIRE DC-8 AIRCRAFT SAID TO HAVE TRANSPORTED THE AMMUNITION.

IV. OBSERVATIONS AND CONCLUSIONS

A. OBSERVATIONS

55. THE INTERNATIONAL COMMISSION HAD BEFORE IT DETAILED AND VOLUMINOUS INFORMATION SUGGESTING THAT ARMS DELIVERIES HAD BEEN MADE TO GOMA AIRPORT IN ZAIRE FOR THE USE OF THE FORMER RWANDAN GOVERNMENT FORCES IN VIOLATION OF THE EMBARGO IMPOSED BY THE SECURITY COUNCIL IN MAY 1994. THIS INFORMATION CAME PRIMARILY FROM THE NGO HUMAN RIGHTS WATCH ARMS PROJECT, WHOSE REPORT WAS BASED ON FOUR MONTHS OF FIELD INVESTIGATION IN CENTRAL AFRICA, AND WHOSE RESEARCHER INTERVIEWED, AMONG OTHERS, SEVERAL OFFICERS OF THE FORMER RWANDAN GOVERNMENT FORCES, INCLUDING THOSE OF THE HIGHEST RANK. THE RESEARCHER ALSO INTERVIEWED ZAIRIAN OFFICERS, AIRPORT STAFF AND LOCAL BUSINESSMEN. AT LEAST THREE BRITISH TELEVISION DOCUMENTARIES AND A NUMBER OF STORIES IN THE BRITISH AND FRENCH PRESS WERE ALSO DEVOTED TO SIMILAR ALLEGATIONS.

56. THE HUMAN RIGHTS WATCH ARMS PROJECT REPORT EXPLICITLY STATES, CITING NUMEROUS INCIDENTS WITH DATES, THAT "THE PERPETRATORS OF THE RWANDAN GENOCIDE HAVE REBUILT THEIR MILITARY INFRASTRUCTURE, LARGELY IN ZAIRE, AND ARE REARMING THEMSELVES IN PREPARATION FOR A VIOLENT RETURN TO RWANDA". THE REPORT ADDS THAT "SEVERAL MEMBERS OF THE INTERNATIONAL COMMUNITY, INCLUDING FRANCE, ZAIRE AND SOUTH AFRICA, HAVE ACTIVELY AIDED AND ABETTED THIS EFFORT THROUGH A COMBINATION OF DIRECT SHIPMENTS OF ARMS, FACILITATING SUCH SHIPMENTS FROM OTHER SOURCES AND PROVIDING OTHER FORMS OF MILITARY ASSISTANCE, INCLUDING TRAINING". THE HUMAN RIGHTS WATCH REPORT WAS SUBSEQUENTLY CONFIRMED BY AMNESTY INTERNATIONAL.

57. FOR ITS PART, FRANCE, BOTH IN ITS REPLY TO THE INTERNATIONAL COMMISSION OF INQUIRY AND TO THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 918 (1994), HAS UNEQUIVOCALLY DENIED BEING IMPLICATED IN SUCH SHIPMENTS.

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58. THE GOVERNMENT OF ZAIRE, TOO, IN ITS ORAL AND WRITTEN RESPONSES TO THE INTERNATIONAL COMMISSION, DENIED KNOWLEDGE OF OR INVOLVEMENT IN ANY SUCH ARMS DELIVERIES OR IN ANY TRAINING ALLEGEDLY BEING CARRIED OUT BY THE FORMER RWANDAN GOVERNMENT FORCES.

59. HOWEVER, ALTHOUGH THE PRIME MINISTER AND OTHER SENIOR GOVERNMENT MINISTERS OF ZAIRE PROMISED DURING THE INTERNATIONAL COMMISSION'S VISIT TO KINSHASA TO EXTEND THEIR FULL COOPERATION TO THE INTERNATIONAL COMMISSION, AS CALLED FOR BY THE SECURITY COUNCIL IN ITS RESOLUTION 1013 (1995), THE INTERNATIONAL COMMISSION CONSIDERED THE ATTITUDE OF THE ZAIRIAN DELEGATION ASSIGNED TO ASSIST IT IN GOMA UNSATISFACTORY. THOUGH AWARE OF THE PRECARIOUS SECURITY SITUATION AND THE POOR CONDITION OF THE INFRASTRUCTURE IN GOMA AND THE CONSEQUENT NEED FOR OFFICIAL GOVERNMENT ASSISTANCE, THE COMMISSION CONSIDERED THAT THE INSISTENCE OF ZAIRIAN OFFICIALS ON ATTENDING ALL ITS INTERVIEWS WAS OBSTRUCTIVE, UNHELPFUL AND NOT IN KEEPING WITH THE LETTER AND SPIRIT OF SECURITY COUNCIL RESOLUTION 1013 (1995), AND ESPECIALLY PARAGRAPHS 5 (A) AND (E) THEREOF. UNDER THE CIRCUMSTANCES, FOLLOWING THE INTERCESSION OF THE SECRETARY-GENERAL, THE INTERNATIONAL COMMISSION INFORMED THE GOVERNMENT OF ZAIRE THAT IT HAD NO ALTERNATIVE BUT TO WITHDRAW FROM ZAIRE AND REPORT TO THE SECRETARY-GENERAL THAT IT WAS UNABLE TO PROCEED WITH ITS INVESTIGATION IN GOMA BECAUSE OF THE POSITION TAKEN BY THE GOVERNMENT OF ZAIRE, AN ATTITUDE THAT RESULTED IN A FURTHER WEEK'S DELAY IN GOMA.

60. THERE CAN BE NO DOUBT THAT IT IS VERY DIFFICULT AT THIS STAGE TO DETERMINE WHAT EXACTLY HAPPENED IN GOMA IN MID-1994. ALL THOSE INVOLVED AT FIRST-HAND HAVE DESCRIBED THE SITUATION TO THE COMMISSION AS CHAOTIC AND CONFUSED. UNPRECEDENTED NUMBERS OF FLIGHTS WERE BRINGING HUNDREDS OF TONS OF EQUIPMENT AND RELIEF SUPPLIES INTO GOMA AIRPORT AT A TIME WHEN OFFICIAL CONTROLS HAD BEEN RELAXED OR SUSPENDED, MORE THAN A MILLION REFUGEES HAD FLOODED INTO THE COUNTRY AND WAR WAS RAGING ON THE OTHER SIDE OF THE BORDER. MANY OF THOSE WHO WITNESSED THESE EVENTS AND MIGHT BE IN A POSITION TO SHED LIGHT ON THE ALLEGATIONS OF VIOLATIONS OF THE EMBARGO HAVE LEFT THE SCENE AND ARE SCATTERED THROUGHOUT THE WORLD.

61. JOURNALISTS AND RESEARCHERS FOR NGOS, MOVING WITH A SPEED AND FLEXIBILITY THAT INTERGOVERNMENTAL BODIES CAN RARELY MATCH, WERE QUICK TO INVESTIGATE THE PERSISTENT RUMOURS OF ARMS SHIPMENTS THAT CIRCULATED AMONG THE NGO COMMUNITY IN THE BORDER CAMPS. FOR THE VARIOUS REASONS SET OUT ABOVE, THE INTERNATIONAL COMMISSION OF INQUIRY HAS NOT AS YET BEEN ABLE TO CORROBORATE THE PICTURE THEY HAVE PAINTED OF REPEATED VIOLATIONS OF THE SECURITY COUNCIL ARMS EMBARGO OR, INDEED, SO FAR TO ESTABLISH TO ITS OWN SATISFACTION A SINGLE CASE OF THE SALE OR SUPPLY OF WEAPONS OR RELATED MATERIEL TO THE FORMER RWANDAN GOVERNMENT FORCES IN VIOLATION OF THE RELEVANT SECURITY COUNCIL RESOLUTIONS.

62. NONE THE LESS, SIGNIFICANT DOUBTS REMAIN. THE CIRCUMSTANCES UNDER WHICH THE INTERNATIONAL COMMISSION CARRIED OUT ITS INVESTIGATION WERE FAR FROM IDEAL, THE BIGGEST OBSTACLES BEING THE 16-MONTHS THAT HAD ELAPSED BETWEEN THE IMPOSITION OF THE EMBARGO IN MAY 1994 AND THE CREATION OF THE INTERNATIONAL COMMISSION IN SEPTEMBER 1995, AND THE LACK OF COOPERATION ON THE PART OF THE ZAIRIAN AUTHORITIES. IF THE INTERNATIONAL COMMISSION IS OBLIGED TO CONCLUDE THAT AT THIS STAGE THAT IT HAS NOT DISCOVERED FIRM AND RELIABLE EVIDENCE OF

VIOLATIONS, IT IS NOT NECESSARILY CONVINCED THAT NO VIOLATIONS TOOK PLACE. THE COMMISSION WOULD NOTE, IN THIS CONNECTION, THAT RUMOURS OF PERSISTENT EMBARGO VIOLATIONS SEEM TO HAVE GREATLY DIMINISHED FOLLOWING THE PUBLICATION OF THE HUMAN RIGHTS WATCH AND AMNESTY INTERNATIONAL REPORTS AND THE ACCOMPANYING MEDIA ATTENTION.

63. WITH REGARD TO TRAINING, THE SITUATION IS BOTH SIMPLER AND MORE DIFFICULT. THE INTERNATIONAL COMMISSION ESTABLISHED THAT A NUMBER OF "MILITARY" CAMPS HAD BEEN SET UP IN ZAIRE FOR YOUNG MEN, AND HAD VIEWED A FILM SHOWN ON BRITISH TELEVISION PURPORTEDLY SHOWING MEN TRAINING WITH WEAPONS BY NIGHT. THE COMMISSION HAD ALSO BEEN BRIEFED BY UNAMIR ON THE INCREASING NUMBERS OF INCURSIONS INTO RWANDA FROM ZAIRE, THE GROWING SIZE AND MILITARY SKILL OF THE GROUPS INVOLVED AND THE EXTENT OF THE LOSS CAUSED TO LIFE AND PROPERTY AS A RESULT OF THEIR INCURSIONS, CONSIDERATIONS WHICH SUGGEST THAT MILITARY TRAINING WAS BEING CARRIED OUT.

64. THE COMMISSION WAS ALSO AWARE OF PERSISTENT REPORTS OF "TRAINING" BY YOUNG HUTU MEN IN THE ZAIRIAN CAMPS. HOWEVER, GROUPS OF MEN JOGGING, EXERCISING OR EVEN SINGING MILITARY SONGS ARE NOT NECESSARILY ENGAGED IN MILITARY TRAINING, NOR IS IT CLEAR THAT THE PURPOSE OF THE TRAINING IS THE DESTABILIZATION OF RWANDA. IN THIS CONNECTION, IT SHOULD BE NOTED THAT, IN THE ABSENCE OF ANY INDICATION THAT THE WEAPONS SIGHTED WERE SUPPLIED TO THE FORMER RWANDAN GOVERNMENT FORCES IN VIOLATION OF THE EMBARGO, THE REPORTED SIGHTING OF "ARMS CACHES" ALSO HAS LIMITED RELEVANCE TO THE COMMISSION'S MANDATE. THESE COULD HAVE BEEN WEAPONS BROUGHT WITH THEM ACROSS THE BORDER BY THE FLEEING RWANDAN GOVERNMENT FORCES. NOR, FOR THE REASONS EXPLAINED ABOVE, WAS THE COMMISSION ABLE TO VISIT THE LOCATIONS WHERE THE TRAINING IS SAID TO HAVE TAKEN PLACE, OR TO INTERVIEW REFUGEES THERE.

65. THE COMMISSION'S MILITARY EXPERTS DID NOT FIND THE BRITISH TELEVISION FILM PURPORTING TO SHOW TRAINING ENTIRELY CONVINCING. FURTHERMORE, THE FILM ITSELF MAKES IT CLEAR THAT THE MEN SO DEPICTED INCLUDED BOTH RWANDAN AND BURUNDIAN RESIDENTS OF THE CAMPS, GIVING RISE TO THE POSSIBILITY THAT THE PURPOSE OF THE TRAINING MIGHT NOT BE RELATED TO RWANDA, OR EXCLUSIVELY RELATED TO RWANDA.

66. NEVERTHELESS, THE COMMISSION BORE IN MIND THAT THE SECURITY COUNCIL WAS NOT CONCERNED WITH THE QUALITY OF THE TRAINING RECEIVED, NOR WITH THE LOCATION IN WHICH IT TOOK PLACE, BUT RATHER WITH THE INTENTION BEHIND IT. BASIC FAMILIARITY WITH SMALL ARMS AND PRACTICE IN LAYING MINES CAN BE SUFFICIENT FOR THE NEEDS OF A LOW-INTENSITY GUERRILLA FORCE. THE COMMISSION'S INTERVIEWS WITH THE MEN CAPTURED BY THE RPA ON IWAWA ISLAND (SEE PARAS. 17-20 ABOVE) STRONGLY INDICATE THAT CERTAIN RWANDAN ELEMENTS WHO HAVE SOUGHT REFUGE IN ZAIRE ARE RECEIVING TRAINING, OF HOWEVER POOR QUALITY IT MIGHT BE, THAT THE PURPOSE OF THE TRAINING IS TO CONDUCT INCURSIONS INTO RWANDA, AND THAT THESE INCURSIONS HAVE A DESTABILIZING EFFECT ON RWANDA.

B. CONCLUSIONS

67. WITH REFERENCE TO ITS MANDATE, AS SET FORTH IN SECURITY COUNCIL RESOLUTION 1013 (1995), THE INTERNATIONAL COMMISSION OF INQUIRY WOULD THEREFORE CONCLUDE AS FOLLOWS:

(A) HAVING GATHERED INFORMATION IN NAIROBI, KIGALI, KINSHASA, GOMA AND LONDON FROM GOVERNMENT MINISTERS AND OFFICIALS, DIPLOMATS, UNITED NATIONS OFFICIALS, RELIEF WORKERS, AIRCREWS, CUSTOMS INVESTIGATORS, JOURNALISTS AND

OTHERS AND HAVING INVESTIGATED DETAILED REPORTS FROM RESPECTED NGOS AND THE PRINT AND TELEVISION MEDIA, THE INTERNATIONAL COMMISSION OF INQUIRY IS NOT AT THIS STAGE IN A POSITION TO CONFIRM ALLEGATIONS THAT ARMS, AMMUNITION AND RELATED MATERIEL WERE SOLD OR SUPPLIED TO THE FORMER RWANDAN GOVERNMENT FORCES IN VIOLATION OF THE RELEVANT SECURITY COUNCIL RESOLUTIONS:

(B) THE INTERNATIONAL COMMISSION BELIEVES RWANDAN MEN ARE RECEIVING MILITARY TRAINING TO CONDUCT DESTABILIZING RAIDS INTO RWANDA AND THAT, SPECIFICALLY, RWANDAN MEN RECEIVED MILITARY TRAINING ON IWAWA ISLAND, RWANDA, FOR THAT PURPOSE:

(C) IN THE TIME AVAILABLE TO IT, THE INTERNATIONAL COMMISSION WAS NOT ABLE RELIABLY TO ESTABLISH THAT SPECIFIC GOVERNMENTS, COMPANIES OR INDIVIDUALS HAD AIDED OR ABETTED THE SALE OR SUPPLY OF ARMS AND RELATED MATERIEL TO THE FORMER RWANDAN GOVERNMENT FORCES IN VIOLATION OF THE RELEVANT SECURITY COUNCIL RESOLUTIONS.

68. IN ACCORDANCE WITH PARAGRAPHS 1 (D) AND 4 OF SECURITY COUNCIL RESOLUTION 1013 (1995), THE INTERNATIONAL COMMISSION OF INQUIRY WILL SUBMIT AS SOON AS POSSIBLE A FINAL REPORT CONTAINING ITS RECOMMENDATIONS, AS WELL AS ANY SIGNIFICANT ADDITIONAL INFORMATION THAT COMES TO LIGHT AS A RESULT OF ITS CONTINUING INQUIRIES.

APPENDIX

CONTACTS MADE BY THE INTERNATIONAL COMMISSION OF INQUIRY

THE INTERNATIONAL COMMISSION OF INQUIRY WISHES TO EXPRESS ITS DEEP APPRECIATION TO THE GOVERNMENT OFFICIALS, DIPLOMATS, NON-GOVERNMENTAL ORGANIZATIONS, INDIVIDUAL RELIEF WORKERS, JOURNALISTS AND OTHERS WHO ASSISTED IT IN ITS INQUIRIES.

