

[2 STRICTLY CONFIDENTIAL]

UN ARCHIVES

SERIES S-1062

BOX 143

FILE 5

ACC. 1998/0283

ONLY

OUTGOING CODE CABLE

95 JUN 16

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JUN 15 P 9 40

OPERATIONS

TO: KHAN/TOUSIGNANT, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 15 JUNE 1995
NUMBER: 1989

H. H. H.

ONLY

SUBJECT: Protection of the International Tribunal personnel

1. Please find attached, copy of a questionnaire, prepared by the FBI, and forwarded to us by the US Permanent Mission, at the request of the State Department. The FBI is considering the possibility of assigning a few agents to work with the International Tribunal for Rwanda as "investigators". However, before taking a decision on the matter, the FBI would like to receive information regarding the security arrangements which UNAMIR intends to put in place to contribute to the protection of the personnel of the International Tribunal, in accordance with operative paragraph 3(e) of resolution 997 (1995) of 9 June.

2. The US Permanent Mission is aware that our plans for ensuring the security of this personnel are still being worked out and that we may not be in a position to provide all the information requested, especially since some of it is somewhat sensitive and is usually considered as confidential. We would, however, be grateful for any preliminary information which you may be able to provide, to enable us to respond to the request of the US Permanent Mission. Many thanks and regards.

③ G3 Plans

Pls liaise with Tribunal Secur Coord. and supply as much info as possible. SRSG

FC

② DCOS ops
FC was briefed and reg that avail info be sent to UNNY, Sir.
MA to FC

CNR 165 P2/3

Memorandum to Mr. Ringgold from F. W. Waikart
Re: International War Crimes Tribunal
War Crimes Tribunal - Rwanda

The following are issues that should be specified in writing prior to committing personnel to Rwanda:

1. The exact nature of security that will be provided by the United Nations, to include:
 - a. Total number of personnel assigned for security purposes, composition of security force, relationship to the military command structure, availability of supporting units and distance, armament available, and command and control of the military structure.
 - b. Hours that security is available.
 - c. Geographic extent of security.
 - d. The level of security afforded residence of agents.
 - e. Level of security afforded office.
 - f. Type and number of security personnel assigned to agents while traveling outside of Kigali.
 - g. Type of vehicles available for transportation during investigative work including APC and helicopters.
 - h. Type of communications available to agent personnel to maintain contact with security and/or military forces.
 - i. Identification of commanding officer in charge of security forces and rank.
 - k. Complete itemization of any and all incidents affecting the security of United Nations personnel and volunteers in Rwanda during the past year. This should include violence directed toward NGO personnel in country.
 - l. Identification of NGO's working in Rwanda

Memorandum to Mr. Ringgold from F. W. Waikart
Re: International War Crimes Tribunal
War Crimes Tribunal - Rwanda

- m. Current status of the United States Embassy or Mission in Rwanda.
2. The exact nature of any evacuation plan that has been put in place by the United Nations Forces in Rwanda that would assist in the extraction of FBI personnel in emergency situations. This includes the widening of the Civil War or widespread violence in Rwanda or neighboring countries.
3. The exact nature of medical facilities available to FBI personnel while in country. This should include:
 - a. Number and type of medical personnel available to FBI personnel while in Rwanda.
 - b. Number and type of medical facilities available in Rwanda.
 - c. Availability and reliability of human blood supply.
 - d. Availability and capabilities of Emergency Medical evacuation plans.
4. If FBI personnel are assigned to the International War Crimes Tribunal in Rwanda, the FBI will reserve the right to recall those personnel from Rwanda immediately if the FBI feels that the security and medical concerns of its personnel are not being adequately addressed.
5. The FBI would like the above conditions presented in writing and would like specific descriptions as to what the personnel are expected to do and accomplish as part of the United Nations War Crimes Tribunal.

