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# HUMAN RIGHTS WATCH ARMS PROJECT

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## RWANDA/ZAIRE

### Rearming with Impunity

#### International Support for the Perpetrators of the Rwandan Genocide

#### CONTENTS

I. INTRODUCTION AND SUMMARY .....	2
II. THE ROLE OF FRANCE .....	6
III. THE ROLE OF ZAIRE .....	9
IV. THE ROLE OF SOUTH AFRICA .....	14
V. THE ROLE OF CHINA .....	14
VI. MILITARY CAPACITY OF THE EX-FAR AND MILITIAS .....	15
VII. RECOMMENDATIONS .....	16
To the International Community: .....	16
To the Government of France: .....	17
To the Government of Zaire: .....	18
To the Government of South Africa: .....	18
ACKNOWLEDGMENTS .....	19

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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."<sup>1</sup> 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.<sup>2</sup> At the height of the genocide, the Rwandan Patriotic Front (RPF) renewed a military offensive against the government in Kigali.<sup>3</sup> 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

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<sup>1</sup> 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.

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

<sup>3</sup> 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.

border into Zaire in July 1994. Among the refugee population were the bulk of those responsible for the genocide.

Ensclosed 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.<sup>4</sup> 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.<sup>5</sup> 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."<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup> 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.<sup>9</sup>

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.<sup>10</sup> This lack of accountability has meant the absence so far of an effective

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<sup>4</sup> 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.

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

<sup>6</sup> Interview with Col. Musonera, Bukavu, March 4, 1995.

<sup>7</sup> 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.

<sup>8</sup> 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).

<sup>9</sup> 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.

<sup>10</sup> 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).

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, 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.<sup>11</sup> Some have traveled to foreign countries seeking assistance for their military cause.<sup>12</sup> 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.<sup>13</sup> A racket in looted goods, including Rwandan government vehicles, provides profit for the civilian and military officials who fled Rwanda to Zaire.<sup>14</sup> 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.<sup>15</sup>

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.<sup>16</sup>

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<sup>11</sup> 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).

<sup>12</sup> 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.

<sup>13</sup> 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.

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

<sup>15</sup> 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.

<sup>16</sup> 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 information as a

The 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.<sup>17</sup> 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.<sup>18</sup> 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.<sup>19</sup>

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

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

<sup>17</sup> 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.

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

<sup>19</sup> *Ibid.*

seen assisting the FAR in combat against the RPF.<sup>20</sup> 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.<sup>21</sup> 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 embargo<sup>22</sup> 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

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<sup>20</sup> 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.

<sup>21</sup> 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.

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

containing artillery, machine guns, assault rifles and ammunition provided by the French government.<sup>23</sup> These weapons were taken across the border into Rwanda by members of the Zairian military and delivered to the FAR in Gisenyi.<sup>24</sup> 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.<sup>25</sup> 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.<sup>26</sup> 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.<sup>27</sup> The rump government moved its radio station into the zone where it continued without interference to incite Hutu to kill Tutsi in its broadcasts.<sup>28</sup>

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

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<sup>23</sup> 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.

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

<sup>25</sup> 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.

<sup>26</sup> 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.

<sup>27</sup> 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.

<sup>28</sup> 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.

cross-border delivery of arms.<sup>29</sup> Some of these weapons arrived from Kinshasa, the Zairian capital, apparently from Zairian stocks, while others came from outside Zaire.<sup>30</sup> 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.<sup>31</sup> 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 "Sebastial," 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.<sup>32</sup> 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.<sup>33</sup>

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.<sup>34</sup> Human Rights Watch has received allegations that Hutu military and militia personnel continued

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

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

<sup>31</sup> Interviews with UNAMIR officials, Kigali, November 1994 and February and March 1995.

<sup>32</sup> Interviews in Kamembe, Gafunzo and Cyangugu, August 1994.

<sup>33</sup> Interviews with UNAMIR officials in Gikongoro and Cyangugu, August 1994.

<sup>34</sup> Interviews with U.N. officials, August 1994 - March 1995.



to receive military training at a French military facility in the Central African Republic after the FAR's defeat.<sup>35</sup> 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.<sup>36</sup> 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.<sup>37</sup>

### 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.<sup>38</sup> Some officials have openly encouraged arms trafficking by private dealers through Zaire, generally in return for kickbacks.<sup>39</sup>

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.<sup>40</sup> According to company owners and staff, company owners who refuse such contracts are threatened with cancellation of their

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<sup>35</sup> 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.

<sup>36</sup> 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.

<sup>37</sup> Interview with officials at the Burundian Ministry of Defence, Bujumbura, February 1995.

<sup>38</sup> 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.

<sup>39</sup> 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.

<sup>40</sup> 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.