A. IN RWANDA

GOVERNMENT OFFICIALS:

VICE-PRESIDENT AND MINISTER OF DEFENCE, MAJOR-GENERAL PAUL KAGAME

MINISTER OF FOREIGN AFFAIRS, MR. ANASTASE GASANA

REPRESENTATIVES OF DONOR COUNTRIES/ORGANIZATIONS:

BELGIUM

FRANCE

GERMANY

NETHERLANDS

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

UNITED STATES OF AMERICA

EUROPEAN UNION

UNITED NATIONS AGENCIES AND INTERNATIONAL HUMANITARIAN

ORGANIZATIONS: UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP),

UNHCR, UNITED NATIONS CHILDREN'S FUND (UNICEF), WORLD FOOD

PROGRAMME (WFP), HUMAN RIGHTS FIELD OPERATION IN RWANDA, WORLD

HEALTH ORGANIZATION (WHO), WORLD BANK, UNITED NATIONS

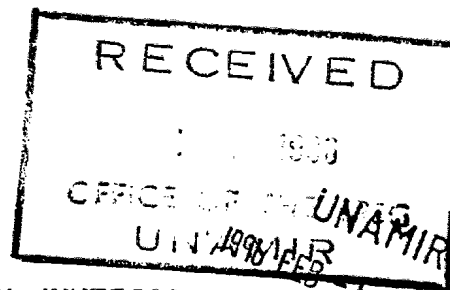
END OF PART 4 OF 5

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PART 5 OF 5
DOC_SYMBOL:S/1996/67



EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO),
ICRC

NON-GOVERNMENTAL ORGANIZATIONS:

MERLIN

B. IN KENYA

REPRESENTATIVES OF STATES:

BELGIUM

BURUNDI

CANADA

NETHERLANDS

FRANCE

UNITED STATES OF AMERICA (MILITARY ATTACHE)

LANDA

UNITED REPUBLIC OF TANZANIA

ZAIRE

UNITED NATIONS AGENCIES AND INTERNATIONAL HUMANITARIAN
ORGANIZATIONS: UNDP, WFP, FOOD AND AGRICULTURE ORGANIZATION
OF THE UNITED NATIONS (FAO), UNITED NATIONS ENVIRONMENT
PROGRAMME (UNEP), ICAO, ICRC

NON-GOVERNMENTAL ORGANIZATIONS:

MEDECINS SANS FRONTIERES

CARE

C. IN ZAIRE

IN KINSHASA

GOVERNMENT OFFICIALS:

THE PRIME MINISTER

THE VICE-PRIME MINISTER, MINISTER FOR FOREIGN AFFAIRS

THE VICE-PRIME MINISTER, MINISTER OF DEFENCE

THE VICE-PRIME MINISTER, MINISTER OF THE INTERIOR

THE MINISTER OF JUSTICE

THE MINISTER OF TRANSPORT

RESIDENT/DIRECTOR-GENERAL, REGIE DES VOIES AERIENNES

REPRESENTATIVES OF STATES:

BELGIUM

FRANCE

GERMANY

UNITED STATES OF AMERICA

UNITED NATIONS AGENCIES AND INTERNATIONAL HUMANITARIAN
ORGANIZATIONS: UNHCR, WHO, UNICEF, FAO, EUROPEAN UNION
(ECHO), ICRC, UNAMIR (LIAISON OFFICE)

IN GOMA

THE GOVERNOR AD INTERIM OF KIVU PROVINCE, MR. ATHANASE TASSI

GENERAL FARIALA EUTCHA, AUDITOR GENERAL OF THE ZAIRIAN ARMED

FORCES, AND HIS TEAM OF OFFICIALS

REPRESENTATIVES OF UNHCR

COMMANDER AND OFFICERS OF THE CAMP SECURITY LIAISON GROUP

OFFICIALS OF GTZ, A HUMANITARIAN ORGANIZATION

D. IN THE UNITED KINGDOM

HER MAJESTY'S CUSTOMS

OVERSEAS DEVELOPMENT ADMINISTRATION CROWN AGENTS

SLG FC CAO S. S. S. S. S.

AMNESTY INTERNATIONAL
THE COMMISSION ALSO INTERVIEWED CERTAIN INDIVIDUALS WHO
REQUESTED ANONYMITY BUT WHO, HOWEVER, PROVIDED NO FIRM
EVIDENCE OF VIOLATIONS OF THE SECURITY COUNCIL EMBARGO.

END OF PART 5 OF 5
DISSEMINATION AND COMMUNICATION UNIT/DPI - NY HQ

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S/1995/1001

English

Page 2

AnnexCairo Declaration on the Great Lakes Region29 November 1995

Deeply concerned about the persistent tensions, hostilities, insecurities and recent genocide in the Great Lakes region, and their adverse effects on democratic and economic development, the Presidents of Zaire, Uganda, Burundi and Rwanda and a special Presidential envoy from the United Republic of Tanzania met in Cairo on 28 and 29 November 1995. The meeting was co-convened by Presidents Mobutu and Museveni and former President Mwinyi, with the support of Presidents Ntibanunganya and Bizimungu. Former President Carter of the United States of America and Archbishop Tutu of South Africa served as facilitators. The Heads of State and delegations at this summit meeting, which was an African initiative, pledged to take joint concrete actions to advance peace, justice, reconciliation, stability and development in the region.

The Heads of State and delegations were convinced that the problems of Rwanda and Burundi were basically a consequence of a confluence of negative interests of colonialism and local opportunists who have fostered the ideology of exclusion that generates fear, frustration, hatred and tendencies to extermination and genocide.

The Heads of State and delegations call upon the international community to condemn vigorously the ethnic and political genocide ideology used in competition for conquest and monopoly of power.

Determined to prevent future genocide, ensure reconciliation with justice relating to the tragic genocide in Rwanda in 1994, and encourage the return of refugees to their home countries, the Heads of State and delegations affirmed their mutual confidence and decided on the following specific actions:

(a) They condemned the genocide in Rwanda in 1994, other incidents of mass killings in the past and the ideology of genocide despicably used by some forces to pursue their own selfish ends. They also condemn the other similar acts and events which have occurred in the past and are recurring in Burundi.

(b) The Heads of State and delegations of the Great Lakes region solemnly pledge that their territories will never be used to serve as bases by armed groups to launch incursions or attacks against any other country represented at this conference. They agree to cooperate by providing all information in advance on suspected persons or on anticipated incursions or armed attacks against another country.

(c) The Heads of State and delegations in whose countries refugees were currently located pledged to take action to curtail the activities of those in the camps who seek to intimidate the refugees wishing to return to their homes. President Mobutu pledged soon to remove from the refugee camps the identified intimidators. The envoy of the United Republic of Tanzania affirmed his Government's desire to isolate all criminals from the refugee camps, and will

/...

seek cooperation from the international community in acquiring the resources necessary to achieve this objective.

(d) The Heads of State and delegations agreed to prevent military training and delivery of weapons to militia groups or any other groups among the refugees.

(e) The Heads of State and delegations viewed with deep concern the use of radio broadcasts to spread hate and fear in the region. The participants pledged to take all possible action to terminate the illegal and inflammatory radio broadcasts from one country into another. They called upon the international community to assist by providing technology to identify the location of mobile transmitters.

(f) The Heads of State and delegations urged an acceleration of the work of the International Tribunal. They solemnly and unequivocally pledged to place at the disposal of the International Tribunal for trial all those indicted by the Tribunal, and urge leaders of all other nations to do the same.

They also expressed full support for the Commission of Inquiry's investigation of the assassination of President Ndadaye and the massacres that followed.

(g) The Rwandan Head of State declared unequivocally that his Government wanted the refugees to return to Rwanda at an early date, reclaim their property, live in safety and peace, help rebuild their country's economy, and participate in its political life under a broad-based government of national unity. This government will guarantee the safety of the returning refugees. It will work in collaboration with the United Nations, non-governmental organizations, and the international community. In cooperation with Zaire, it will work out arrangements by which refugees can return home to assess the situation for themselves and then go back to the camps to apprise the other refugees of the true conditions prevailing in Rwanda. In addition, other visits to and from the camps by refugees, non-governmental organizations and others will be encouraged.

(h) The Heads of State and delegations perceive no major restrictions to the return of refugees to Rwanda. They believe that when the refugees are convinced of the fact that conditions are safe to return, a large number will go home. A majority will move back to their country with minimum assistance. Working closely with the Office of the United Nations High Commissioner for Refugees (UNHCR) and other international agencies, the Governments involved believe that the number of returning refugees who avail themselves of UNHCR assistance should rise progressively to 10,000 a day within a short time. There are no impediments within Rwanda or Burundi to an even higher rate of return.

(i) The Heads of State and delegations commend UNHCR for its continuing efforts to assist the refugees and ameliorate their plight in the refugee camps. Its work and commitment are greatly appreciated. The participants would urge in the future that local representatives of UNHCR devote more of their attention and resources towards helping the refugees return and settle safely, even if

/...

S/1995/1001

English

Page 4

this requires some modification of the organization's guidelines. The Governments stand ready to work with UNHCR in this effort.

(j) The horrendous genocide of 1994 massively strained the Rwandan judicial system. It is trying to cope with the unprecedented requirements, including training of many judges and magistrates. It will seek assistance from the international community as appropriate and consistent with its principles. Fully conscious of the conditions in its overcrowded prisons, it will separate prisoners according to the severity of charges against them, move as innovatively and expeditiously as possible to try or release those not guilty of serious crimes, and temporarily augment facilities for housing prisoners.

(k) As requested and approved by the leaders of Burundi, the Heads of State and delegations will provide assistance, and call upon the international community also to assist, in the implementation of the Convention of Government, including support for the National Debate. Security of persons is a fundamental problem in Burundi. As requested and approved by the leaders of Burundi, assistance will be sought to improve the system of justice. The Heads of State and the delegations will support the efforts of the Government of Burundi to work out modalities for all the population to regain full confidence in the security forces.

(l) The Heads of State and delegations considered it imperative that the search for peace in the Great Lakes region should be accompanied by coordinated and concrete actions by the international community to mobilize financial resources so as to bring economic and social development to the region.

(m) The Heads of State and delegations agreed to seek solutions to related property and asset issues among Governments in the region.

(n) The Heads of State and delegations requested that former Presidents Nyerere of the United Republic of Tanzania, Toure of Mali, Carter of the United States, and Archbishop Tutu of South Africa analyse in depth the results of this meeting and the continuing problems of the region and prepare recommendations for consideration by the five Governments at a second meeting, early in 1996. With prior approval from the five Governments, other participants and observers will be invited.

The Heads of State and delegations were pleased by the frank and constructive discussions that characterized their Cairo Summit. They commended the Carter Center for arranging the meeting.

The Heads of State and delegations expressed their profound appreciation to President Mubarak and the Egyptian people for their support and hospitality for this historic meeting.

(Signed) Mobutu Sese SEKO

(Signed) Yoweri Kaguta MUSEVENI

(Signed) Pasteur BIZIMUNGU

(Signed) Sylvestre NTIBANTUNGANYA

(Signed) Abdulrahman KINANA

(Signed) Jimmy CARTER
(witness)

TOTAL P.24

UNITED NATIONS



NATIONS UNIES

RECEIVED

17 NOV 1995

OFFICE OF THE SRSG
UNAMIR

OUTGOING FACSIMILE

DATE: 16 November 1995

UNAMIR
1995 NOV 16 P 9:04

TO: KHAN UNAMIR Kigali	FROM: KITTANI DPKO New York <i>H. Kittani</i>
FAX NO: 3-3090	FAX NO: (212) 963-4879 ROOM S-3720
SUBJECT: Conference on the Great Lakes Region	

TOTAL NUMBER OF TRANSMITTED PAGES INCLUDING THIS PAGE: 5

Please find attached, for your information, copies in English and French, of the Secretary-General's letter of 30 October (S/1995/945), to the President of the Security Council on the above mentioned conference, and the latter's reply dated 10 November (S/1995/946). Regards.

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17.11.95



Distr.
GENERAL

S/1995/945
10 November 1995

ORIGINAL: ENGLISH

LETTER DATED 30 OCTOBER 1995 FROM THE SECRETARY-GENERAL ADDRESSED
TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to paragraph 5 of Security Council resolution 1011 (1995) of 16 August 1995, in which the Council requested me to report on my efforts for the preparation and convening, at the earliest possible time, of the Regional Conference on Security, Stability and Development in the Great Lakes Region of Central Africa.

In a letter addressed to the President of the Security Council on 23 August (S/1995/735), I informed the Council that I had appointed Mr. José Luis Jésum as my Special Envoy for this purpose. My Special Envoy has now returned from the region, where he held high-level consultations with the Organization of African Unity and the Governments of Burundi, Ethiopia, Kenya, Rwanda, Uganda and the United Republic of Tanzania. He has reported to me that most of these Governments supported the idea of a regional conference.

The Government of Rwanda, on the other hand, expressed strong opposition to the idea of such a conference. The Government of Uganda also indicated that it was not keen to have the United Nations actively involved in this process.

Notwithstanding these reservations, the United Nations will continue to monitor developments in the region and I shall revert to the Security Council if it appears that conditions exist for the successful convening of a conference.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

95-34969 (E) 101195 111195



Security Council

Distr.
GENERAL

S/1995/946
10 November 1995
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

LETTER DATED 10 NOVEMBER 1995 FROM THE PRESIDENT OF THE
SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

The members of the Security Council have considered your letter of 1 October 1995 (S/1995/945) pursuant to paragraph 5 of Council resolution 1011 (1995) of 16 August 1995. They wish to give every possible support to all efforts to reduce tension and restore stability in the Great Lakes region. They are grateful for your efforts and those of your Special Envoy, Mr. José Luis Jésus, to prepare for the Regional Conference on Security, Stability and Development in the Great Lakes Region of Central Africa. They note the views expressed by the Governments of States in the region. They encourage you to continue your contacts with the aim of convening the conference.

(Signed) Salim Bin Mohammed AL-KHUSSEIBY
President of the Security Council

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**NATIONS
UNIES****S****Conseil de sécurité**Distr.
GÉNÉRALES/1995/945
10 novembre 1995
FRANÇAIS
ORIGINAL : ANGLAIS**LETTRE DATÉE DU 30 OCTOBRE 1995, ADRESSÉE AU PRÉSIDENT
DU CONSEIL DE SÉCURITÉ PAR LE SECRÉTAIRE GÉNÉRAL**

J'ai l'honneur de me référer au paragraphe 5 de la résolution 1011 (1995) du Conseil de sécurité, datée du 16 août 1995, dans lequel le Conseil m'a prié de lui rendre compte des efforts que j'aurai déployés pour préparer et convoquer, dans les meilleurs délais, la Conférence régionale sur la sécurité, la stabilité et le développement dans la région des Grands Lacs d'Afrique centrale.

Dans une lettre adressée au Président du Conseil de sécurité le 23 août 1995 (S/1995/735), j'ai informé le Conseil que j'avais nommé comme envoyé spécial, pour se charger de cette tâche, M. José Luis Jésus. Mon Envoyé spécial est revenu de la région après y avoir eu des consultations de haut niveau avec l'Organisation de l'unité africaine et avec les Gouvernements du Burundi, de l'Éthiopie, du Kenya, de l'Ouganda, de la République-Unie de Tanzanie et du Rwanda. Il m'a signalé que la plupart de ces gouvernements étaient favorables à l'idée d'une conférence régionale.

En revanche, le Gouvernement du Rwanda s'est montré vivement opposé à l'idée d'une telle conférence. Le Gouvernement de l'Ouganda a indiqué pour sa part qu'il ne tenait pas à voir l'Organisation des Nations Unies jouer un rôle actif dans ce processus.

En dépit de ces réserves, l'Organisation des Nations Unies continuera à suivre l'évolution de la situation dans la région et je saisirai de nouveau le Conseil de sécurité s'il apparaît que l'on peut envisager la convocation d'une conférence avec des chances de succès.

Je vous serais obligé de bien vouloir porter ce qui précède à l'attention des membres du Conseil de sécurité.

(Signé) Boutros BOUTROS-GHALI

95-34970 (F) 101195 101195 111195

**NATIONS
UNIES****S****Conseil de sécurité**Distr.
GÉNÉRALES/1995/946
10 novembre 1995
FRANÇAIS
ORIGINAL : ANGLAIS ET FRANÇAIS

LETTRE DATÉE DU 10 NOVEMBRE 1995, ADRESSÉE AU SECRÉTAIRE GÉNÉRAL
PAR LE PRÉSIDENT DU CONSEIL DE SÉCURITÉ

Les membres du Conseil de sécurité ont pris connaissance de la lettre du 30 octobre 1995 (S/1995/945) que vous leur avez fait tenir conformément au paragraphe 5 de la résolution 1011 (1995) du Conseil en date du 16 août 1995. Ils tiennent à soutenir très fermement tous les efforts visant à réduire la tension et à ramener la stabilité dans la région des Grands Lacs. Ils vous sont reconnaissants des initiatives que vous avez prises, vous-même et votre Envoyé spécial, M. José Luis Jésus, en vue de préparer la Conférence régionale sur la sécurité, la stabilité et le développement dans la région des Grands lacs d'Afrique centrale. Ils ont pris note des vues exprimées par les gouvernements des pays de la région. Ils vous encouragent à poursuivre vos contacts en vue de la convocation de la Conférence.

Le Président du Conseil de sécurité

(Signé) Salim Bin Mohammed AL-KHUSSEIBY

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UNITED NATIONS



NATIONS UNIES

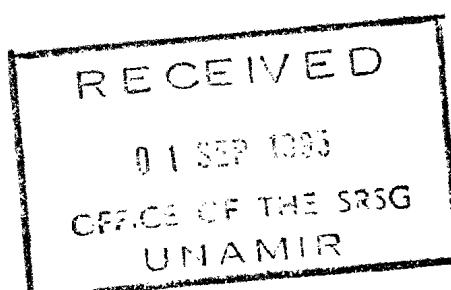
OUTGOING FACSIMILE

DATE: 31 August 1995

TO: KHAN UNAMIR Kigali	FROM: ANNAN DPKO New York <i>H. Annan</i>
FAX NO: 3-3090	FAX NO: (212) 963-4879 ROCM S-3720
SUBJECT: Appointment of Special Envoy	
TOTAL NUMBER OF TRANSMITTED PAGES INCLUDING THIS PAGE: 3	

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Please find attached copies of Security Council documents S/1995/735 and 736 relating to the appointment of Ambassador Jose Luis Jesus (Cape Verde) as Special Envoy of the Secretary-General for the Great Lakes region. Regards.



**UNITED
NATIONS****S.****Security Council**Distr.
GENERALS/1995/735
25 August 1995

ORIGINAL: ENGLISH

**LETTER DATED 23 AUGUST 1995 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

I wish to refer to paragraph 5 of resolution 1011 (1995) of 16 August 1995, in which the Security Council requested me to report on my efforts for the preparation and convening, at the earliest possible time, of the regional Conference on Security, Stability and Development in the Great Lakes Region of Central Africa.