Chief Clerk
PA to file
6.6

BRIEF FOR THE FC AND SRSG
ON
THE INCIDENT INVOLVING THE FRGF PERSONNEL

Background

- On 14 May 95 two Rwandese Citizens named FAUSTIN NDUWIMANA and NGABO YVES BIZIMUNGU reported to a ZAMBATT location in the Rwamiko area and requested protection. They claimed that they were connected with the Former Government and have been in Kibeho camp since Aug 94 and had been part of the mass flight of IDPs that broke the RPA cordon of Kibeho camp on 22 Apr 95. Initial investigations by ZAMBATT revealed Faustin Nduwimana to be a Second Lieutenant in the Former Rwandan Government Forces (FRGF) and Ngabo Yves Bizimungu to be son of Mr Cazimiya Bizimungu, former Rwandan Government Minister of Health.
- These individuals agreed to be interviewed by UNAMIR regarding the incident at Kibeho camp and to give information about FRGF/Interhamwe activity in the camps. UNAMIR asked the individuals if they wished to give evidence before the International Commission investigating the events of 22 Apr 95 at Kibeho camp. They volunteered to give evidence before that Commission.
- After appearing before the Commission they were questioned by UNAMIR personnel to establish if they had committed any crimes with a view to handing them to the government if they were suspected. After investigation it could not be established that they were implicated in the genocide.
- At that stage, because no guilt was suspected, they were not handed over to the civil authority. They were further informed that UNAMIR could not offer indefinite protection and were therefore offered the choice of being taken to the Rwandan civil authority or being allowed to go free. They initially requested to be taken to Zaire, via Burundi, however, this request was refused outright by UNAMIR. They then requested to be taken to the Ruhengeri area. It was assumed that this was the area of their home commune and therefore the request was approved.
- Subsequently, it has been learnt that the two men have been arrested by the RPA, who suspect that the men did in fact participate in the genocide.

Why they were moved to Kigali

- The individuals were brought to Kigali for interview rather than possibly wasting limited time and resources in sending an interview team from UNAMIR and the International Commission to Rwamiko. It was also the intention to pass these individuals over to Rwandan government authorities if they were found to have been involved in the genocide or insurgent activities.

Dress, Transport and Accommodation

- When the individuals reported to ZAMBATT they were dressed in dirty civilian attire which they remained in when appearing before the Commission and at the time of their release from the TUNBATT location in Matura. At no time were the two individuals given UNAMIR uniforms. A UNAMIR helicopter on routine duties was used to transport the two from Gikongoro to Kigali and Kigali to Matura. They were interviewed by UNAMIR personnel at the MP compound in Kigali. They were accommodated at ZAMBATT Tac HQ Gikongoro on the night 14 May 95 and INDBATT location (SOALTEE) on night 15 May 95.

Why they were taken to the Ruhengeri area

- After being advised that UNAMIR could not offer indefinite protection or take them out of the country (to Zaire, via Burundi) they requested to be taken to the Ruhengeri area. It was assumed that this was the area of their home commune.

Brief prepared by LTCOL S.J. Dunn, G3PLANS
In consultation with: G3OPS, PM and SO3 G2
24 May 95

PRESS RELEASE

On 14 May 95 two Rwandese Citizens named FAUSTIN NDUWIMANA and NGABO YVES BIZIMUNGU reported to UNAMIR troops in Gikongoro prefecture and volunteered to be interviewed by the International Commission investigating the Kibeho incident. They claimed that they were connected with the Former Government and have been in Kibeho since August 1994. Investigations by UNAMIR revealed Faustin Nduwimana to be a Second-Lieutenant in the Former Rwandan Government Forces (FRGF) and NGABO YVES BIZIMUNGU to be son of Mr CAZIMIYA BIZIMUNGU, former Rwandan Government Minister of Health.

Based on their requests, both men were brought to Kigali to testify before the Investigation Commission and later to be released if found uninvolved in criminal activities or, if involved, for handing over to the Public Prosecutor's office. Investigations indicated that these persons had not been participants in the Genocide and were in Kibeho IDP camp on 22 Apr 95 and escaped when the cordon was broken. Later on they were moving around the general area before they reported to UNAMIR troops.

The release of these persons by UNAMIR was on the premise that they were innocent and had requested transportation to the Ruhengeri area. As helicopters were moving in the general area of Mutura, the individuals were helicoptered to that place after which they were free to move wherever they wanted.

This was done in good faith by the staff of UNAMIR with no intentions of being pro-FRGF or anti-RPA. A detailed report on the issue will also be circulated to all affected agencies.

