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ACTION L-01

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| INFO | LOG-00  | AF-01   | AID-01  | AMAD-01 | ARA-01  | CA-02   | CIAE-00 |
|      | OASY-00 | DODE-00 | ANHR-01 | DS-00   | EAP-01  | EB-01   | EUR-01  |
|      | FDRE-01 | H-01    | IMMC-01 | TEDE-00 | INR-00  | IO-16   | ADS-00  |
|      | MFLO-03 | M-00    | NEA-01  | NSAE-00 | NSCE-00 | OCS-06  | OIC-02  |
|      | PA-01   | PC-01   | PM-00   | PRS-01  | P-01    | SCT-03  | SP-00   |
|      | SR-00   | SSO-00  | SS-00   | STR-01  | TRSE-00 | USIE-00 | SA-01   |
|      | ASDS-01 | FMP-00  | PMB-00  | DSCC-00 | PRME-01 | DRL-09  | G-00    |

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P 221658Z SEP 94  
FM USMISSION GENEVA  
TO AMEMBASSY KIGALI PRIORITY  
SECSTATE WASHDC PRIORITY 3784  
INFO AMEMBASSY KINSHASA  
AMEMBASSY LONDON  
AMEMBASSY BRUSSELS  
AMEMBASSY PARIS  
AMEMBASSY BUJUMBURA  
AMEMBASSY THE HAGUE  
USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 01 OF 02 GENEVA 008160

DEPT FOR L (MATHESON), AF (MOOSE), DRL (SHATTUCK),  
IO (BENNET), IO/UNP (STANTON), USUN/W (SCHEFFER)

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THE HAGUE FOR STEVE MATHIAS

E.O. 12356: DECL:OADR  
TAGS: PHUM, UNHRC-1, UNSC, RW  
SUBJECT: WGRW02: PROPOSED INVESTIGATIONS TO BE  
CONDUCTED FOR THE COMMISSION OF EXPERTS ON RWANDA

REF: STATE 253116

1. CONFIDENTIAL -- ENTIRE TEXT.

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INTRODUCTION  
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2. THE COMMISSION OF EXPERTS ON RWANDA HAS DEVELOPED A PRELIMINARY LISTING OF INVESTIGATIONS WHICH IT BELIEVES SHOULD BE CARRIED OUT IN RWANDA, AND THE MANNER IN WHICH THEY SHOULD BE CONDUCTED. BASED ON INTERVIEWS AND SITE VISITS CONDUCTED DURING THE COMMISSION'S INITIAL VISIT TO THE REGION, THE PROPOSALS WERE PRESENTED TO THE USG TEAM OF INVESTIGATORS DURING THEIR SEPTEMBER 19-20 VISIT TO GENEVA (SEPTEL). WE REPORT BELOW THE HIGHLIGHTS OF THE DOCUMENT, WHICH SHOULD BE PROTECTED IN FULL BECAUSE OF THE IDENTIFYING INFORMATION WHICH WAS SHARED WITH US BUT WHICH HAS NOT/NOT BEEN RELEASED BY THE COMMISSION.

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COMMENT  
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3. FOR THE RECORD, WE NOTE THAT THE COMMISSIONERS AT FIRST REQUESTED THE USG TEAM TO CONDUCT INVESTIGATIONS  
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OF INCIDENTS A, B, AND F AS LISTED BELOW. AFTER LENGTHY DISCUSSIONS, THE COMMISSION AGREED WITH THE PROPOSAL THAT US TEAM RESOURCES WOULD BE MOST EFFICIENTLY USED IN TRYING TO IDENTIFY POLITICAL-LEVEL INSTIGATORS OF THE VIOLENCE IN APRIL, AND IN TRYING TO IDENTIFY COMMAND AND CONTROL RELATIONSHIPS BETWEEN SENIOR FIGURES AND THOSE WHO ULTIMATELY DID THE KILLING. WE BELIEVE THE COMMISSION WILL CONTINUE TO TRY TO FIND RESOURCES (FROM THE US OR OTHER DONOR NATIONS) TO CARRY OUT AT LEAST SOME OF THE INVESTIGATIONS THEY HAVE IDENTIFIED. IN PARTICULAR, THEY WILL DOUBTLESS PURSUE THEIR DESIRE FOR SMALL TEAMS OF FORENSIC EXPERTS TO CONDUCT AT LEAST EXPLORATORY EXHUMATIONS AT MASS GRAVE SITES.  
END COMMENT.