Following consultations, I have decided to appoint a Special Envoy whose principal task will be to facilitate the preparation and convening of this Conference. I am now in a position to inform the Security Council that I intend to appoint Mr. Jose Luis Jesus, currently the Ambassador of Cape Verde to Portugal, as my Special Envoy with immediate effect.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/736
25 August 1995

ORIGINAL: ENGLISH

LETTER DATED 25 AUGUST 1995 FROM THE PRESIDENT OF THE
SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 23 August 1995 (S/1995/735) concerning the appointment of Mr. Jose Luis Jesus as your Special Envoy to facilitate the preparation and convening of the regional Conference on Security, Stability and Development in the Great Lakes Region of Central Africa has been brought to the attention of the members of the Council. They welcome the proposal contained in your letter.

(Signed) Nugroho WISNUMURTI
President of the Security Council

95-26208 (E) 250895 280895



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NEWYORK (DPI) 27 0811Z
BT
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f Security Service

PRESS RELEASE DH/1944
27 JULY 1995 (MORE)

PREPARED BY CENTRAL NEWS DH/1944
27 JULY 1995

THURSDAY HIGHLIGHTS

*UNPROFOR FORCE COMMANDER OVERSEES EVACUATION OF CIVILIANS FROM ZEPA; GORAZDE AND BIHAC REPORTED TO BE CALM, BUT FIGHTING CONTINUES IN SARAJEVO.

*UNITED STATES WELCOMES SECRETARY-GENERAL'S DELEGATION OF AUTHORITY REGARDING USE OF AIR POWER IN BOSNIA AND HERZEGOVINA; STRESSES INTERNATIONAL COMMUNITY'S RESOLVE TO OPPOSE BOSNIAN SERB AGGRESSION.

*SECURITY COUNCIL COMMITTEE APPEALS FOR INFORMATION ON VIOLATIONS OF MANDATORY ARMS EMBARGO AGAINST RWANDA.

*ECONOMIC AND SOCIAL COUNCIL ADOPTS 59 RESOLUTIONS AND DECISIONS ON HUMAN RIGHTS, INCLUDING RIGHT TO DEVELOPMENT AND RIGHTS OF ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES.

*WORKING GROUP ON INDIGENOUS POPULATIONS HOLDS THIRTEENTH SESSION IN GENEVA.

* * *

THE FORCE COMMANDER OF THE UNITED NATIONS PROTECTION FORCE (UNPROFOR), LIEUTENANT-GENERAL RUPERT SMITH, TODAY RETURNED TO ZEPA TO OVERSEE THE ORDERLY EVACUATION OF CIVILIANS FROM THE ENCLAVE, ACCORDING TO A SPOKESMAN FOR THE ORGANIZATION. A TOTAL OF 4,400 PEOPLE HAVE BEEN, OR ARE BEING, EVACUATED. SOME 2,500 OF THEM HAVE ALREADY CROSSED THE CONFRONTATION LINES INTO GOVERNMENT-CONTROLLED AREAS IN CENTRAL BOSNIA AND HERZEGOVINA.

MEANWHILE, THE SITUATION IN GORAZDE REMAINED QUIET, WITH NO TROOP MOVEMENTS IN THE AREA REPORTED. THE BIHAC POCKET WAS ALSO QUIET AFTER INTENSE FIGHTING OVER THE LAST WEEK. HOWEVER, THERE WAS MODERATE FIGHTING IN SARAJEVO, WITH 1,300 FIRING INCIDENTS RECORDED YESTERDAY. UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR) CONVOYS HAVE BEEN REACHING THE BOSNIAN CAPITAL WITH RELATIVE EASE THIS WEEK, BUT THE BOSNIAN SERBS HAVE NOW DEMANDED THAT THEY RECEIVE A LARGER PERCENTAGE OF THE AID BEING

(SAG) FC CMV

DELIVERED.

IN ANOTHER DEVELOPMENT, TADEUSZ MAZOWIECKI HAS RESIGNED AS SPECIAL RAPPORTEUR FOR HUMAN RIGHTS IN THE FORMER YUGOSLAVIA BECAUSE OF WORLD INACTION OVER THE FALL OF SREBRENICA AND ZEPA. MR. MAZOWIECKI CRITICIZED THE INTERNATIONAL COMMUNITY FOR ITS "SLOW AND INEFFECTUAL" RESPONSE TO CONTINUING HUMAN RIGHTS VIOLATIONS.

* * *

THE UNITED STATES HAS WELCOMED THE SECRETARY-GENERAL'S DELEGATION OF AUTHORITY WITH RESPECT TO THE USE OF AIR POWER IN BOSNIA AND HERZEGOVINA TO THE COMMANDER OF UNITED NATIONS PEACE FORCES (UNPF). PERMANENT REPRESENTATIVE MADELEINE ALBRIGHT SAID TODAY THAT THE DECISION WOULD STREAMLINE CURRENT PROCEDURES AND INCREASE THE POTENCY OF AIR POWER AS A DETERRENT TO AGGRESSION.

"NATO AND THE UNITED NATIONS STAND TOGETHER IN THEIR DETERMINATION TO RESPOND RESOLUTELY TO FURTHER BOSNIAN SERB OFFENSIVES," SHE SAID. "THE BOSNIAN SERBS SHOULD NOW BE ON NOTICE OF THE INTERNATIONAL COMMUNITY'S RESOLVE TO OPPOSE FURTHER ACTS OF AGGRESSION."

* * *

THE SECURITY COUNCIL COMMITTEE ESTABLISHED UNDER RESOLUTION 918 (1994) HAS APPEALED FOR INFORMATION ON VIOLATIONS OR SUSPECTED VIOLATIONS OF THE MANDATORY ARMS EMBARGO AGAINST RWANDA. THE APPEAL WAS ADDRESSED TO GOVERNMENTS, INTERGOVERNMENTAL AND NONGOVERNMENTAL ORGANIZATIONS, AS WELL AS TO INDIVIDUALS.

THE EMBARGO PROHIBITS THE SALE OR SUPPLY TO RWANDA OF ARMS AND RELATED MATERIEL OF ALL TYPES, INCLUDING WEAPONS AND AMMUNITION, MILITARY VEHICLES AND EQUIPMENT, AND PARAMILITARY POLICE EQUIPMENT. IT ALSO PROHIBITS SUCH SALE OR SUPPLY TO PERSONS IN NEIGHBOURING STATES IF THE ARMS OR MATERIEL ARE FOR USE IN RWANDA.

* * *

THE ECONOMIC AND SOCIAL COUNCIL HAS ADOPTED 59 RESOLUTIONS AND DECISIONS ON HUMAN RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT AND THE RIGHTS OF ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES. THOSE MEASURES DEALT WITH THE HUMAN RIGHTS SITUATIONS IN THE FORMER YUGOSLAVIA, CAMBODIA, SOMALIA, CUBA, SOUTHERN LEBANON, IRAN, ZAIRE, HAITI, EQUATORIAL GUINEA, MYANMAR, AFGHANISTAN, IRAQ, SUDAN, BURUNDI AND RWANDA.

EARLIER IN THE WEEK, THE COUNCIL ADOPTED RESOLUTIONS AND DECISIONS ON CRIME PREVENTION AND CRIMINAL JUSTICE, AND NARCOTIC DRUGS. THE RESOLUTIONS DEALT WITH GUIDELINES FOR THE PREVENTION OF URBAN CRIME, A CODE OF ETHICS FOR PUBLIC OFFICE HOLDERS, AND A RECOMMENDATION THAT A WORLD CONFERENCE BE HELD IN 1998 ON PREVENTION OF TRAFFICKING IN NARCOTIC DRUGS.

THE COUNCIL ALSO HEARD A STATEMENT BY GERTRUDE MONGELLA, SECRETARY-GENERAL OF THE FOURTH WORLD CONFERENCE ON WOMEN. SHE SAID THE BEIJING CONFERENCE WOULD EXCEED ALL EXPECTATIONS IN TERMS

OF SIZE, THE BREADTH OF ISSUES ADDRESSED AND THE MOBILIZATION OF
SUPPORT FOR EQUAL RIGHTS FOR WOMEN. THE MANY NON-GOVERNMENTAL
ORGANIZATIONS ATTENDING WOULD ADD DEPTH AND IMPETUS TO THE
PROCEEDINGS, SHE ADDED.

* * *

THE SUBCOMMISSION ON PREVENTION OF DISCRIMINATION AND
PROTECTION OF MINORITIES' WORKING GROUP ON INDIGENOUS
POPULATIONS IS HOLDING ITS THIRTEENTH SESSION. EVERY YEAR,
MORE THAN 600 REPRESENTATIVES OF GOVERNMENTS, UNITED NATIONS
BODIES AND INDIGENOUS ORGANIZATIONS GATHER IN GENEVA TO DISCUSS THE
CONCERNS OF INDIGENOUS PEOPLES. THE VOLUNTARY FUND FOR
INDIGENOUS POPULATIONS HAS ENABLED 52 INDIGENOUS REPRESENTATIVES
TO ATTEND THIS YEAR'S SESSION.

* *** *

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SC/6074
27 JULY 1995

SECURITY COUNCIL COMMITTEE CALLS FOR INFORMATION ON VIOLATIONS
OF MANDATORY ARMS EMBARGO AGAINST RWANDA

THE SECURITY COUNCIL COMMITTEE ESTABLISHED UNDER RESOLUTION 918 (1994) TO MONITOR THE ARMS EMBARGO AGAINST RWANDA HAS ISSUED AN APPEAL FOR ANY INFORMATION ON VIOLATIONS OR SUSPECTED VIOLATIONS OF THE MANDATORY ARMS EMBARGO WHICH WAS IMPOSED BY THAT COUNCIL RESOLUTION ON 17 MAY 1994. THE EMBARGO INCLUDES PROHIBITION OF THE SALE OR SUPPLY TO RWANDA OF ARMS AND RELATED MATERIEL OF ALL TYPES, INCLUDING WEAPONS AND AMMUNITION, MILITARY VEHICLES AND EQUIPMENT, PARAMILITARY POLICE EQUIPMENT AND SPARE PARTS.

BY ITS RESOLUTION 997 (1995) THE SECURITY COUNCIL ALSO AFFIRMED THAT THE RESTRICTIONS IMPOSED UNDER RESOLUTION 918 (1994) APPLIED TO THE SALE OR SUPPLY OF ARMS AND MATERIEL SPECIFIED THEREIN TO PERSONS IN THE STATES NEIGHBOURING RWANDA, IF THAT SALE OR SUPPLY WAS FOR THE PURPOSE OF THE USE OF SUCH ARMS OR MATERIEL WITHIN RWANDA. THE COUNCIL CALLED UPON THE STATES NEIGHBOURING RWANDA TO TAKE STEPS AIMED AT ENDING FACTORS CONTRIBUTING TO THE DESTABILIZATION OF RWANDA AND TO ENSURE THAT SUCH ARMS AND MATERIEL WERE NOT TRANSFERRED TO RWANDAN CAMPS WITHIN THEIR TERRITORIES.

AS DECIDED BY THE COMMITTEE ON 19 JULY, THE APPEAL IS ADDRESSED TO GOVERNMENTS, INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS, AS WELL AS INDIVIDUALS, AND REQUESTS THAT ANY RELEVANT INFORMATION THEY MAY HAVE BE FORWARDED TO THEIR OWN GOVERNMENTS OR TO THE COMMITTEE.

SUCH INFORMATION SHOULD, IN THE FIRST INSTANCE, BE TURNED OVER TO THE GOVERNMENT OF THE STATE OF DOMICILE OF THE ALLEGED VIOLATOR OF THE MANDATORY ARMS EMBARGO. THE COMMITTEE WOULD ALSO APPRECIATE RECEIVING SIMULTANEOUSLY, IN EACH CASE, A COPY OF EACH SUCH INFORMATION SUBMITTED TO THE GOVERNMENT CONCERNED.

NOTIFICATION OF SUCH INFORMATION TO THE COMMITTEE SHOULD BE ADDRESSED TO THE CHAIRMAN OF THE COMMITTEE, AMBASSADOR NUGROHO WISNUMURTI, PERMANENT REPRESENTATIVE OF INDONESIA TO THE UNITED NATIONS, ROOM S-3055-G, UNITED NATIONS SECRETARIAT, UNITED NATIONS

(SMSG) FC CMV

PLAZA, NEW YORK, N.Y. 10017; FAX NO.
(212) 963-1300.

ON 17 JULY, THE SECURITY COUNCIL ADOPTED RESOLUTION 1005 (1995) BY WHICH

(MORE)

PRESS RELEASE SC/6874
27 JULY 1995

IT DECIDED THAT, NOTWITHSTANDING THE RESTRICTIONS IMPOSED BY RESOLUTION 918 (1994), APPROPRIATE AMOUNTS OF EXPLOSIVES INTENDED EXCLUSIVELY FOR USE IN ESTABLISHED HUMANITARIAN DEMINING PROGRAMMES MAY BE SUPPLIED TO RWANDA, UPON APPLICATION TO AND AUTHORIZATION BY THE COMMITTEE.

THE COMMITTEE CONSISTS OF ALL 15 MEMBERS OF THE SECURITY COUNCIL: ARGENTINA, BOTSWANA, CHINA, CZECH REPUBLIC, FRANCE, GERMANY, HONDURAS, INDONESIA, ITALY, NIGERIA, OMAN, RUSSIAN FEDERATION, RWANDA, UNITED KINGDOM AND UNITED STATES.

UNITED NATIONS



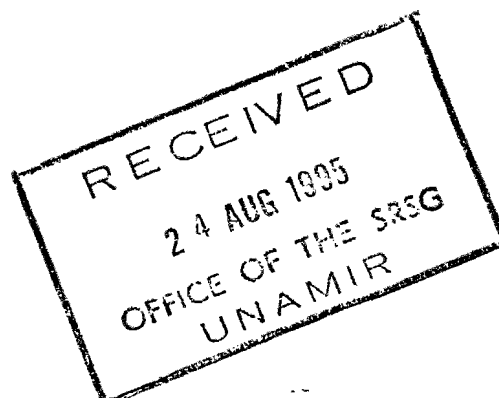
NATIONS UNIES

OUTGOING FACSIMILE

DATE: 23 August 1995

TO: KHAN UNAMIR Kigali	FROM: ANNAN DPKO New York <i>[Signature]</i>
FAX NO: 3-3090	FAX NO: (212) 963-4879 ROOM S-3720
SUBJECT: Expulsion of Rwandese refugees by Zaire	
TOTAL NUMBER OF TRANSMITTED PAGES INCLUDING THIS PAGE: 1	

Re our previous cables on the above, please find attached, for your information, copies (in English and French) of the 17 August letter from the Prime Minister of Zaire (S/1995/722) and of the Secretary-General's reply, dated 18 August (S/1995/723), which have now been distributed as documents of the Security Council. Regards.



UNITED
NATIONS

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Security Council

Distr.
GENERALS/1995/722
22 August 1995
ENGLISH
ORIGINAL: FRENCHLETTER DATED 17 AUGUST 1995 FROM THE PRIME MINISTER OF THE
REPUBLIC OF ZAIRE ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to acknowledge receipt of resolution 1011 (1995), adopted by the Security Council on 16 August 1995, which you transmitted to the Deputy Prime Minister and Minister for Foreign Affairs.

By its note verbale of 10 August 1995, the Permanent Mission of Zaire to the United Nations communicated to the President of the Security Council and yourself the position of the Republic of Zaire on the draft resolution relating to the lifting of the arms embargo imposed by the Security Council on Rwanda by resolution 918 (1994) of 17 May 1994.

Subsequently, through the intermediary of Mr. Aliou Diallo, the Resident Representative of the United Nations Development Programme in Kinshasa, I informed you of the strong internal pressures sustained by the Government, particularly from the Parliament, and of the political situation that would be created in Zaire, particularly on its borders with Rwanda and Burundi, by the vote on the resolution lifting the embargo on Rwanda, at a time when reliable and consistent reports in my possession point to a concentration of the armed forces of Rwanda and Burundi on the borders with Zaire.

I pointed out also that, in the event of a vote on the resolution lifting the embargo on Rwanda, the Zairian Government would find itself obliged to invoke article 3, paragraph 2, of resolution 2312 (XXII), entitled "Declaration on territorial asylum", adopted by the United Nations General Assembly on 24 December 1967, and thus to derogate - for major reasons of national security and in order to protect the population against the massive flow of foreigners that have invaded North and South Kivu - from the principle set forth in article 3, paragraph 1, of the above-mentioned Declaration.

This position was communicated by the Deputy Permanent Representative of Zaire to the United Nations to the President of the Security Council on 16 August 1995 before the Council's formal meeting, together with the position of the Government of the Republic of Zaire on the compromise text of the draft resolution on the suspension of the embargo imposed on Rwanda.

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S/1995/722

English

Page 2

The adoption of resolution 1011 (1995) by the Security Council at its 3566th meeting on 16 August 1995 leaves me no choice but to request you to indicate to me the arrangements made at the United Nations level in relation to the new country or countries of asylum to which the Rwandan and Burundi refugees should be evacuated.

In the absence of any clear indication, the Government of the Republic of Zaire intends to evacuate them to their country of origin at the expense of the United Nations Assistance Mission for Rwanda, the United Nations and the Governments of their respective countries.

The decision of the Government of Zaire is the logical sequel to the adoption of Security Council resolution 1011 (1995), and its aim is to protect Rwanda against the alleged destabilization attempts by former members of the Rwandanese armed forces and Rwandan refugees in neighbouring countries, including Zaire.

(Signed) KENGO Wa DONDO

S/1995/722

Français

Page 2

L'adoption de la résolution 1011 (1995) par le Conseil de sécurité, à sa 3566e séance du 16 août 1995, ne me laisse pas d'autre choix que de vous demander de m'indiquer les dispositions prises au niveau des Nations Unies en rapport avec le ou les nouveau(x) pays d'asile où devront être évacués les réfugiés rwandais et burundais.