OUTGOING CODE CABLE

TO: BARIL, UNATIONS, NEW YORK

INFO: ANNAN, UNATIONS, NEW YORK
KHAN, UNAMIR, KIGALI

FROM: TOUSIGNANT, UNAMIR, KIGALI

DATE: 25 MAY 1995

NUMBER: MIR 1835

NO. OF PAGES: 2

SUBJECT: INCIDENT INVOLVING THE SON OF A FORMER GOVERNMENT MINISTER AND A FRGF OFFICER

1. On 14 May 95 two Rwandese Citizens named FAUSTIN NDUWIMANA and NGABO YVES BIZIMUNGU reported to a ZAMBATT location in the Rwamiko area and requested protection. They claimed that they were connected with the Former Government and have been in Kibeho camp since Aug 94 and had been part of the mass flight of IDPs that broke the RPA cordon of Kibeho camp on 22 Apr 95. Initial investigations by ZAMBATT revealed Faustin Nduwimana to be a Second Lieutenant in the Former Rwandan Government Forces (FRGF) and Ngabo Yves Bizimungu to be son of Mr Cazimiya Bizimungu, former Rwandan Government Minister of Health.

2. These individuals agreed to be interviewed by UNAMIR regarding the incident at Kibeho camp and to give information about FRGF/Interhamwe activity in the camps. UNAMIR asked the individuals if they wished to give evidence before the International Commission investigating the events of 22 Apr 95 at Kibeho camp. They volunteered to give evidence before that Commission. Accordingly, they were brought to Kigali in a helicopter, kept in UNAMIR custody and interviewed by the Commission on 15 May 95.

3. After appearing before the Commission they were questioned by UNAMIR personnel to establish if they had committed any crimes with a view to handing them to the government if they were suspected in accordance with established procedures. After investigation it could not be established that they were implicated in the genocide.

4. At that stage, because no criminal guilt was suspected, they were not handed over to the civil authority. They were further informed that UNAMIR could not offer indefinite protection and were therefore offered the choice of being taken to the Rwandan civil authority or being allowed to go free. They initially requested to be taken to Zaire, via Burundi, however, this request was refused outright by UNAMIR. They then requested to be taken to the Ruhengeri area. It was assumed that this was the area of their home commune and therefore the request was approved. They were taken by helicopter to Matura (TUNBATT HQ) and released.

5. Subsequently, it has been learnt that the two men have been arrested by the RPA, who suspect that the men did in fact participate in the genocide.

6. **Why they were moved to Kigali.** The individuals were brought to Kigali for interview rather than possibly wasting limited time and resources in sending an interview team from UNAMIR and the International Commission to Rwamiko. It was also the intention to pass these individuals over to Rwandan government authorities, according to agreed procedures, if they were found to have been involved in genocide or insurgent activities.

7. **Dress, Transport and Accommodation.** When the individuals reported to ZAMBATT they were dressed in dirty civilian attire which they remained in when appearing before the Commission and at the time of their release from the TUNBATT location in Matura. At no time were the two individuals given UNAMIR uniforms. A UNAMIR helicopter on routine duties was used to transport the two from Gikongoro to Kigali and Kigali to Matura. They were interviewed by UNAMIR personnel at the MP compound in Kigali. They were accommodated at ZAMBATT Tac HQ Gikongoro on the night 14 May 95 and INDBATT location (SOALTEE) on night 15 May 95.

8. **Why they were taken to the Ruhengeri area.** After being advised that UNAMIR could not offer indefinite protection or take them out of the country (to Zaire, via Burundi) they requested to be taken to the Ruhengeri area. It was assumed that this was the area of their home commune.

The Health Minister's son incident

ZAMBATT
INDRAB?
TUMBAR?

The following questions need to be answered:

1. When Bizimungu and his guard sought "protection" (or was it asylum?) with Zambatt, was it known that they were fugitives being sought by RPA and hence "alleged criminals"?
2. If so, why was not the normal procedure followed ^{is} a) report to ICPC, b) interview with Human Rights Monitors, c) hand-over to civilian prosecutor?
3. Who initiated the idea of the two fugitives being brought before the Inquiry Commission [The Commission only ^{waited} witnesses who volunteered]. Did the two fugitives demand to go before the commission or was it suggested to them?
4. Once they had volunteered, did the Commission ask that they be brought to Kigali? Or was this initiative taken by UNAMIR?
5. Were the fugitives brought in UNAMIR uniforms? How were they brought? Where did they stay?
6. Was information regarding their presence ^{with UNAMIR} conveyed to the government at any stage?
7. After their evidence to the Commission, why were they taken to Mutura? Why were they transported in helicopter. By now, it must have been evident that they were "criminals" on the run, was it not realized that taking them to Mutura (instead of Gikongoro where they reported or even Kigali) and setting them free was tantamount to helping them escape?

FC

COS

— O.DCOS(ops)

Please check with all concerned and attempt answer above seven questions.

When Bizimungu and his guard sought "protection" (or was asylum?) with ZAMBATT, was it known that they were fugitives being sought by the RPA and hence "alleged criminals"?