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.<sup>41</sup> 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.<sup>42</sup> 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.<sup>43</sup>

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.<sup>44</sup> 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.<sup>45</sup> 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.<sup>46</sup> In this instance, end-user certificates served to conceal the ultimate destination

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<sup>41</sup> Interviews with cargo company staff and crews over the period of the field investigation.

<sup>42</sup> 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.

<sup>43</sup> Communication, Goma, February 13, 1995, as well as interviews with NGO officials, Goma, February 1995.

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

<sup>45</sup> "The Seychelles: Merchants of Death," *Indian Ocean Newsletter*, July 2, 1994.

<sup>46</sup> 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.

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.<sup>47</sup>

In early July, three planeloads of weapons arrived at Goma airport from the N'Djili 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.<sup>48</sup>

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.<sup>49</sup>

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

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

<sup>48</sup> 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.

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

homes and businesses during their retreat. The ex-FAR and militias were able to take this equipment and goods to the camps that were set up inside Zaire.<sup>50</sup>

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.<sup>51</sup> 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.<sup>52</sup> According to Zairian military officers, one stock of well-preserved weapons is stored and regularly oiled at a Zairian military base in Goma.<sup>53</sup> 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.<sup>54</sup>

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.
- 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.

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<sup>50</sup> 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.

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

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

<sup>53</sup> Interviews with Zairian military officers, Goma, December 1994 and February 1995.

<sup>54</sup> Interviews with airport staff, local businessmen and air cargo company crews in Goma and Kigali, February and 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.<sup>55</sup>

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.<sup>56</sup> 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.

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

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<sup>55</sup> 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.

<sup>56</sup> 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).

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.<sup>57</sup>

#### IV. THE ROLE OF SOUTH AFRICA

Prior to the international arms embargo, South Africa was one of the main suppliers of arms to Rwanda.<sup>58</sup> 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.<sup>59</sup> 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.<sup>60</sup>

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.<sup>61</sup> No further details on these shipments are available at this time.

#### 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.<sup>62</sup> 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.<sup>63</sup> News

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<sup>57</sup> 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.

<sup>58</sup> See Human Rights Watch Arms Project, "Arming Rwanda."

<sup>59</sup> 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.

<sup>60</sup> Interview with Col. Bagasora, Goma, February 15, 1995.

<sup>61</sup> 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.

<sup>62</sup> Interview with an aide to Maj. Gen. Kagame, Kigali, March 29, 1995.

<sup>63</sup> 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).

reports have suggested that they placed orders for Kalashnikov rifles, grenades and rocket-propelled grenade launchers to a total value of \$5 million.<sup>64</sup> 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."<sup>65</sup>

## VI. MILITARY CAPACITY OF THE EX-FAR AND MILITIAS

Human Rights Watch has visited many of the ex-FAR and militia bases in Zaire.<sup>66</sup> 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 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

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<sup>64</sup> "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.

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

<sup>66</sup> 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.

recipients of its humanitarian aid.<sup>67</sup> 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.<sup>68</sup>

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:

### **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,

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<sup>67</sup> 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).

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



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.

## ACKNOWLEDGMENTS

This report was written by Kathi L. Austin, director of the Africa Project at the Institute for Policy Studies and a consultant to the Human Rights Watch Arms Project. It was edited by Joost R. Hiltermann, the director of the Arms Project, and reviewed by Alison DesForges, Human Rights Watch consultant on Rwanda and Burundi. The report is based on a field investigation by Ms. Austin in Rwanda, Zaire, Tanzania, Burundi and South Africa from November 1994 through March 1995.

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### *Human Rights Watch Arms Project*

Human Rights Watch is a nongovernmental organization established in 1978 to monitor and promote the observance of internationally recognized human rights in Africa, the Americas, Asia, the Middle East and among the signatories of the Helsinki accords. It is supported by contributions from private individuals and foundations worldwide. It accepts no government funds, directly or indirectly. Kenneth Roth is the executive director; Cynthia Brown is the program director; Holly J. Burkhalter is the advocacy director; Ann S. Johnson is the development director; Gara LaMarche is the associate director; Juan E. Méndez is general counsel; Susan Osnos is the communications director; and Derrick Wong is the finance and administration director. Robert L. Bernstein is the chair of the board and Adrian W. DeWind is vice chair. Its Arms Project was established in 1992 to monitor and prevent arms transfers to governments or organizations that commit gross violations of internationally recognized human rights and the rules of war and promote freedom of information regarding arms transfers worldwide. Joost R. Hiltermann is the director; Stephen D. Goose is the program director; Ann Peters is research associate; Kathleen A. Bleakley and Ernst Jan Hogendoorn are research assistants; William M. Arkin is consultant; Selamawit Demeke is associate.

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