À défaut d'indication précise, le Gouvernement de la République du Zaïre entend les évacuer vers leurs pays d'origine à charge de la Mission des Nations Unies pour l'assistance au Rwanda, des Nations Unies et des gouvernements de leurs pays respectifs.

La décision du Gouvernement zaïrois est la suite logique de l'adoption de la résolution 1011 (1995) du Conseil de sécurité, dont l'objectif est de protéger le Rwanda contre les prétendues tentatives de déstabilisation des ex-Forces armées rwandaises et des réfugiés rwandais se trouvant dans les pays voisins, et notamment le Zaïre.

(Signé) KENGO Wa DONDO

**UNITED
NATIONS****S****Security Council**Distr.
GENERALS/1995/723
22 August 1995
ENGLISH
ORIGINAL: FRENCH**LETTER DATED 18 AUGUST 1995 FROM THE SECRETARY-GENERAL ADDRESSED
TO THE PRIME MINISTER OF THE REPUBLIC OF ZAIRE**

I have the honour to acknowledge receipt of your letter of 17 August 1995 whereby you drew my attention to the political implications for Zaire of resolution 1011 (1995), adopted by the Security Council on 16 August 1995.

I have taken very careful note of the difficulties encountered by your Government with the Parliament and the Zairian population groups along the border between your country, Rwanda and Burundi.

In view of the importance of the subject and my great concern regarding it, I have decided to communicate your letter to the President of the Security Council in extenso.

I should like, pending the reaction of the Security Council, to address to you an urgent appeal that your Government continue to provide to the Rwandan and Burundi refugees assistance that accords with the traditions of generosity of the people of Zaire.

(Signed) Boutros BOUTROS-GHALI

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**NATIONS
UNIES****S****Conseil de sécurité**Distr.
GÉNÉRALES/1995/723
22 août 1995

ORIGINAL : FRANÇAIS

**LETTRE DATÉE DU 18 AOÛT 1995, ADRESSÉE AU PREMIER MINISTRE DE LA
RÉPUBLIQUE DU ZAÏRE PAR LE SECRÉTAIRE GÉNÉRAL**

J'ai l'honneur d'accuser réception de votre lettre du 17 août 1995, par laquelle vous avez bien voulu attirer mon attention sur les implications politiques au Zaïre de la résolution 1011 (1995) que le Conseil de sécurité a adoptée le 16 août 1995.

C'est avec beaucoup d'attention que j'ai noté les difficultés que votre gouvernement rencontre avec le Parlement et avec les populations zaïroises le long des frontières entre votre pays, le Rwanda et le Burundi.

Compte tenu de l'importance du sujet et de la considération que j'y attache, j'ai décidé de communiquer in extenso votre lettre au Président du Conseil de sécurité.

Je voudrais, en attendant la réaction du Conseil de sécurité, vous lancer un appel pressant pour que votre gouvernement continue d'apporter aux réfugiés rwandais et burundais l'assistance propre aux traditions de générosité du peuple zaïrois.

(Signé) Boutros BOUTROS-GHALI

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Security Council

Distr.
GENERAL

S/1995/547
7 July 1995

ORIGINAL: ENGLISH

LETTER DATED 5 JULY 1995 FROM THE PERMANENT REPRESENTATIVE
OF RWANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT
OF THE SECURITY COUNCIL

This is the second letter I am writing to the President of the Security Council concerning the training and rearming of the militia and soldiers of the former regime of Rwanda in neighbouring countries, a development which is a threat to Rwanda and to the subregion. The first letter on the matter was dated 16 March 1995.

My first letter was a request to the Secretariat, through the President of the Security Council, to investigate and report to the Council on the activities of the leaders, militia and soldiers of the genocidal former Rwandese Government in view of the existence of information that they were preparing to undertake a forceful intervention into Rwanda.

An in-depth report on the matter has never been provided to the Security Council, despite the urgency of the situation. The Organization has not been able to detect the violation of the arms embargo by the former government leaders; neither has it been able to prevent infiltration of Rwanda and Burundi by elements of the militia and soldiers of the former Rwandese Government. Even more recently, the Secretariat and its representatives continued to state that they do not have sufficient evidence of the scope of the problem.

Meanwhile, the perpetrators of genocide continue rearming themselves with impunity in the presence of an array of United Nations agencies such as the Office of the United Nations High Commissioner for Refugees (UNHCR) as well as international non-governmental organizations (NGOs).

Based on information from UNHCR, this Organization has not been able to detect the rearming of the perpetrators of genocide in spite of the fact that the former Rwandese leaders have been strengthened by the humanitarian assistance provided by UNHCR and other international organizations.

The information provided by the United Nations High Commissioner for Refugees, Ms. Sadako Ogata, to a few selected members of the Security Council in New York in May 1995 did not give the true picture of the situation in the refugee camps in Zaire. There were omissions of key information on the

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situation in all the refugee camps and on the interrelationships between those existing camps.

On the other hand, reports from Human Rights Watch, an American NGO, and Amnesty International, based in London, as well as the BBC, provide an abundance of evidence.

In the preliminary report of Human Rights Watch, entitled "Rearming with impunity: international support for the perpetrators of the Rwandan genocide", and in the report of Amnesty International entitled "Arming the perpetrators of the genocide", the two organizations confirm that it is quite evident that the arms embargo imposed on the former genocidal regime in Rwanda is not achieving the objectives set by the Security Council in its resolution 918 (1994) on expansion of United Nations assistance for Rwanda and the imposition of an arms embargo.

The reports confirm that the perpetrators of the Rwandan genocide are rebuilding their military infrastructure in Zaire, have spoken openly of their intention to return to Rwanda and have threatened to wage a war and to complete the genocide they began in April 1994. The former Rwandese government forces are conducting military training in a number of military camps. They also control some of the civilian refugee camps where they control food distribution and engage in theft; prevent the repatriation of refugees through attacks and intimidation, carry out vigilante killings and mutilations of persons suspected of crimes or disloyalty; restrict the movement of persons in and out of the camps; recruit and train young men for incursions into Rwanda and Burundi in support of the extremists from Burundi; and actively launch cross-border raids, inflaming an already tense situation inside Burundi and threatening to expand the conflict throughout the whole region.

Militia members have told Human Rights Watch in interviews that local Zairian authorities have provided the soldiers and militia of the former regime with armed escorts and have permitted them to conduct political, military and propaganda activities in the refugee camps and in some Zairian-owned military bases, as long as those activities are kept out of the view of international relief workers.

Furthermore, Human Rights Watch, Amnesty International and the BBC have persuasive evidence that the former leaders, militia and soldiers of the former Rwandese Government have benefited from the protection and support of several members of the international community, including some members of the Security Council. The reports state that those members have actively aided and abetted the militias and soldiers of the former regime in their efforts to reconstitute themselves, through a combination of direct shipments of arms, facilitating such shipments from other sources, and providing other forms of military assistance, including training, in violation of the arms embargo imposed by the Security Council under resolution 918 (1994).

Such developments have hindered the process of repatriation of refugees, national reconciliation and national reconstruction.

Even though the two human rights organizations have made their reports available to the Secretariat and to all members of the Security Council, to our knowledge, no concrete action has been taken, either by the Secretariat or by the Security Council, despite the fact that its resolution 918 (1994) was targeted at the Rwandese genocidal regime in an attempt to stop that Government from killing its population. A Security Council presidential statement in April 1995 (S/PRST/1995/22) expressed its "deep concern" for the rearming of militia and soldiers of the former genocidal Government of Rwanda. The Sanctions Committee set up one year ago, under resolution 918 (1994) is not yet operational.

The present Government of Rwanda has as its priorities: the return of refugees, national reconciliation and reconstruction as well as the establishment of rule of law, and Security Council resolution 918 (1994) is detrimental to the present Government of Rwanda which has successfully defended the country against the former regime and stopped genocide in Rwanda while the international community failed to act in defence of innocent civilians. This Government must regain its right to ensure the country's security - especially against those who have committed genocide. It should not be disadvantaged and handicapped in defending the Rwandan population by a Security Council resolution or other action by the international community. A country's self-defence is a sovereign right which neither the international community nor the Security Council should restrict, especially for a Government which has shown that it is responsible and has as its primary concern national reconstruction, reconciliation and justice in a secure environment.

Resolution 918 (1994) is preventing the present Government from ensuring the security of its citizens while the United Nations has repeatedly shown itself incapable of ensuring that security, as was evident during the genocide of 1994, when United Nations peace-keeping troops were unable to protect the Rwandan citizens who faced genocide.

The lifting of the arms embargo on the present Government will ensure that the country regains its full sovereignty and its capability to protect its citizens. The capacity to ensure the security of the country is a right and not a privilege. Regaining the freedom to develop that capacity will send a strong signal to a genocidal group that it cannot continue to destabilize the country with impunity.

The arms embargo, which was originally imposed on a genocidal Government, should not be extended to subsequent Governments and to the State of Rwanda. As it presently exists, an arms embargo on Rwanda and its Government is not justifiable. Any preventive measures to be taken have to be focused on the leaders, the soldiers and the militia of the former Government who have violated humanitarian law and on the Governments who continue to support them.

Maintaining this arms embargo as it is presently applied will ensure the opposite of what was intended. It will be a myopic decision which will further the insecurity of Rwanda, Burundi and the subregion.

In conclusion, resolution 918 (1994) is now outdated and is no longer justifiable for the present Government of Rwanda. We therefore request urgent

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action to lift the arms embargo on Rwanda to ensure the security of its population and to re-establish its full sovereignty.

The proposal to extend the arms embargo to the former regime would be an inefficient solution to the problem. In view of the fact that the group is already sufficiently armed, that solution is unrealistic and would not prevent the continuation of rearming since arms are ordered in the name of its accomplices.

The Security Council and the international community would have to take the responsibility for the potential aggression of Rwanda by the former regime and must seriously consider the potential for a continuation of insecurity in Rwanda. I would like to remind you that the genocide of 1994 in Rwanda was partly encouraged by the failure of the Security Council and the international community to make timely and appropriate decisions. Those gross mistakes resulted in the death of 1 million Rwandans. Such mistakes should not be repeated.

In the light of the evidence collected by Human Rights Watch, Amnesty International and the BBC of continuing transfers of weapons and other military support by members of the international community to the perpetrators of the Rwandan genocide, my delegation requests the Security Council and the Secretariat to take the following specific actions:

- Take urgent action to lift the present arms embargo on Rwanda which severely inhibits the capability of the present Government of Rwanda to ensure the security of its citizens;
- Request that the Sanctions Committee on the arms embargo set up under resolution 918 (1994) consider reports on arms transfers to the leaders, the militia and the soldiers of the former Rwandese Government, as a matter of urgency, and report thereon to the Security Council;
- Prepare and adopt a resolution to restrict the rearming of the former genocidal Rwandese government leaders and forces regardless of where they are located;
- Deploy United Nations monitors at Kinshasa, Goma, Bukavu and Uvira airports in Zaire with the purpose of restricting the militarization of Rwandan refugee camps in Zaire;
- Request the States Members of the United Nations to implement Security Council resolution 978 (1995) as well as the Security Council presidential statement issued on 27 April 1995 (S/PRST/1995/22).

I would be grateful if you would circulate the present letter as a document of the Security Council.

(Signed) Manzi BAKURAMUTSA
Ambassador
Permanent Representative of
Rwanda to the United Nations



Conseil de sécurité

Distr.
GÉNÉRALE

S/1995/547
7 juillet 1995
FRANÇAIS
ORIGINAL : ANGLAIS

LETTRE DATÉE DU 5 JUILLET 1995, ADRESSÉE AU PRÉSIDENT DU
CONSEIL DE SÉCURITÉ PAR LE REPRÉSENTANT PERMANENT DU
RWANDA AUPRÈS DE L'ORGANISATION DES NATIONS UNIES

La présente lettre est la seconde que j'adresse au Président du Conseil de sécurité au sujet de l'instruction et du réarmement de milices et de soldats de l'ancien régime du Rwanda dans les pays voisins, une situation qui constitue une menace pour le Rwanda et l'ensemble de la sous-région. Ma première lettre sur la question était datée du 16 mars 1995.

Dans cette première lettre, je demandais au Secrétariat, par l'intermédiaire du Président du Conseil de sécurité, d'enquêter et de faire rapport au Conseil sur les activités des dirigeants, des membres des milices et des soldats de l'ancien Gouvernement rwandais, coupable de génocide, à la lumière d'informations selon lesquelles ceux-ci préparaient une intervention armée au Rwanda.

Malgré l'urgence de la situation, aucun rapport approfondi n'a été soumis au Conseil de sécurité sur la question. L'Organisation n'a pas été en mesure de constater la violation de l'embargo sur les armes par les anciens dirigeants gouvernementaux. Elle n'a pas non plus été en mesure d'empêcher l'infiltration au Rwanda et au Burundi d'éléments des milices et de soldats de l'ancien Gouvernement rwandais. Plus récemment encore, le Secrétariat et ses représentants ont continué de déclarer qu'ils n'avaient pas suffisamment de preuves quant à l'ampleur du problème.

Dans l'intervalle, les auteurs du génocide continuent de se réarmer dans l'impunité en présence de toute une série d'institutions des Nations Unies, comme le Haut Commissariat des Nations Unies pour les réfugiés (HCR), ainsi que d'organisations non gouvernementales (ONG) internationales. L'Organisation des Nations Unies n'a pu, sur la base des informations fournies par le HCR, constater que ceux qui avaient perpétré le génocide se réarmaient alors même que les anciens dirigeants rwandais se voyaient renforcés par l'assistance humanitaire fournie par le HCR et d'autres organisations internationales.

Les renseignements fournis par le Haut Commissaire des Nations Unies pour les réfugiés, Mme Sadako Ogata, à certains membres du Conseil de sécurité à New York en mai 1995 ne donnaient pas une image fidèle de la situation dans les camps de réfugiés au Zaïre. Des informations cruciales manquaient en ce qui

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concerne la situation dans tous les camps de réfugiés et les relations entre ces camps.

Par ailleurs, on trouve dans les rapports de Human Rights Watch, une ONG américaine, et d'Amnesty International, dont le siège est à Londres, ainsi que dans les reportages de la BBC, de très nombreux témoignages.

Dans le rapport préliminaire de Human Rights Watch intitulé "Rearming with impunity: international support for the perpetrators of the Rwandan genocide" ("Ils se réarment dans l'impunité : l'appui international aux auteurs du génocide rwandais") et dans le rapport d'Amnesty International intitulé "Arming the perpetrators of the genocide" (Fourniture d'armes aux auteurs du génocide), les deux organisations confirment qu'il est tout à fait évident que l'embargo sur les armes imposé à l'encontre de l'ancien régime rwandais, coupable de génocide, n'aboutit pas aux buts énoncés par le Conseil de sécurité dans sa résolution 918 (1994) sur l'assistance des Nations Unies au Rwanda et l'imposition d'un embargo sur les armes.

Ces rapports confirment que les auteurs du génocide rwandais reconstruisent leur infrastructure militaire au Zaïre, ont annoncé ouvertement leur intention de retourner au Rwanda, et ont menacé de faire la guerre et de mener à bien le génocide qu'ils ont commencé en avril 1994. Les forces de l'ex-Gouvernement rwandais s'entraînent dans un certain nombre de camps militaires. Ils contrôlent également certains camps de réfugiés civils où ils ont la mainmise sur la distribution de l'aide alimentaire, se livrent à des vols, empêchent les réfugiés de rentrer dans leurs foyers en les agressant et les intimidant, exécutent et mutilent ceux qu'ils soupçonnent de crimes ou de déloyauté, limitent les mouvements de ceux qui veulent entrer dans des camps ou en sortir, recrutent et forment de jeunes hommes pour des incursions au Rwanda et au Burundi à l'appui des extrémistes du Burundi, lancent des raids au delà de la frontière, exacerbant ainsi une situation déjà tendue à l'intérieur du Burundi et menaçant d'étendre le conflit à l'ensemble de la région.

Des membres des milices ont déclaré à Human Rights Watch lors d'interviews que les autorités zaïroises locales avaient fourni aux soldats et aux milices de l'ancien régime des escortes armées et les avaient autorisés à mener des activités politiques, militaires et de propagande dans les camps de réfugiés et dans certaines bases militaires zaïroises, à condition que ces activités se déroulent à l'insu du personnel des organisations internationales de secours.

En outre, Human Rights Watch, Amnesty International et la BBC ont des preuves convaincantes que les anciens dirigeants, les membres des milices et les soldats de l'ancien Gouvernement rwandais ont bénéficié de la protection et de l'appui de plusieurs membres de la communauté internationale, y compris certains membres du Conseil de sécurité. Les rapports en question indiquent que ces membres ont aidé activement les milices et les unités de l'ancien régime dans les efforts que ceux-ci déploient pour se reconstituer, soit en leur livrant des armes directement, soit en facilitant de telles livraisons d'autres sources ou en leur fournissant d'autres formes d'assistance militaire, y compris une formation, en violation de l'embargo sur les armes imposé par le Conseil de sécurité dans sa résolution 918 (1994).

Cet état de fait a entravé le rapatriement des réfugiés, la réconciliation nationale et la reconstruction du pays.

Alors même que deux organisations s'occupant des droits de l'homme ont mis leurs rapports à la disposition du Secrétariat et de tous les membres du Conseil de sécurité, à notre connaissance aucune mesure concrète n'a été prise, ni par le Secrétariat, ni par le Conseil de sécurité, bien que la résolution 918 (1994) de ce dernier visât à obliger le régime rwandais, coupable de génocide, d'arrêter de massacrer la population du pays. Une déclaration du Président du Conseil de sécurité datée d'avril 1995 (S/PREST/1995/22) exprimait la "préoccupation profonde" que suscitait parmi les membres du Conseil le réarmement des milices et des soldats de l'ancien Gouvernement rwandais, coupable de génocide. Le Comité des sanctions créé il y a un an par la résolution 918 (1994) n'est pas encore opérationnel.