On 14 May 95 at 0600 hrs two Rwandese reported to a ZAMBATT location in the Rwamiko area and requested protection. The individuals claimed to be Second Lieutenant Faustin Nduwimana (of the Former Government Forces) and Ngabo Yves Bizimungu (the son of the former Rwandan Government Minister of Health) and had been part of the mass flight of IDPs that broke the RPA cordon of Kibeho camp on 22 Apr 95. UNAMIR was unaware that these individuals were being sought by the RPA at that stage.

If so, why was not the normal procedure followed ie. a) report to ICRC, b) interview with Human Rights Monitors, c) handover to civilian prosecutor?

Not applicable.

Who initiated the idea of the two fugitives being brought before the Inquiry Commission (the Commission only wanted witnesses who volunteered). Did the two fugitives demand to go before the commission or was it suggested to them?

The individuals agreed to be interviewed by UNAMIR regarding the incident at Kibeho camp and to give information about FRGF/Interhamwe activity in the camps. UNAMIR asked the individuals if they wished to give evidence before the International Commission investigating the Kibeho incident. They volunteered to give evidence before the commission.

Once they had volunteered, did the Commission ask that they be brought to Kigali? Or was this initiative taken by UNAMIR?

The individuals were brought to Kigali for interview rather than possibly wasting limited time and resources in sending an interview team from UNAMIR and the International Commission to Gikongoro. It was also the intention to pass these individuals over to Rwandan government authorities if they were found to have been involved in the genocide or insurgent activities.

Were the fugitives brought in UNAMIR uniforms? How were they brought? Where did they stay?

When the individuals reported to ZAMBATT they were dressed in dirty civilian attire which they remained in when appearing before the commission and at the time of their release from the TUNBATT location in Matura. At no time were the two individuals given UNAMIR uniforms. A UNAMIR helicopter was used to transport the two from Gikongoro to Kigali and Kigali to Matura. They remained at ZAMBATT Tac HQ Gikongoro on the night 14 May 95 and INDBATT location (SOALTEE) on night 15 May 95.

Was information regarding their presence with UNAMIR conveyed to the government at any stage?

The government was not advised of their presence.

11027

To: A/D COS Ops

From: SO3 G2

24 May 95

SUBJECT: "THE HEALTH MINISTER'S SON INCIDENT"

Ref: A. Our conversation 231610B May 95
B. SRSG Question Sheet on subject
C. Zambatt Classified Report,
D. SO3 G2 Interim Interview Report, 18 May 95

1. I regret not having this memo completed before morning, unfortunately my administrative scheduling hit a few snags. I trust that it will arrive to you before noon today.

2. This memo reflects my responses and remarks to Ref B. I have answered those which I am able to the best of my ability and clearly specify the differences between knowledge, suspicion and assumption.

3. Question 1: Short answer. "No." Long answer: UNAMIR receives and processes a lot of information every day. People exaggerate, mislead and lie to us regularly. Zambatt's report (Ref C) indicated what the individuals had told them. Zambatt is not set up to conduct the type of ^{in-depth} ~~interrogation~~ required to identify if the sources are being truthful. These resources exist within AUSMED int section. These sources needed to be questioned more thoroughly to ascertain the truth from fabrication or presupposition. Ref C was indication of the possibility that these two might be high value sources of information on threats to UNAMIR, its mission and its personnel. UNAMIR's organization of 6,000 troops lacks the basic organic element of an intelligence line unit. Force must rely upon the good graces of AUSMED to so employ his line resources for Force requirements. His trained ^{in-depth} ~~interrogators~~ would need to be used to evaluate their claims. Based upon Ref D, it was only suspected that the two might have been involved in criminal activities. Interrogation would ascertain whether they were or were not. If they were, the plan was to hand them over to the government.

4. Question 2: Short answer. "Normal procedure was followed" Long answer. The question is at best misleading. It presents as fact something which is not true. The question presupposes there to be a "normal procedure" which differs from the procedure which was used. Please clarify where we have Standing Operating Procedures on such events; from these procedures details can be ascertained as to what is "normal". "Normal" military practice is to question possible sources of information on threats to the mission (ie: peace). "Normal" is the use of chain of command. "Normal" is operational security. "Normal" is a separation, but

cooperation between int and ops. Anyway, the intention was to hand them over to the Rwandan government (provided the sources were implicated in something criminal). The proximity and immediate access of Human Rights agencies/ICRC within Kigali available at short notice WAS a consideration in whether to move the sources to Kigali vice questioning in location.