L'actuel Gouvernement rwandais a les priorités suivantes : le retour des réfugiés, la réconciliation nationale et la reconstruction ainsi que l'établissement de l'état de droit; or, la résolution 918 (1994) du Conseil de sécurité lui est préjudiciable, bien qu'il ait défendu le pays avec succès contre l'ancien régime et mis un terme au génocide au Rwanda, alors que la communauté internationale ne faisait rien pour défendre des civils innocents. L'actuel Gouvernement rwandais doit recouvrer son droit d'assurer la sécurité du pays - en particulier contre les auteurs d'un génocide. Il ne devrait pas être défavorisé ni handicapé dans la défense de la population rwandaise par une résolution du Conseil de sécurité ni par aucun acte de la communauté internationale. Le droit de légitime défense est un droit souverain que ni la communauté internationale ni le Conseil de sécurité ne devraient limiter, en particulier lorsqu'il s'agit du droit d'un gouvernement qui a montré qu'il était responsable et dont les préoccupations premières sont la reconstruction nationale, la réconciliation et la justice dans la sécurité.

La résolution 918 (1994) empêche l'actuel gouvernement d'assurer la sécurité des citoyens rwandais, alors que l'Organisation des Nations Unies s'est montrée à de nombreuses reprises incapable d'assurer cette sécurité, comme cela a été manifeste durant le génocide de 1994, lorsque les troupes de maintien de la paix des Nations Unies n'ont pas été capables de protéger les Rwandais du génocide.

La levée de l'embargo sur les armes au bénéfice de l'actuel gouvernement permettra au pays de recouvrer sa pleine souveraineté et sa capacité de protéger sa population. La capacité d'assurer la sécurité du pays est un droit et non un privilège. Redonner au pays la liberté de développer cette capacité montrera sans ambiguïté aux responsables du génocide qu'ils ne peuvent continuer à déstabiliser le Rwanda dans l'impunité.

L'embargo sur les armes, imposé à l'origine à l'encontre d'un gouvernement coupable de génocide, ne devrait pas être étendu aux gouvernements suivants et à l'état du Rwanda. Tel qu'il existe actuellement, cet embargo à l'encontre du Rwanda et de son gouvernement est injustifiable. Les éventuelles mesures préventives à prendre doivent viser les dirigeants, les soldats et les milices de l'ancien gouvernement qui ont violé le droit humanitaire, et les gouvernements qui continuent à les aider.

/...

Le maintien de l'embargo sur les armes en son état actuel aboutira à un résultat opposé à celui que l'on vise. Ce maintien constituerait une décision erronée qui aggraverait l'insécurité au Rwanda, au Burundi et dans la sous-région.

En conclusion, la résolution 918 (1994) est maintenant obsolète et n'est plus justifiable pour l'actuel Gouvernement rwandais. Nous demandons donc que des mesures soient prises d'urgence pour lever l'embargo sur les armes à l'encontre du Rwanda afin d'assurer la sécurité de la population rwandaise et de rétablir le pays dans sa pleine souveraineté.

L'extension de l'embargo sur les armes à l'ancien régime constituerait une solution inefficace. Ce groupe étant déjà suffisamment armé, une telle solution ne serait pas réaliste et n'empêcherait pas la poursuite du réarmement puisque les armes qui lui sont livrées sont commandées au nom de complices.

Le Conseil de sécurité et la communauté internationale devront assumer la responsabilité de toute agression perpétrée contre le Rwanda par l'ancien régime et ils doivent prendre au sérieux la possibilité du maintien de l'insécurité au Rwanda. Je tiens à vous rappeler que le génocide de 1994 au Rwanda a été en partie encouragé par le fait que le Conseil de sécurité et la communauté internationale n'ont pas pris les décisions qui s'imposaient en temps voulu. Ces erreurs flagrantes ont causé la mort de 1 million de Rwandais. De telles erreurs ne doivent pas se répéter.

À la lumière des témoignages réunis par Human Rights Watch, Amnesty International et la BBC quant à la poursuite des livraisons d'armes et d'autres formes d'appui militaire par des membres de la communauté internationale aux auteurs du génocide rwandais, la délégation rwandaise demande au Conseil de sécurité et au Secrétariat de prendre les mesures spécifiques suivantes :

- Faire d'urgence le nécessaire pour lever l'embargo sur les armes qui frappe le Rwanda et qui affaiblit gravement la capacité du Gouvernement rwandais actuel d'assurer la sécurité des citoyens du pays;
- Demander que le Comité des sanctions créé par la résolution 918 (1994) relative à l'embargo sur les armes examine d'urgence les rapports faisant état de livraisons d'armes aux dirigeants, membres des milices et soldats de l'ancien Gouvernement rwandais, et fasse rapport à ce sujet au Conseil de sécurité;
- Elaborer et adopter une résolution pour empêcher le réarmement des dirigeants et des forces de l'ancien Gouvernement rwandais, coupable de génocide, où qu'ils se trouvent;
- Déployer des observateurs des Nations Unies aux aéroports de Kinshasa, Gombe, Bukavu et Uvira au Zaïre dans le but de limiter la militarisation des camps de réfugiés rwandais au Zaïre;

- Demander aux États membres du Conseil de sécurité de l'Organisation des Nations Unies d'appliquer la résolution 978 (1995) du Conseil de sécurité ainsi que la déclaration du Président du Conseil de sécurité publiée le 27 avril 1995 (S/PRST/1995/22).

Je vous serais obligé de bien vouloir faire distribuer le texte de la présente lettre comme document du Conseil de sécurité.

L'Ambassadeur,

Représentant permanent du Rwanda auprès
de l'Organisation des Nations Unies

(Signé) Manzi BAKURAMUTSA

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DATE: 30 June 1995

TO: KHAN UNAMIR Kigali	FROM: ANNAN for DPKO New York <i>H. Annan</i>
FAX NO: 3-3090	FAX NO: (212) 963-4879 ROOM S-3727
SUBJECT: Meeting of the Defence Ministers of Burundi/Rwanda/Zaire	
TOTAL NUMBER OF TRANSMITTED PAGES INCLUDING THIS PAGE: 5	

Please find attached, for your information, copy of the communiqué of the second meeting of the Ministers of Defence and Security of the States members of the Economic Community of the Great Lakes Countries, held at Bujumbura on 10 June 1995.
Regards.

SRSC

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General Assembly
Security Council

Distr.
GENERAL

A/50/222
S/1995/491
16 June 1995
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY
Fiftieth session
Item 26 of the preliminary list*
THE SITUATION IN BURUNDI

SECURITY COUNCIL
Fiftieth year

Letter dated 15 June 1995 from the Permanent Representative
of Burundi to the United Nations addressed to the
Secretary-General

I have the honour to inform you that in the framework of the permanent consultations between the authorities of the Economic Community of the Great Lakes Countries (CEPGL), their Excellencies General Paul Kagame, Vice-President of the Rwandese Republic and Minister of Defence, Admiral Mavula, Minister of Defence of the Republic of Zaire, and Lieutenant Colonel Firmin Sinzoyineba, Minister of Defence of the Republic of Burundi, held their second meeting at Bujumbura on 10 June 1995.

I transmit herewith the final communiqué issued at the conclusion of their work (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under item 26 of the preliminary list, and of the Security Council.

(Signed) Tharcisse NTAKIBIRORA
Ambassador
Permanent Representative

* A/50/50/Rev.1.

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ANNEX

Final communiqué of the second meeting of the Ministers of
Defence and Security of the States members of the Economic
Community of the Great Lakes Countries, held at Bujumbura
on 10 June 1995

In the course of their meeting the three Ministers of Defence reviewed the overall security situation in the subregion in general and in the States members of the Economic Community of the Great Lakes Countries (CEPGL) in particular.

They expressed their grave concern at the worsening security situation as a result of the proliferation of arms in the subregion, and they focused their discussions on the following points:

- (a) Formalization of the framework for permanent consultation between senior military officials in border areas;
- (b) Consideration and proposal of solutions to the problem of the presence in the subregion of armed, destabilizing elements, both internal and external;
- (c) A search for ways and means to put an end to the disturbing presence of instruments of war and propaganda undermining peace, security and trust in the States members of CEPGL, and the subregion in general;
- (d) Establishment of permanent machinery for joint monitoring of common borders;
- (e) Formulation of the terms of reference of a study on the promotion of military cooperation within CEPGL.

Following their discussions, the Ministers of Defence and Security adopted the following decisions:

- (a) To establish a Tripartite Subcommittee on Security with the following functions:
 - (i) To conduct reconnaissance, verification, monitoring and other activities in an effort to counter the circulation of instruments of war and subversion as well as elements not currently subject to control on both sides of common borders;
 - (ii) To receive and respond to security-related complaints from the States members of CEPGL;
 - (iii) To implement decisions of the meeting of Ministers of Defence and of the summit of Heads of State of CEPGL relating to security;
 - (iv) To report to the meeting of Ministers of Defence on their activities in the field;

/...

- (v) To propose to the meeting of Ministers of Defence appropriate measures for the strengthening of peace and security along common borders in the event of non-compliance with decisions taken;

(b) The Ministers of Defence and Security recognized that the proliferation of weapons in the subregion, the presence of armed, destabilizing elements, both internal and external, and instruments of war and propaganda undermining peace and security constitute the key factors in the security situation in the States members of CEPGL. They agreed that ultimately a lasting solution to the question of peace in the subregion would have to involve the voluntary return, in a prompt and organized manner, of refugees to their countries of origin, in accordance with the provisions of international law and the Convention of the Organization of African Unity on African refugees, as well as the tripartite agreements on the repatriation of refugees. To that end, the Parties undertook to adopt the following measures:

- (i) Identification and internment of activists;
- (ii) Prohibition of their activities in the territory of the other countries;
- (iii) Their expulsion from the national territory;
- (iv) Denial of entry visas to them;
- (v) Revocation of political refugee status, in accordance with international law;
- (vi) Population monitoring at refugee sites, so as to prevent refugees from being recruited and from taking part in activities against the security and sovereignty of the three States;

(c) Convinced that joint monitoring of common borders bolsters and supports at the same time permanent consultation among the administrative authorities and the border police, the Ministers of Defence and Security signed an agreement on the establishment, organization and operation of the Tripartite Subcommittee on Security. In that connection, the Subcommittee will have to introduce specific measures to solve the following issues:

- (i) The permeability of borders;
- (ii) The organization of joint patrols along common borders;
- (iii) The abuse of CEPGL passes;
- (iv) Efforts to combat subversive activities along common borders, as well as other acts creating insecurity;

(d) In order to consolidate and enhance the effectiveness of their meetings, the Ministers of Defence instructed the relevant departments to prepare specific proposals for the next meeting in the following areas:

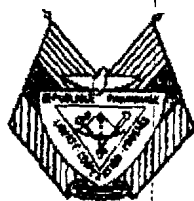
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- (i) Sporting exchanges among the armies of the three countries;
- (ii) Exploration of all the options for technical military cooperation among the three countries;
- (iii) The possibility of exchanging military attachés.

In addition, they decided to mobilize all their resources needed for optimum functioning of the Tripartite Subcommittee on Security. The Permanent Executive Secretary of CEPGL is requested to appeal for international cooperation with a view to obtaining additional resources.

REPUBLIQUE RWANDAISE



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His Excellency Boutros
Boutros-Ghali
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NEW YORK

Your Excellency,

On the 9th June 1995, the present mandate of UNAMIR comes to an end. It is in my duty to communicate to you the instruction of my Government on the future role of UNAMIR before the matter is discussed in the Security Council.

It is probably useful to recall that since the 5th October 1993, when the United Nations Security Council by resolution 892 created UNAMIR I, the mandate of UNAMIR was revised. A number of times to cope with the realities on the ground. The original mandate of UNAMIR was:

- a) Contribute to the security of Kigali inter alia within a weapon secure area established by the parties in and around the city;
- b) To monitor observance of the Cease-fire Agreement, which calls for the establishment of cantonment and assembly zones and the democratization of the new demilitarized zone and other demilitarization procedure;
- c) To monitor the security situation during the final period of the transitional government's mandate, leading up to the elections;

- d) To assist with mine clearance, primarily through training programmes;
- e) To investigate at the request of the parties or on its own initiative instances alleged non-compliance with the provisions of the Arusha Peace Accord relating to the integration of the armed forces, and pursue any such instances with the parties responsible and report thereon as appropriate to the Secretary General;
- f) To monitor the process of repatriation of Rwandese refugees and resettlement of displaced persons to verify that is carried out in a safe and orderly manner;
- g) To assist in the coordination of humanitarian assistance activities of the gendarmerie and police;
- h) To investigate and report on incidents regarding the activities of the gendarmerie and police.

At the material time the arrival of and presence of United Nations Forces gave great hope to the Rwandese people who saw the forces as a contributory factor to the then engaged peaceful solution to the Rwandese conflict.

That hope was nonetheless dashed when the United Nations Forces became mere onlookers during the obvious preparations for genocide in Rwanda. It even became worse when on the 6th April 1994 UNAMIR, hiding behind a vague mandate refused to intervene and save the victims of the genocide. The withdraw of UNAMIR at that material time has left a very vivid dark image in the minds of most Banyarwanda vis-a-vis UNAMIR. Cries and pictures of innocent citizens who were being killed having sought protection in UNAMIR compounds, are still very fresh in their memories.

The reaction of the United Nations Security Council at the time, was to adopt resolution 91/1994 on the 21st April 1994 withdrawing the bulk of United Nations troops and leaving only a token figure of 270 men primarily to protect the United Nations personnel. That same resolution adjusted the UNAMIR mandate as follows:

- a) To act as an intermediary between the parties in an attempt to secure their agreement to a cease fire;

- b) To assist in the resumption of humanitarian relief operations to the extent feasible;
- c) To monitor and report on developments in Rwanda including the safety and security of the civilians who sought refuge with UNAMIR. With this mandate and a number of troops, genocide continued unabated.

At a time when then Rwandese Patriotic Army was engaging the genocidal regime and its armed gangs, the United Nations adopted resolution 918/1994 on the 17th May 1994 expanding the UNAMIR force level up to 5,500 troops expanding also its mandate to:

- a) Contribute to the security of displaced persons, refugees and civilians at risk in Rwanda including through the establishment and maintenance where feasible of secure humanitarian areas;
- b) Provide security and support supplies and humanitarian relief operations.

Surfice for me to add that at the same time, a blanket arms embargo was imposed on Rwanda which embargo is still applied at the moment. The 5,500 United Nations troops did not foot in Rwanda until long after the genocide and the war had ended. Since that large force was deployed, it has played some positive role particularly during the transition in Zone Turquoise and other humanitarian activities. My government is cognisant of this and appreciates it. UNAMIR's mandate was again revised on the 30th November 1994, with the following mandate:

- a) To contribute to the security and the protection of displaced people, refugees and civilians faced with danger in Rwanda, thanks notably to the creation and the maintenance, where this is possible, of protected areas for humanitarian purposes;
- b) To assure security and support to the distribution of emergencies and humanitarian assistance operations;
- c) To use its good offices to facilitate national reconciliation according to the Arusha Peace Agreement;
- d) To contribute to assuring the security of International Tribunal staff for Rwanda and the specialists of Human Rights in Rwanda, notably to protect the prosecutor's office and to plan escort to assure security of missions carried out outside of Kigali town;

- e) To help to establish and to teach a new integrated police.

As we now come to review the usefulness of UNAMIR, I am under instructions to point out the following:

- I. UNAMIR is in Rwanda because the Rwandese Government approves of its presence and any of its activities must have the full blessing of the Sovereign State of Rwanda;
- II. The efforts of the International Community in assisting Rwanda in its reconciliation and reconstruction efforts are highly appreciated;
- III. The size of UNAMIR must be commensurate with the mandat assigned to UNAMIR.

It is the considered view of my Government, that time has come that UNAMIR must immediately cease to be seen as a parallel force in Rwanda, with a mandate to ensure "security and protection" for anybody on the Rwanda soil. The National Security Services are capable and have full responsibility to carry out this task. It is also important that our friends in the International Community understand that the argument for the continued presence of United Nations forces as a confidence building measure is not founded. On the contrary, the presence of a massive foreign military personnel continues to create a false impression of a state of insecurity. It further compounds the reconciliation process as their presence all over the country is interpreted by some, as a lack of confidence in our Security Services.

My Government therefore is of the view that a very substantially reduced military component of UNAMIR is a must. My Government is also prepared to cooperate with UNAMIR as long as it is clearly understood that their mandate is limited to the following:

- a) UNAMIR can assist in observer capacity in the process of voluntary and safe repatriation and resettlement of refugees;
- b) UNAMIR will assist the Rwanda government in providing logistical support for the distribution of relief supplies;
- c) The Special Representative of the Secretary General will continue his diplomatic work by using his good offices in the process of national reconciliation with the framework worked out by my Government;

- d) UNAMIR will provide some protection to the United Nations installations and personnel including the International Tribunal personnel;
- e) UNAMIR could assist Rwanda Government in such activities as demining when so requested by Rwanda Government.

In light of the above, and it being understood that after the 9th of June 1995, the UNAMIR presence will no longer pretend to deal with matters of security. The size of the military component will be reduced to only a reasonable number that can handle the above mandate. The exact figure will be communicated to you in due course. The position of my Government has been arrived at, after lengthy and constructive consultations between us and your Special Representative and we do hope that they will meet with the understanding of the entire membership of the Security Council.

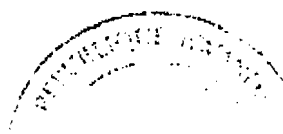
Please accept, Your Excellency, the assurances of my highest considerations.



Manzi BAKURAMUTSA
Ambassador
Permanent Representative of
Rwanda to the United Nations

cc: H.E. Mr. Jean-Bernard
Mérimée
President of the
Security Council

NEW YORK



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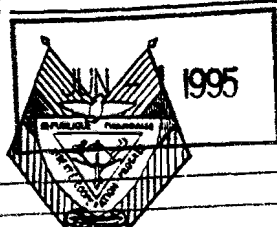
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287

Mr Iqbal Riza
Assistant Secretary-
General
Peace Keeping

Ise1

Your Excellency,

As you may recall, on 16 March 1995, my delegation has requested officially the Secretariat, through the President of the Security Council, to investigate training and rearming of the militias and soldiers of the former rwandese Government, whom perpetrated the genocide in the country.

While my delegation still waiting for a satisfactory reply from the Secretariat, for an appropriate action to be taken, please find attached a report intitlled :

**«RWANDA / ZAIRE»
Rearming with impunity
International support for the perpetrators
of the rwandan genocide**

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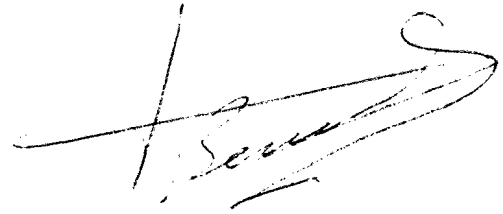
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I hope, Excellency, that you will consider seriously this matter for the safety of Rwanda and rwandese, and you will not allow other genocide to happen again, by consolidating Rwanda Government.

Please accept, Your Excellency, the assurances of my highest consideration.



Manzi BAKURAMUTSA
Ambassador
Permanent Representative of
Rwanda to the United Nations



HUMAN RIGHTS WATCH ARMS PROJECT

May 1995

Vol. 7, No. 4

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I. INTRODUCTION AND SUMMARY

After a year in exile, the perpetrators of the Rwandan genocide have rebuilt their military infrastructure, largely in Zaire, and are rearming themselves in preparation for a violent return to Rwanda. Waging a campaign of terror and destabilization against the new government in Kigali, they have vowed, in the words of one official of the former Rwandan government, Col. Theoneste Bagasora, to "wage a war that will be long and full of dead people until the minority Tutsi are finished and completely out of the country."¹ Several members of the international community, including France, Zaire and South Africa, have actively aided and abetted this effort through a combination of direct shipments of arms, facilitating such shipments from other sources, and providing other forms of military assistance, including training.

This report, which is based on four months of field investigation in central Africa, presents evidence of continuing arms shipments and other forms of military assistance to the forces of the ousted Rwandan government in Zaire. This assistance has continued despite an international arms embargo on Rwanda, imposed by the United Nations in May 1994, and despite the fact that the recipients are accused of the gravest of crimes, the crime of genocide.

Human Rights Watch calls on the international community to strictly enforce the existing arms embargo by placing United Nations monitors at key airports in Zaire; to extend the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) to include the Rwandan refugee camps in Zaire; and to disarm the armed forces and militias affiliated with the ousted government of Rwanda in Zaire. Human Rights Watch also calls on France, Zaire and South Africa to fully disclose the nature of their military and security assistance and arms transfers to the ousted Rwandan government, and to provide full information on training activity, by their own military trainers and/or at their own military bases, involving members of the ousted Rwandan government's armed forces and militias.

Over a horrific period of three and a half months in the spring of 1994, hundreds of thousands of Rwandan men, women and children were murdered during a violent campaign of genocide led by the Rwandan government, armed forces and Hutu militias. The victims were mostly Tutsi, as well as Hutu politicians and community leaders who had shown a willingness to form a more democratic government that respected the rights of all Rwandans.² At the height of the genocide, the Rwandan Patriotic Front (RPF) renewed a military offensive against the government in Kigali.³ It succeeded in defeating the government forces and winning control over the country by mid-July, thus effectively halting the genocide. The defeated government and army, in fear of retribution for the crimes committed, led a mass exodus of the Hutu population into neighboring countries, causing a refugee crisis unprecedented in scale and the speed in which it occurred. The international community, which had shamefully stood by during the height of the genocide, shifted into action only after waves of refugees began sweeping across the border into Zaire in July 1994. Among the refugee population were the bulk of those responsible for the genocide.

¹ Interview with Col. Theoneste Bagasora, Counselor to the Minister of Defense of the ousted government of Rwanda, and its chief arms procurer, Goma, November 30, 1994.

² See Human Rights Watch/Africa, "Genocide in Rwanda, April-May 1994" vol. 6, no. 4 (New York: May 1994).

³ The Rwandan Patriotic Front was formed mainly from Rwandan exiles in neighboring Uganda. Denied their right to return home, the RPF launched a military invasion into northeastern Rwanda on October 1, 1990. Prior to the genocide, the RPF had signed a cease-fire document and agreed to a political settlement based on the Arusha Accords of August 1993.

Ensconced in refugee camps, primarily in eastern Zaire, the perpetrators of the Rwandan genocide have regrouped, rebuilt their military infrastructure, and succeeded in asserting their control over the civilian population in most of the camps during the last year.⁴ Acting with impunity, these forces rule over the refugee population through intimidation and terror, effectively preventing the return of refugees to their homes in Rwanda, while inducting fresh recruits into the former Rwandan Armed Forces (FAR) and militias.⁵ Emboldened by military assistance, including arms, from France and Zaire, among other countries, they have openly declared their intent to return to Rwanda and, in the words of one ex-FAR commander, Col. Musonera, "kill all Tutsi who prevent us from returning."⁶ Currently, the ex-FAR has an estimated troop strength of 50,000 men in over a dozen camps, and has brought the militias more tightly under its control.⁷ These forces have launched cross-border raids to destabilize the already precarious situation in Rwanda and to obtain information and experience for a future offensive against the current government in Kigali.⁸ In addition, the ex-FAR and Rwandan Hutu militias have aligned themselves with Hutu militias from neighboring Burundi, inflaming an already tense situation inside Burundi and threatening to regionalize the conflict.⁹

As they prepare to resume fighting, members of the ousted Rwandan government, ex-FAR and militias continue to enjoy impunity from arrest and prosecution for their alleged involvement in last year's genocide. An international tribunal established to try Rwandans for genocide, other crimes against humanity and war crimes in 1994 has yet to hand down its first indictments. Rwanda's shattered judicial system is ill-equipped to prosecute the estimated 30,000 people who clog the country's jails on suspicion of participation in the killing.¹⁰ This lack of accountability has meant the absence so far of an effective deterrent to a resumption of the genocide, and has fueled the political and military ambitions of former Rwandan officials and their extremist Hutu followers. Undaunted by fear of prosecution, they hold audiences with journalists,

⁴ Members of the ousted Rwandan government, armed forces and militias also reside in or travel for strategic reasons to refugee camps in Tanzania and Burundi which are designated "civilian." However, the key members of the ousted government and the largest number of army and militia members, as well as their commanding officers, reside in eastern Zaire because of assistance provided by sympathetic Zairian civil and military authorities, as observed by Human Rights Watch over the course of the field investigation.

⁵ In this report, the FAR will be referred to as the "ex-FAR" in the period after July 1994.

⁶ Interview with Col. Musonera, Bukavu, March 4, 1995.

⁷ This figure is based on estimates by international NGO and United Nations staff, and observations by the Human Rights Watch researcher. In 1990, the FAR had a troop strength of 5,000. Then, following the invasion by the RPF from Uganda, new recruitment by the FAR assisted by French training raised the number of troops to about 30,000. The further increase to 50,000 in the camps in Zaire since July 1994 should be credited to two factors: the incorporation of the Hutu militias into the ex-FAR, and a vigorous recruitment drive among men implicated in the genocide.

⁸ See also Human Rights Watch/Africa, "Rwanda: A New Catastrophe? Increased International Efforts Required to Punish Genocide and Prevent Further Bloodshed," vol. 6, no. 12 (New York: December 1994).

⁹ Based on observations by Human Rights Watch in eastern Zaire and Burundi during the field investigation, and interviews with Rwandan and Burundian political and militia leaders in Nairobi, February 1995.

¹⁰ See Human Rights Watch/Africa, "The Aftermath of Genocide in Rwanda: Absence of Prosecution, Continued Killings" (New York: September 15, 1994); and Human Rights Watch/Africa and Fédération Internationale des Ligues des Droits de l'Homme, "Rwanda: The Crisis Continues," vol. 7, no. 1 (New York and Paris: April 1995).

United Nations agency staff and representatives of nongovernmental organizations (NGOs) in the camps and towns of eastern Zaire, in the Zairian capital Kinshasa, and in Nairobi, the capital of Kenya, to boldly justify their actions.¹¹ Some have traveled to foreign countries seeking assistance for their military cause.¹² They have been disturbingly successful in this endeavor.

The ex-FAR and militia auxiliaries have access to sufficient funds to buy weapons on the open market. Most of Rwanda's hard currency and financial assets were taken out of the country by officials of the rump government and officers of the ex-FAR and militias when they fled the country last summer. Additional money and assets in foreign countries (including at least Kenya, Tanzania, Zaire and the Netherlands) controlled by the ousted Rwandan government continue to be available to its leadership in exile.¹³ A racket in looted goods, including Rwandan government vehicles, provides profit for the civilian and military officials who fled Rwanda to Zaire.¹⁴ Cash income generation schemes run by former Rwandan civil and military authorities both in the civilian refugee camps and local Zairian communities provide for the maintenance and salaries of officers and troops.¹⁵

The international arms embargo, imposed by the U.N. Security Council against Rwanda on May 17, 1994, has presented the only nominal obstacle to the ousted Rwandan government's quest for arms.¹⁶ The

¹¹ Despite a refusal by the United Nations High Commissioner for Refugees (UNHCR) to meet with the "government-in-exile," UNHCR officials do meet with some of its leaders, including those implicated in the genocide, such as François Karera, the former prefect of greater Kigali, who runs the Katale camp in the Goma area. (Based on observations in Goma, November 29, 1994).

¹² Interviews with senior ex-FAR officials, including Gen. Augustin Bizimungu, Gen. Kabiligi, and the chief arms procurer for the ex-FAR, Col. Theoneste Bagasora, during the course of the field investigation.

¹³ For example, the government that took over in Rwanda in July 1994 was not able to take possession of the Rwandan embassy in Kenya until December 1994 (because of a delay in recognition of the new government by Kenya), by which time all embassy assets had been removed by members of the previous regime, including money in the embassy's bank accounts. Interviews with Jacques Nziza, chargé d'affaires at the Rwandan embassy in Kenya (until April 1995), Nairobi, February 3, 1995, and with Cyprien Habimana, ambassador of the former government of Rwanda to Kenya, Nairobi, February 4, 1995.

¹⁴ As observed by Human Rights Watch and based on interviews with Zairian military staff, as well as former Rwandan government and military officials.

¹⁵ Income generation schemes include, among others, the sale of international relief supplies on the open market, taxi and bus services, the sale of firewood and bamboo, and illegal trade in wildlife.

¹⁶ Paragraph 13 of U.N. Security Council Resolution 918 reads: "...all States shall prevent the sale or supply to Rwanda by their nationals or from their territories or using their flag vessels or aircraft of arms and related *matériel* of all types, including weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts..." (S/RES/918 (1994), 17 May 1994). In the view of Human Rights Watch, the arms embargo "on Rwanda" applies to both the current government of Rwanda and the former government, now in exile in Zaire, Kenya and elsewhere. The embargo was intended as a measure to stop the genocide in the spring of 1994. A subsequent change of government should not, in the view of Human Rights Watch, mean that the embargo would not apply to the "government-in-exile," especially in light of the evidence that the ousted government is a fighting force that has committed genocide and has vowed to resume its actions against the Tutsi population in Rwanda at the earliest opportunity. In a later resolution, Resolution 6025 of April 27, 1995, the Security Council invited "States and organizations which have information on the transport of arms into countries neighboring Rwanda for the purpose of their use in Rwanda in contravention of resolution 918 (1994) to pass that information to the Committee established under resolution 918 (1994) and requests that Committee to consider that

embargo has not been actively enforced, however, and shipments of arms have reached the ex-FAR in Zaire during the last year, mostly via the airport at Goma in eastern Zaire. These military supplies have not only enlarged the ex-FAR's stockpiles for future conflict but boosted its morale.

This report is based on a field investigation by a researcher of the Human Rights Watch Arms Project in Rwanda, Zaire, Tanzania and Burundi from November 1994 through March 1995.¹⁷ Additional material was collected in South Africa in January 1995. The researcher gained regular access to former Rwandan government officials, military commanders and bases, and was able to observe ex-FAR and militia training.

On the basis of the evidence outlined below, we conclude that Zairian forces close to president Mobutu Sese Seko have played a pivotal role in facilitating the re-emergence as a powerful military force of those directly implicated in the Rwandan genocide. Zaire has offered the former Rwandan government armed forces and allied militias shelter and protection, and rather than arresting those suspected of crimes pending their indictment for trial by the International Tribunal, has permitted them freedom of movement. In addition, the government of Zaire has permitted its territory and facilities to be used as a conduit for weapons supplies to the ex-FAR (detailed below), and private cargo companies based in Zaire have acted under contracts with Zairian officials to transport a large quantity of these weapons.

Zaire has a history of support for the ousted Rwandan leaders. President Mobutu of Zaire and president Juvénal Habyarimana of Rwanda were staunch allies, for example in their political struggles against president Museveni of neighboring Uganda. Zaire sent troops into Rwanda to aid the FAR in its fight against the RPF's invasion from Uganda in 1990, and helped train Habyarimana's newly-created Presidential Guard. Following the ouster of the Rwandan government in July 1994, the Zairian authorities have been on record as refusing to tolerate the existence of any Rwandan government-in-exile in their territory, and have proclaimed Zaire's "political neutrality" in the Rwandan civil war.¹⁸ Nevertheless, Human Rights Watch was able to interview officials representing the Rwandan "government-in-exile," such as prime minister Jean Kambanda, in Goma and Bukavu during the course of the investigation, and officials of the Habyarimana government were still declaring openly on April 26, 1995 that the "Rwandan government-in-exile" was based in Zaire.¹⁹

Behind Zaire stands France, a former colonial ruler in Africa that continues to wield enormous economic, political and military power in the continent. France was the main ally of the Habyarimana government until July 1994. It sent in 300 troops to support the government after the invasion by the RPF in October 1990 — a force later reduced to 170 soldiers — and provided military training to the FAR. In early 1993, after a new offensive by the RPF, France increased its military presence in Rwanda to 680 troops, ostensibly to "protect French citizens and other foreigners," although French troops were seen assisting the

information as a matter of urgency and to report thereon to the Security Council."

¹⁷ The researcher spent two additional months in the same countries, as well as Uganda, in a private capacity from August through October 1994. Some of the interviews conducted during this period have also been used for this report.

¹⁸ As reported by *Agence France Presse*, April 26, 1995 (*Foreign Broadcast Information Service*, FBIS-AFR-95-081, April 27, 1995, p. 4).

¹⁹ *Ibid*

FAR in combat against the RPF.²⁰ Even after the departure of French uniformed soldiers with the arrival of U.N. forces in December 1993 (under the Arusha Accords), France continued to provide training to the militias.²¹ After the start of the genocide on April 6, 1994, France dispatched 460 troops to evacuate its citizens, but failed to take action against its allies who had launched a genocidal rampage against the Tutsi population. Following the defeat of the Habyarimana government in July 1994, France has continued to support the ousted leaders in exile, as described below.

Other countries, like South Africa, the Seychelles and China, have also either provided weapons support to the ex-FAR and militias, or have facilitated the supply of arms from ostensibly private sources

The descriptions of arms shipments provided in this report are not exhaustive but merely indicative of the arms and ammunition which the ousted Rwandan government forces in Zaire have received during the post-embargo period of 1994-95.

Human Rights Watch holds that gross abusers of human rights should not receive arms and other forms of military assistance. The international community should in particular withhold any form of assistance to the perpetrators of genocide. Certain allies of the ousted Rwandan government, however, appear to have been guided more by geopolitical and financial than by moral or legal considerations during the past year. While public scrutiny and adverse international opinion may have discouraged open foreign support of the ex-FAR, clandestine support has continued. Some of the countries that had armed the Rwandan government prior to the genocide and international arms embargo²² now operate through middlemen and rely on false end-user certificates to conceal the final destination of weapons. While the indirect flow of arms to the perpetrators of the genocide may have slowed their resupply, the rapid re-militarization of the ex-FAR and militia that has taken place underscores the abiding threat of a resumption of the genocide campaign in Rwanda. Through this report, and the specific recommendations it makes, Human Rights Watch seeks to contribute to further international measures aimed at bringing the perpetrators of the Rwandan genocide to justice and thereby preventing a continuation of the bloodshed that engulfed Rwanda in the spring of 1994.

II. THE ROLE OF FRANCE

Arms flows to the FAR were not suspended immediately by France after the imposition of the arms embargo on May 17, 1994. Rather, they were diverted to Goma airport in Zaire as an alternative to Rwanda's capital, Kigali, where fighting between the FAR and the rebel RPF as well as an international presence made continued shipments extremely difficult. Some of the first arms shipments to arrive in Goma after May 17 were supplied to the FAR by the French government. Human Rights Watch learned from airport personnel and local businessmen that five shipments arrived in May and June containing artillery,

²⁰ Human Rights Watch Arms Project, "Arming Rwanda: The Arms Trade and Human Rights Abuses in the Rwandan War," vol. 6, no. 1 (New York: January 1994), pp. 23-24.