5. Question 3: Short answers.

a. "UNAMIR". Long answer. Unknown if it was an individual idea. The prospects of the sources having been in Kibeho during the time of the cordon and events of 22 Apr 95 were fairly apparent as being of value to the Commission.

b. "Neither" Long answer. Poor question. Presented as "either" "or". The individuals were asked if they knew about the Commission. I am uncertain but believe they did not. They were informed about the Commission's. Once they showed an interest, they were asked a specific list of questions.

6. Question 4: Short answer. "The initiative was taken by UNAMIR. However, the Commission was aware before their arrival in Kigali." Long answer: The sources would have been brought to Kigali regardless of the Commission's interest. UNAMIR interest was FRGF activity in the Kibeho camp and any FRGF plans for regional instability in the future. They were brought to Kigali to ascertain their validity as sources without wasting limited time and resources. The intention was to exploit the sources for as much information on the threat to regional peace/stability then, if implicated in any criminal or other activity, to hand them over to the RPA authorities at the highest levels.

7. Question 5: Short answers:

a. "I don't know, but I don't think so."

b. "I believe by helicopter."

c. "I believe they were transported from the Convent LZ to two separate offices in the MP coy compound. After questioning, I was told they were placed in an Indbatt location for the night."

8. Question 6: Short answer. "It would appear so."

9. Question 7: Short answers:

a. "As I understand it, it was where they asked to be taken."

b. "I don't know."

c. "No"

This is another leading question presenting poor logic and false assumptions. There was no evidence presented to UNAMIR to indicate these were anything but two stupid people who had spent the period Aug 94 - 22 Apr 95 in the Kibeho IDP camps. They provided nothing of intelligence value and there were no indications that the two had been involved in criminal activity, including participation in the genocide. The UNAMIR ^{interview} ~~interrogation~~ occurred after that of the Commission. The Commission did not share any information it gained from the individuals with UNAMIR.

To: A/DCOSOPs

From SO3G2

18 May 1995

SUBJECT: INTERIM INTERVIEW REPORT

Reference: A. Zambatt Intrep (S), 14 May 95

B. My briefing to D COS Ops, Canada House Belgian
Village, 151725B May 95

1. 140600B May 95. Two potential sources reported themselves to Zambatt location. Subject A: 2Lt FAUSTIN NDUWIMANA. Subject B:: NGABO YVES BIZIMUNGU.

2. Subject A is an FRGF officer. Subject B is the teenaged son of Mr CAZIMIYA BIZIMUNGU, the former Rwandan government Minister of Health.

3. This interview was conducted at the MP Coy location in Kigali between the hours of 1500-1700B, following an interview by members of the international commission on the Kibeho incident (22 Apr 95). The individuals were interrogated specifically for current information on:

- a. FRGF inside and outside Kibeho;
- b. Interahamwe;
- c. political information (FRGF); and
- d. events of 22 Apr 95 at Kibeho camp.

4. Interview was held in Kigali for the following reasons:

- a. Commission members can question them (last day);
- b. sources volunteered to be interviewed;
- c. if we found them to be involved in genocide or instability, could hand over to Rwandan government authorities at the federal level on fairly short notice (large ICRC/HR presence in city); and
- d. if poor sources and not involved in criminal activities, will not have wasted limited time and resources by deploying to location. Sources could then be returned to where they were picked up.

5. Nothing was gained of intelligence interest to UNAMIR. There were no indications that the two had participated in the genocide. The two had been occupants of Kibeho IDP camp up to 22 Apr. They were a part of the group which broke the cordon 221710B Apr. The sources suggested that the "massacre" was not planned but a spontaneous activity brought about by circumstances.

6. Both subjects left Rwanda and fled to Zaire during RPF offensive in April 1994. Subject B returned to Rwanda in August 1994 to retrieve family/household possessions, he was escorted by two FRGF soldiers (Subject A and an FRGF Sergeant [SHYIRAMBERE] who subsequently died in the mass breakout from Kibeho IDP camp). The group was identified and detained by RPA soldiers at a Gikongoro roadblock. Escaping RPA custody, they made their way to Kibeho IDP camp where they remained until the mass breakout on 22 Apr.

7. Sources independently indicated a figure of between 25-50 FRGF/Interahamwe present in Kibeho IDP camp during the time of the RPA cordon.

8. Generally subjects' demeanour and chronology support their stories.