²¹ Rick Orth, "The Four Variables of Preventive Diplomacy: Application in the Rwanda Case." Paper presented at the 14th annual Africa Conference, The Johns Hopkins School of Advanced International Studies, Washington, D.C., April 7, 1995.

²² Notably South Africa and France. See Human Rights Watch Arms Project, "Arming Rwanda."

machine guns, assault rifles and ammunition provided by the French government.²³ These weapons were taken across the border into Rwanda by members of the Zairian military and delivered to the FAR in Gisenyi.²⁴ The French consul in Goma at the time, Jean-Claude Urbano, has justified the five shipments as a fulfillment of contracts negotiated with the government of Rwanda prior to the arms embargo.²⁵ In the view of Human Rights Watch, these shipments constituted a clear violation of the U.N.-imposed embargo, and are all the more to be condemned because the recipients were carrying out a campaign of genocide at the time.

In an interview with the Human Rights Watch researcher, the French consul also mentioned several other shipments of arms that arrived at Goma airport for the FAR in the May to July period from sources other than the French government.²⁶ Despite this, the government of France is not known to have reported these shipments to the Committee set up by the U.N. Security Council under Resolution 918 (1994).

In mid-June 1994, as the Rwandan government in Kigali was on the edge of collapse, the French government announced plans to dispatch 2,500 troops to Rwanda for humanitarian purposes. On June 22, the U.N. Security Council authorized the French intervention in Rwanda, called "Operation Turquoise." The next day, an advance team of French combat troops arrived in Goma and Bukavu to lay the groundwork for the French intervention. Soon after, the French government, without prior U.N. approval, declared its intention to carve out a "safe zone" in southwestern Rwanda. It was to this zone that the rump government and the majority of the Rwandan armed forces and militias retreated following the fighting in Kigali and the RPF's military advance. Under French protection, the FAR and militias were able to exert their control over the vast population that was quartered in the safe zone.²⁷ The rump government moved its radio station into the zone where it continued without interference to incite Hutu to kill Tutsi in its broadcasts.²⁸

For the duration of Operation Turquoise, the FAR continued to receive weapons inside the French-controlled zone via Goma airport. Zairian soldiers deployed in Goma at the time assisted in the cross-border

²³ Interviews with airport staff, local businessmen and air cargo company crews over the period of the field investigation. The precise dates of two of these shipments are known: May 25 and May 27, 1994.

²⁴ Interviews with airport staff, local businessmen, air cargo company crews and Zairian officials over the period of the field investigation.

²⁵ Interview with Jean-Claude Urbano, Goma, February 15, 1995. See also Chris McGreal, "Paris Stands by as Arms Pour Through Eastern Zaire," *The Guardian* (London), June 23, 1994.

²⁶ Interview, Jean-Claude Urbano, Goma, February 15, 1995. According to Urbano, the weapons were of Israeli, South African and Soviet manufacture. He also said that he was unaware of who had supplied the weapons or had facilitated their transfer, but that they "could have" come from private French arms dealers. Even private transfers must, however, be licensed by the French government.

²⁷ France declared that, if necessary, it would use force against any RPF encroachment on the zone. Raymond Bonner, "French Establish a Base Inside Rwanda to Block Rebels," *New York Times*, July 5, 1994.

²⁸ Bruno Delaye, Chief Counselor on Africa to the French Presidency, told Human Rights Watch/Africa in July 1994 that France was willing to stop the broadcasts but was unable to locate the transmitter. (Interview, Paris, July 1994). Human Rights Watch finds it wholly unbelievable that the French military, which had full control over the zone and had close relations with the FAR, was not in a position to locate this radio transmitter.

delivery of arms.²⁹ Some of these weapons arrived from Kinshasa, the Zairian capital, apparently from Zairian stocks, while others came from outside Zaire.³⁰ It is unlikely that the French military authorities present in the zone, who conducted regular patrols at the border post between Goma and Gisenyi, and had a continuous presence at Goma airport, were not aware of these weapons entering the safe zone. Yet the French authorities neither made an attempt to interdict these shipments nor reported them to the Committee set up by the Security Council under Resolution 918.

After the defeat of the Rwandan government and the subsequent refugee exodus into Goma in mid-July, French military leaders told the United Nations Assistance Mission for Rwanda (UNAMIR) that French troops had disarmed the Rwandan forces crossing the border into Zaire and had handed over their weapons to the Zairian authorities.³¹ Given French knowledge of ongoing Zairian arms support of the FAR, the French decision to hand these weapons over to Zairian authorities was hardly appropriate.

French forces began withdrawing from Rwanda in mid-August. Local Rwandan gendarmes and administrators in the Cyangugu area of the French-controlled zone have told Human Rights Watch that they had arrested two prime suspects in the Rwandan genocide from that area, known locally as "Prima" and "Sebastia," in addition to many others, and handed them over into French custody during Operation Turquoise. These authorities added that these detainees were then escorted into Zaire in French vehicles as the French troops withdrew from Rwanda, and were subsequently released.³² In the Cyangugu as well as the Gikongoro area of the French-controlled zone, UNAMIR officers claim to have seen lists, prepared by French authorities in the zone, of persons accused locally of genocide or other criminal activities, some of whom had been detained. Departing French troops did not hand over these lists to UNAMIR forces, however, and they released jailed prisoners before U.N. replacements arrived to take over from French command.³³

Moreover, Human Rights Watch was able to confirm that French forces left behind at least one weapons cache in the Rwandan town of Kamembe in the safe zone for militia and ex-FAR personnel who remained. Our researcher viewed this cache in Kamembe, which contained over fifty assault rifles and several machine guns, on two occasions in August and September 1994, after having been informed of its existence by members of the defeated Rwandan army and gendarmerie, as well as UNAMIR officials.

According to U.N. officials, the French military flew key commanders, including Col. Theoneste Bagasora and *Interahamwe* militia leader Jean-Baptiste Gatete, and crack troops of the ex-FAR and militias out of Goma to unidentified destinations on a series of flights between July and September 1994.³⁴ Human

²⁹ Interviews with airport staff, local businessmen, air cargo company crews and Zairian officials over the period of the field investigation.

³⁰ Interviews with airport staff, local businessmen, air cargo company crews and Zairian officials over the period of the field investigation.

³¹ Interviews with UNAMIR officials, Kigali, November 1994 and February and March 1995.

³² Interviews in Kamembe, Gafunzo and Cyangugu, August 1994.

³³ Interviews with UNAMIR officials in Gikongoro and Cyangugu, August 1994.

³⁴ Interviews with U.N. officials, August 1994 - March 1995.

Rights Watch has received allegations that Hutu military and militia personnel continued to receive military training at a French military facility in the Central African Republic after the FAR's defeat.³⁵ Human Rights Watch learned from Hutu leaders that on at least one occasion members of Hutu militias from both Rwanda and Burundi traveled on an Air Cameroon flight from Nairobi to Bangui, capital of the Central African Republic, via Douala, Cameroon, between October 16 and 18, 1994, to receive training from French forces there.³⁶ Based on evidence it had acquired on its own, in late 1994 the government of Burundi asked the governments of France and the Central African Republic for official explanation of the kind of "education" being provided in the CAR to young Hutu men known to have links to the Hutu militias.³⁷

III. THE ROLE OF ZAIRE

Zairian officials, including military chiefs, have played a key role both in supplying arms and facilitating arms flows to the FAR, before but also after the international community imposed an arms embargo against Rwanda on May 17, 1994.³⁸ Some officials have openly encouraged arms trafficking by private dealers through Zaire, generally in return for kickbacks.³⁹

Cargo companies that are ostensibly private and that are either registered or based in Zaire transport many of the weapons that are being supplied covertly throughout Africa. Although some air transport companies may have links with the clandestine agencies of other countries, these companies operate under contract with Zairian government officials and senior officers in the Armed Forces of Zaire (FAZ), usually allied with president Mobutu, to transport the weapons from locations in Europe or Africa to Zairian regional allies, like the former government of Rwanda and UNITA.⁴⁰ According to company owners and staff,

³⁵ Interviews with former Rwandan government officials, ex-FAR officers and militia leaders, as well as Burundian Hutu leaders, Nairobi, February 1995, and Uvira and Bujumbura, March 1995. France maintains a force of 1,200 soldiers, including paratroopers, in the Central African Republic, divided over two bases, in Bangui and Bouar.

³⁶ Interviews with former Rwandan government officials, ex-FAR officers and militia leaders, as well as Burundian Hutu leaders, Nairobi, February 1995, and Uvira and Bujumbura, March 1995.

³⁷ Interview with officials at the Burundian Ministry of Defence, Bujumbura, February 1995.

³⁸ Determining responsibility for such actions presents a problem in the Zairian context. Various Zairian military units report to different authorities in Zaire. Military divisions generally report to regional commanders, who in turn report to the minister of defense, an intimate of president Mobutu's. Elite divisions like the *Garde Civile* (Civil Guard) and the *Division Spéciale Présidentielle* (Special Presidential Division) report directly to military chiefs under president Mobutu. Often troops must raise funds for their own salaries, and for this purpose extort or steal from the local population with impunity, or engage in illegal trade in arms. This has reduced accountability of troops to the national authorities. Even if it may be difficult for these reasons to pinpoint precise responsibility for specific actions by the military, it is clear that ultimate responsibility for such actions lies with the government of president Mobutu.

³⁹ The *Service National d'Intelligence et de Protection*, SNIP, is the Zairian secret police agency under president Mobutu's direct control. In Goma, the SNIP agent responsible for immigration from Rwanda, Danny Bimbo, has been a key player in facilitating arms transfers to the ex-FAR from Goma airport. In an interview, Bimbo claimed he had received a number of Rwandan government vehicles as payment for his services. Interview, Goma, March 11, 1995.

⁴⁰ The companies operate under contracts with Zairian officials and military commanders to carry any type of cargo over a certain period. Cargo may include weapons.

company owners who refuse such contracts are threatened with cancellation of their companies' registration, confiscation of their assets, and even deportation. Pilots file false flight plans, often listing fictitious destinations such as Swaziland, Gabon, Libya and Nigeria, under pressure from contractual partners to disguise the true origin or destination of arms cargo; staff at N'Djili airport in Kinshasa are paid a minimum of \$1,000 per flight by the cargo companies to file these false flight plans. Pilots also supply false cargo manifests — the documents describing the content of the cargo.⁴¹ The Zairian contracts enabling the covert arms shipments constitute a form of indirect financial support for those procuring the weapons.

Human Rights Watch has evidence of a number of cargo flights that brought weapons into the Goma airport after the international community imposed an arms embargo against Rwanda in May 1994; most of these weapons were then delivered to the FAR in Gisenyi. Some of the planes are known to have been registered in Zaire, Nigeria, Liberia and Lebanon.⁴² For example, one shipment in mid-June arrived on an aircraft registered in Liberia, with a Belgian crew from Ostend, which picked up arms in Libya, including artillery, ammunition and rifles from old government stocks.

Several of these planes, which are registered as owned by private cargo companies, were used in the same period to fly relief supplies into Goma airport for international NGOs. In at least two instances verified by Human Rights Watch, planes bearing the logos of NGOs alternately delivered relief supplies and arms to Goma airport in May and June 1994. One of these NGOs, when confronted with the evidence, immediately took steps to prevent a recurrence.⁴³

In one important shipment, two planes of Air Zaire, a Zairian state company, flew weapons, reportedly antitank and fragmentation grenades, as well as high-calibre ammunition, to Goma from the Seychelles on the nights of June 16-17 and 18-19, 1994. These weapons were then transferred to the FAR in Gisenyi. A Zairian government functionary negotiated and accompanied the shipment from the Seychelles to Zaire.⁴⁴ These weapons were part of a stockpile that the Seychelles government had confiscated from a ship called *The Malo*. This ship was intercepted by the Seychelles navy in March 1993, reportedly on charges of illegally importing military arms and ammunition into the country.⁴⁵ The shipment was consigned for Somalia, where an international arms embargo was in place at the time. According to the Seychelles minister of defense, James Michel, end-user certificates for the shipment were provided by Zaire.⁴⁶ In this instance,

⁴¹ Interviews with cargo company staff and crews over the period of the field investigation.

⁴² One of the planes was registered in Rwanda until the Hutu-controlled government was forced to flee the country in the summer of 1994; it was then registered in Zaire. The information on the cargo flights presented here is based on interviews with airport staff, local businessmen, air cargo company staff and crews, the former French consul in Goma and Zairian officials over the period of the field investigation.

⁴³ Communication, Goma, February 13, 1995, as well as interviews with NGO officials, Goma, February 1995.

⁴⁴ Interview with Col. Theoneste Bagasora of the ex-FAR, Goma, February 15, 1995; and interview with Fred Zeller, Kinshasa, March 9, 1995.

⁴⁵ "The Seychelles Merchants of Death," *Indian Ocean Newsletter*, July 2, 1994.

⁴⁶ Telephone interview, January 26, 1995. According to Michel, the FAR had paid \$300,000 for this shipment of arms. Michel was also quoted in the local press on this issue. "Pitiful Denial: Sale of Malo Arms," *Regar* (Seychelles), July 8, 1994.

end-user certificates served to conceal the ultimate destination of the weapons and provide a means of deniability for those involved in breaking the arms embargo against Rwanda.

Another shipment facilitated by the government of Zaire around the same time involved an American private arms dealer who allegedly was previously involved in covert CIA operations in support of UNITA in Angola, Fred Zeller. In an interview with the Human Rights Watch researcher, Zeller claimed to have been authorized by the Rwandan Central Bank to act as a middleman for an arms transfer from private sources headquartered in Belgium to the FAR in Rwanda via Goma airport. Zeller said he traveled to Belgium in May 1994 in the company of a high-ranking military official in the Zairian *Garde Civile* (Civil Guard); the government of Zaire issued end-user certificates for the weapons. The shipment was aborted when Belgian authorities arrested Zeller and three other Europeans involved in the deal on charges of attempting to cash American Express traveler's checks that had reportedly been stolen from the Rwandan Central Bank in Kigali.⁴⁷

In early July, three planeloads of weapons arrived at Goma airport from the NDjili airport in Kinshasa, the Zairian capital. The weapons were carried by private cargo companies under contract with the FAZ, and were accompanied by representatives of the FAR. Upon arrival in Goma, the weapons were loaded onto trucks by Zairian troops and members of the FAR, and taken across the border into Gisenyi. A fourth planeload of arms arrived at Goma on July 17. The weapons from this shipment were unloaded by Zairian soldiers and escorted by Zairian and Rwandan soldiers to an unknown destination. According to eyewitnesses, the four shipments included assault rifles, ammunition, mortars, grenades and landmines, and derived from Zairian stocks.⁴⁸

In late July and August, four more planes landed at Goma carrying weapons for the ex-FAR, according to eyewitnesses. The Boeing 707 planes carrying these weapons were not registered in Zaire, and the origins of the weapons are not known. One shipment arrived on a Lebanese-registered plane which on previous occasions also had carried weapons for the ex-FAR. Ex-FAR officers and Zairian soldiers took delivery of this particular shipment, though onward destination of these weapons remains unclear.⁴⁹

Following the retreat of the FAR from Rwanda in mid-July, Zairian troops made a public display of confiscating weapons from FAR soldiers and militia members crossing into Zaire at the Gisenyi-Goma border. The events were widely covered by the international media. By contrast, as observed by Human Rights Watch, during later border crossings at Bukavu in August, which took place mostly outside public view, Zairian troops made no such effort. But even at Goma in July, not all the FAR's arms were confiscated. A large number of Rwandan troops were allowed to drive military vehicles and government buses into Zaire, carrying with them not only military supplies but also goods looted from homes and businesses during their

⁴⁷ The four men were later released. Interview with Fred Zeller, Kinshasa, March 9, 1995.

⁴⁸ Interviews with airport staff, local businessmen, air cargo company crews and Zairian officials over the period of the field investigation. According to these witnesses, the cargo plane carrying arms on July 17 came under fire by the RPF as it took off for Kinshasa later that day.

⁴⁹ Interviews with airport staff, local businessmen, air cargo company crews and Zairian officials over the period of the field investigation.

retreat. The ex-FAR and militias were able to take this equipment and goods to the camps that were set up inside Zaire.⁵⁰

A vast quantity of weapons confiscated by Zairian troops in July remains unaccounted for by Zairian authorities, despite oral and written inquiries by the U.N. and western governments as to their whereabouts.⁵¹ Human Rights Watch was able to obtain information about the fate of some of these weapons. According to eyewitnesses, at least one planeload of rifles was flown out of Goma to N'Djili airport in Kinshasa in July, reportedly for onward shipment to Angola. These same witnesses said the weapons were handed over to the rebel UNITA movement that has been fighting a war against the Angolan government.⁵² According to Zairian military officers, one stock of well-preserved weapons is stored and regularly oiled at a Zairian military base in Goma.⁵³ In addition, many of the heavy weapons and equipment that the ex-FAR had managed to bring across the border, including French-made AML 60 and AML 90 armored cars, 120mm armored mortar carriers, various anti-aircraft guns, rocket launchers, howitzers, mortars and military trucks, have been kept in good condition at a second Zairian military base near the center of Goma. Human Rights Watch was able to view these weapons, and, during a series of visits to the base in December 1994 and February 1995, witnessed how ex-FAR soldiers were responsible for routine maintenance of these weapons and military vehicles.

According to eyewitnesses, several planeloads of arms arrived at Goma airport for the ex-FAR in February and March 1995. Human Rights Watch is currently investigating the origins of these shipments and the countries that enabled them to be made.⁵⁴

Zaire has not only assisted the ex-FAR in weapons procurement, but also in setting up both military and civilian camps along the border with Rwanda, enabling the ex-FAR to regroup and rebuild its military infrastructure. In addition to the camps sheltering civilian refugees, Human Rights Watch has identified five types of military camps in eastern Zaire:

- Land in the North Kivu area was given to the former government of Rwanda to serve as the military headquarters of the presidential guard and other uniformed military units. The camp created there is known as Lac Vert. Human Rights Watch was able to view grenade and ammunition caches at the camp in December 1994.

⁵⁰ As our researcher was able to observe, many of these looted goods ended up in markets run by the ex-FAR in towns like Goma and Bukavu. Interviews with officers of the FAZ and ex-FAR, as well as NGO staff, Goma and Bukavu, November 1994 - March 1995.

⁵¹ Interviews with U.N. officials in Kigali during the period of the field investigation, and with United States embassy officials, Kinshasa, March 9, 1995.

⁵² Interviews with airport staff and air cargo company crews, Goma and Kinshasa, February and March 1995.

⁵³ Interviews with Zairian military officers, Goma, December 1994 and February 1995.

⁵⁴ Interviews with airport staff, local businessmen and air cargo company crews in Goma and Kigali, February and March 1995.

- A Zairian army/gendarmerie base near Bukavu, Panzi camp, was given to the ex-FAR and *Interahamwe* militias. At the camp, Human Rights Watch was able to take a brief look into one building that contained a stock of assault weapons during a visit in March 1995.
- In the South Kivu area, nearly eighty kilometers outside of Bukavu, the ex-FAR and militias were permitted to set up a covert military training camp known as Bilongue. Human Rights Watch was able to gain admission to the camp and observe military training in March 1995.
- Further south in the Uvira region, the ex-FAR and militias, in collaboration with Hutu militias from Burundi, administer and control refugee camps recognized as "civilian" camps by the United Nations High Commissioner for Refugees (UNHCR) and local Zairian authorities, from which they launch cross-border raids into both Rwanda and Burundi. Human Rights Watch visited the camps of Kamanyola, Kanganiro, Lubarika, Luvungi and Luberizi in the Uvira area in February and March 1995.
- Small guerrilla camps on Idjwi Island in Lake Kivu are used mainly to train for and launch cross-border raids into Rwanda by commandos from the other military and civilian camps.⁵⁵

Despite an agreement, in December 1994, between the UNHCR and local Zairian civil authorities to consolidate camps in the Uvira region for logistical and security reasons, the authorities in South Kivu have insisted that certain clearly military camps near the borders with Rwanda and Burundi be kept intact, despite clear evidence that they are being used as launching pads for cross-border raids. For example, when the UNHCR began consolidating camps in the Uvira area from twenty-six down to eleven in December 1994, the local authorities insisted on retaining those camps that were most militarized, such as Kamanyola, which is only 800 meters from the border with Burundi and a few kilometers from the border with Rwanda. Furthermore, the local authorities tried to prevent a strong presence of U.N.-sponsored Zairian troops in the Uvira area in February 1995, claiming that the camps shelter not only Rwandans but also Burundians and fall therefore outside the U.N. mandate.⁵⁶ The governor of South Kivu, Pasteur Kyembwa wa Lumona, has appointed administrators in key militarized "civilian" camps, who supervise these camps in cooperation with the UNHCR. Militia members have told Human Rights Watch in interviews that local Zairian authorities have permitted the ex-FAR and militias to conduct political, military and propaganda activities in the camps as long as these are kept out of the view of international relief workers. According to local sources, Zairian civil and military authorities have threatened local journalists and human rights activists in Goma and Bukavu, warning them not to report on the activities of the ex-FAR and militias, or the location of their camps.

⁵⁵ This information was obtained from ex-FAR officers in Goma, Bukavu and Uvira in December 1994 and February-March 1995, and was confirmed by UNAMIR officials who said they had intercepted commandos operating from Idjwi Island. Interviews, Kigali and Cyangugu, February-March 1995.

⁵⁶ The reason why Zairian authorities in South Kivu want to limit the deployment of Zairian troops operating under U.N. aegis in these camps is that this would mean that international observers of the Civilian Security Liaison Group of the UNHCR would then also be deployed in greater numbers in these camps. As of April 27, 1995, all 1,500 members of the *Contingent Zairois pour la Sécurité dans les Camps* (Zairian Contingent for Security in the Camps) had been deployed in six camps and two command centers around Goma and Bukavu. Of the Civilian Security Liaison Group, twenty-seven officers had been deployed in Goma and Bukavu by that date. (UNHCR, "Internal Update on Rwanda-Burundi Operations," May 3, 1995).

Outside the camps, Zairian authorities have permitted full freedom of movement to both uniformed and non-uniformed ex-FAR soldiers, who often travel in former Rwandan government buses, and have provided them with Zairian armed escorts, as Human Rights Watch was able to observe. In addition, Zairian military and *Garde Civile* commanders have permitted elements of the ex-FAR and militias to reside in and conduct training exercises on some of Zaire's own military bases, both in the Kivu region and farther into the interior.⁵⁷

IV. THE ROLE OF SOUTH AFRICA

Prior to the international arms embargo, South Africa was one of the main suppliers of arms to Rwanda.⁵⁸ After the embargo was imposed, South African government officials who previously had coordinated arms supplies to Rwanda helped to organize at least one shipment of arms to the FAR. Colonel Theoneste Bagasora, a senior official in the Ministry of Defense of the self-declared Rwandan government-in-exile, has stated that he met with South African officials at the end of May and early June 1994 to arrange further shipments of arms to the FAR.⁵⁹ According to Bagasora, the officials refused to consider direct South African arms shipments in violation of the embargo, but offered to help arrange shipments by other parties. Bagasora said that, following the meeting, he, a Zairian government representative, and Willem Ehlers who reportedly used to be an aide to the former president of South Africa, P. W. Botha, flew to the Seychelles on June 4, where they negotiated the purchase of arms for the FAR, which were subsequently flown to Goma.⁶⁰

In February and March 1995, several planeloads of arms were flown directly from South Africa to Zaire, arriving at an airstrip in the Kivu region.⁶¹ No further details on these shipments are available at this time

⁵⁷ According to Zairian commanders in Goma and Kinshasa, as well as ex-FAR officers and Hutu militia members in Goma, Bukavu and Uvira, interviewed over the period of the field investigation, several of these bases are used to train other foreign troops as well, such as "UNITA rebels" and "Sudanese government forces." This point has been confirmed by expatriates with access to these bases, interviewed in Goma and Kinshasa, February and March 1995.

⁵⁸ See Human Rights Watch Arms Project, "Arming Rwanda."

⁵⁹ Interview with Col. Theoneste Bagasora, Goma, February 15, 1995. These South African officials had been directly involved in the procurement of arms for Rwanda prior to the U.N.-imposed embargo.

⁶⁰ Interview with Col. Bagasora, Goma, February 15, 1995.

⁶¹ Interviews with airport staff, local businessmen and air cargo company crews in Goma and Kinshasa, February and March 1995. Since 1993, Zaire has been on a South African Department of Foreign Affairs list of countries to which the South African armaments industry is forbidden by law to supply lethal weapons.

V. THE ROLE OF CHINA

Rwanda's vice-president, Maj. Gen. Paul Kagame, paid a visit to China at the end of March 1995, in part to dissuade the Chinese government from selling arms to the ex-FAR via Zaire.⁶² Kagame's visit followed a few months after a visit to China by Agathe Kanziga, the widow of the late president of Rwanda, Juvénal Habyarimana, and her brother, Séraphim Rwabukumba, in October 1994.⁶³ News reports have suggested that they placed orders for Kalashnikov rifles, grenades and rocket-propelled grenade launchers to a total value of \$5 million.⁶⁴ According to *The Observer*, a Chinese embassy official in Kigali stated that China "would not discourage the provision of arms to the Rwandan extremists if that was what the Zaire government was planning," and that there was no international arms embargo against Zaire. The paper quoted the official as saying that "China practises the politics of allowing people to solve their own problems."⁶⁵

VI. MILITARY CAPACITY OF THE EX-FAR AND MILITIAS

Human Rights Watch has visited many of the ex-FAR and militia bases in Zaire.⁶⁶ At the bases — and even in some of the civilian refugee camps from which they also operate — the ex-FAR has managed to rebuild its formal military structure since its arrival in Zaire. Military ranks are recognized and military discipline is observed. Officers meet regularly with troops to instruct and coordinate activities and issue pay. In an important development, the militias have been brought more fully under the command structure of the ex-FAR since October 1994. The ex-FAR command maintains a direct link with the political establishment through the self-declared government-in-exile's Ministry of Defense. The ex-FAR also has an extensive communications network ranging from walkie-talkies to radio stations. Human Rights Watch was able to see a major communications center inside Lac Vert camp, near Goma.

The ex-FAR generally keeps its weapons out of public view, insisting that its troops not carry weapons in the camps and towns, especially around Goma and Bukavu which are frequented by international relief workers. By contrast, in the Uvira region of eastern Zaire, which is farther from the international public view, ex-FAR and militia members often carry weapons openly in the camps. Human Rights Watch has

⁶² Interview with an aide to Maj. Gen. Kagame, Kigali, March 29, 1995.

⁶³ Their visit coincided with a week-long official state visit to China by president Mobutu of Zaire during which China and Zaire signed an economic and technological agreement. (*Xinhua* news agency, Beijing, October 21, 1994, as reported in *Foreign Broadcast Information Service*, FBIS-CHI-94-205, October 24, 1995, p. 24). In January 1995, China and Zaire signed a cooperation agreement. (*Reuters*, January 20, 1995).

⁶⁴ "Bears Guard Honey," *Africa Confidential*, No. 228 (February 20, 1995). Séraphim Rwabukumba, along with Félicien Kabuga, reportedly is one of the main financiers of *Akazu*, an group affiliated with the Habyarimana family and its allies which has been involved in arms purchases for the ex-FAR.

⁶⁵ Mark Hubbard, "UN Alert Urged as Arms Pour in for New Rwanda War," *The Observer* (London), March 26, 1995.

⁶⁶ Unless noted otherwise, the information in this section is based on observations by the Human Rights Watch researcher, and was confirmed in interviews with ex-FAR and militia personnel, as well as with UNHCR and NGO staff involved in the humanitarian relief effort in eastern Zaire, during the period of the field investigation.

witnessed training by the ex-FAR and Rwandan militias close to civilian camps and inside military camps, as well as joint exercises involving both Burundian and Rwandan militias in the Uvira area

Essential services (food, water, blankets and tents) provided by the international NGOs to the civilian camps have been pilfered by the ex-FAR and militias for use at their own military bases. Human Rights Watch has been able to ascertain that in at least two instances, in Panzi and Lac Vert, the ex-FAR has kept children, including child soldiers, on its military bases in order to retain access to NGO assistance which would otherwise be denied their camps because of their predominantly military character. In this way, some NGOs appear to be contributing indirectly to the ex-FAR's attempt to rebuild its military infrastructure. One international NGO, the relief agency Caritas Internationalis, has continued to provide food supplies to two explicitly military camps, Panzi and Bilongue; its staff in Bukavu claimed that the organization does not wish to distinguish between civilian and military recipients of its humanitarian aid.⁶⁷ Another NGO, the Japanese-based Asian Volunteer Network, provides medical treatment to sick and wounded soldiers at Panzi military camp, where it runs a field hospital.⁶⁸

The ex-FAR also controls many predominantly civilian camps. Human Rights Watch has observed especially how militias operating under ex-FAR command have seized control of refugee camps in the Uvira region with mixed Rwandan and Burundian populations. The militias in these camps have taken control of food distribution, engage in theft, prevent the repatriation of refugees through attacks and intimidation, carry out vigilante killings and mutilations of persons suspected of crimes or of disloyalty, restrict the movement of persons in and out of the camps, recruit and train young men for incursions into Rwanda and Burundi, and actively launch cross-border raids. The U.N. and NGO community have tended to dismiss these raids as simple banditry. The ex-FAR and militia officials we interviewed, however, claim that most cross-border raids are carried out expressly to destabilize the situation in Rwanda (and Burundi) by creating tensions in local communities. Regardless of the precise purpose of the raids, they have enabled the participants to carry out reconnaissance, gain experience in guerrilla tactics, and steal cattle and other goods to finance the military build-up.

VII. RECOMMENDATIONS

In light of the evidence collected by Human Rights Watch of continuing transfers of weapons and other military support by members of the international community to the perpetrators of the Rwandan genocide — transfers that have taken place in violation of the arms embargo imposed by the U.N. Security Council in 1994 — Human Rights Watch makes the following recommendations:

⁶⁷ Interview with a Caritas official, Bukavu, December 6, 1994, as well as with staff of other NGOs active in the region. An official at Caritas Internationalis headquarters in Rome defended his organization's position by declaring that it had "no choice," because no one else was prepared to feed these people, who included "former soldiers and their families," and "they have to eat; they are not all murderers." He also said that Caritas would feed these people only if they came for food without their uniforms and their weapons. (Telephone interview, May 17, 1995). According to Human Rights Watch's observations, there are families only in Panzi camp, not in Bilongue. In both camps, all the men wear uniforms (in Bilongue, all belong to the ex-FAR; in Panzi, there are still militia members as well).

⁶⁸ Interview with Asian Volunteer Network staff, Bukavu, December 7, 1994, as well as with staff of other NGOs active in the region.

To the International Community:

- To strictly enforce the international arms embargo instituted against Rwanda under Security Council Resolution 918 (1994) on May 17, 1994, including the forces and supporters of the ousted Rwandan government, and to deploy U.N. monitors at Kinshasa, Goma, Bukavu and Uvira airports in Zaire for this purpose.
- To remove any doubt as to its meaning and scope of application, to reaffirm Security Council Resolution 918, specifying that the arms embargo applies to the former Rwandan government forces regardless of where they are located.
- To enforce Security Council Resolution 978 (1995), which urges states to "arrest and detain, in accordance with their national law and relevant standards of international law, pending prosecution by the International Tribunal for Rwanda or by the appropriate national authorities, persons found within their territory against whom there is sufficient evidence that they were responsible for acts within the jurisdiction of the International Tribunal for Rwanda."
- To secure the necessary funds for the International Tribunal for Rwanda to investigate and prosecute promptly those accused of directing the genocide, and to request that the Secretary General of the U.N. authorize funds for this purpose.
- To enlarge the presence of international observers in eastern Zaire by increasing the staff of the UNHCR Civilian Security Liaison Group.
- To act to restore security in the Rwandan refugee camps in Zaire so that the rights of refugees are protected, including their right to life and their right to return home safely and voluntarily. Specifically, the Security Council must act immediately to extend UNAMIR's mandate to include the Rwandan camps in Zaire, and to charge UNAMIR with the task of separating the "government-in-exile's" military and militias from the refugee population, and to disarm the ex-FAR and militias. Moreover, to encourage the UNHCR and international aid agencies to take effective control of relief distribution in the civilian refugee camps.
- To make future bilateral and multilateral aid to Zaire contingent on Zaire's full compliance with the international arms embargo against Rwanda, the cessation of assistance to the ex-FAR, and the directive to arrest those suspected of participation in the Rwandan genocide.
- To provide Tanzania with the resources to police the Rwandan refugee camps in the Ngara district and patrol its borders with Rwanda and Burundi, and to authorize Tanzanian troops to perform this task under U.N. auspices (just as the U.N. has sponsored Zairian troops to police the Rwandan camps in eastern Zaire).
- To cease and desist from doing business with cargo companies that are known to be shipping arms to the ex-FAR as long as these companies continue to accept contracts to transport arms to the ex-FAR.

To the Government of France:

- Fully to disclose the nature of French military and security assistance and arms transfers to the Rwandan government after May 17, 1994, including following that government's departure from Rwanda in July 1994, in light of the fact that such actions have supported a force that is widely recognized as having committed genocide. Specifically, but not exclusively, to provide full detail on the five shipments to the FAR between May 17 and the end of June 1994, which have been acknowledged by the former French consul in Goma, as well as by local ex-patriate and Zairian businessmen employed by the French government in Goma at the time.
- To make public information compiled during Operation Turquoise on the FAR and Hutu militia composition and individual command responsibilities, with a view to supporting the work of the International Tribunal for Rwanda.
- To make public information on the number and nature of arms, munitions and other military equipment held by the FAR and associated militias that came under the control of French forces during Operation Turquoise, and the final disposition of these weapons and equipment.
- To provide information on the precise whereabouts of light and heavy weapons confiscated from Rwandan soldiers and militias at the Rwandan border in 1994.
- To inform the international community about all training activity involving members of the former Rwandan government armed forces and associated militias by French military and security training teams, either by trainers on detached duty or at French military bases in Africa or in France itself. To provide information in particular on training activities reportedly carried out by France at bases maintained in the Central African Republic and Zaire between January 1994 and the present.

To the Government of Zaire:

- To end all assistance to the former government of Rwanda, the ex-FAR and Rwandan Hutu militias, in light of the fact that such assistance has buttressed a force that is widely recognized as having committed genocide.
- Fully to disclose the nature of Zairian military assistance and arms transfers to the Rwandan government after May 17, 1994, including following that government's departure from Rwanda in July 1994.
- Fully to disclose the nature of the services it has provided enabling the shipment of arms intended for the FAR/ex-FAR through Zaire after May 17, 1994.
- To arrest and prosecute all persons in Zaire who are implicated in arms transfers that are illegal under Zairian national law and constitute clear violations of the U.N. arms embargo.

To the Government of South Africa:

- Fully to disclose the nature of South African military assistance and arms transfers to the Rwandan government, including transactions undertaken by Armscor, after May 17, 1994. This should include transactions following that government's departure from Rwanda in July 1994, in light of the fact that such actions have supported a force that is widely recognized as having committed genocide.

Specifically but not exclusively, to provide full detail on the shipment to the FAR of weapons from the Seychelles in June 1994.

- To request the Cameron Commission to investigate the role of South African government officials in the Seychelles arms deal of June 1994.

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Human Rights Watch Arms Project

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