FRAMEWORK OF THE PROPOSED INVESTIGATIONS  
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4. FOLLOWING ARE HIGHLIGHTS OF THE COMMISSION'S DOCUMENT, PREPARED IN THE FORM OF A HANDWRITTEN MEMO BY HUMAN RIGHTS CENTER STAFFER JOSE LUIS GOMEZ DEL PRADO AND FAXED FROM PAR ES SALAAM ON SEPTEMBER 15 TO HCHR AYALA LASSO, ASYG FALL, AND SPECIAL PROCEDURES CHIEF MAUTNER-MARKHOF. THE MEMO NOTES THAT "SOME OF THE INVESTIGATIONS LISTED WERE INITIATED BY THE COMMISSION

DURING ITS FIRST MISSION TO RWANDA AND SHOULD CONTINUE, OTHERS WILL HAVE TO BE INITIATED WITHOUT DELAY." FOR PURPOSES OF CONFIDENTIALITY, SITES AND INDIVIDUALS ARE LISTED BY LETTER (WHERE POSSIBLE, WE IDENTIFY THE SITE BASED ON WHAT THE COMMISSIONERS TOLD US). FOR REASONS OF IMPARTIALITY THE COMMISSION INTENDS THAT ITS INVESTIGATIONS WILL COVER ACTIONS BY BOTH THE FORMER

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RWANDESE AUTHORITIES AND BY THE RPF.

INVESTIGATION GROUND RULES

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5. THE COMMISSION SEEKS THE FOLLOWING INFORMATION FROM EACH INVESTIGATION: NUMBER OF VICTIMS; GRAVITY OF THE ALLEGED VIOLATIONS; CREDIBILITY OF THE SOURCE OF THE INFORMATION; AND THE IDENTITY AND LEVEL OF THE PERSON OR PERSONS PRESUMED RESPONSIBLE. THE MEMO LISTS AS BASIC TEXTS FOR THEIR MANDATE COMMON ARTICLE 3 OF THE GENEVA CONVENTIONS AND ARTICLE II OF THE SECOND OPTIONAL PROTOCOL OF 1977 AS RELEVANT FOR GRAVE VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW; AND ARTICLES 2 AND 3 OF THE GENOCIDE CONVENTION FOR INVESTIGATIONS OF POSSIBLE GENOCIDE. THE COMMISSION HOPES THAT POLICE OFFICERS PUT AT THEIR DISPOSAL WILL INVESTIGATE AND COLLECT PROOFS. PROSECUTORS SIMILARLY PROVIDED, WORKING IN TEAMS WITH THE POLICE OFFICERS, WILL HAVE RESPONSIBILITY TO ANALYZE THE PROOFS COLLECTED BY THE POLICE IN ORDER TO ASSIST THE COMMISSION TO IDENTIFY THOSE RESPONSIBLE AND "QUALIFY THE TYPE OF VIOLATION."

SPECIFIC INVESTIGATIONS

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6. THE COMMISSION PICKED NINE INCIDENTS WHICH SHOULD BE

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C O N F I D E N T I A L SECTION 02 OF 02 GENEVA 008160

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THE HAGUE FOR STEVE MATHIAS

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SUBJECT: WGRW02: PROPOSED INVESTIGATIONS TO BE  
CONDUCTED FOR THE COMMISSION OF EXPERTS ON RWANDA

INVESTIGATED- SUMMARIES BASED ON THE HANDWRITTEN MEMO  
FOLLOW:

A) THE COMMISSION MET WITH AN IMPORTANT EYE-WITNESS WHO IS AVAILABLE TO TESTIFY TO A MASSACRE WHICH INVOLVED SOME 70 PERSONS. AHMED OMRAN OF THE KIGALI FIELD OFFICE HAS BEEN TASKED WITH CONTINUING TO COLLECT INFORMATION. TWO POLICE OFFICERS AND ONE PROSECUTOR ARE SOUGHT; "FORENSIC EXPERTS MAY ALSO BE NEEDED." (NOTE: GOMEZ DEL PRADO INDICATED THIS INCIDENT TOOK PLACE AT GATAGARA; THE EYEWITNESS IS A BELGIAN PRIEST. PLEASE PROTECT THIS INFORMATION FULLY.)

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B) ANOTHER EYEWITNESS DESCRIBED TO THE COMMISSION A MASSACRE OF "SEVERAL HUNDRED PERSONS IN A CHURCH OR OUTSIDE." AGAIN, OMRAN HAS BEEN ASKED TO FOLLOW UP. TWO POLICE OFFICERS AND ONE PROSECUTOR SHOULD BE PUT ON THIS CASE; "THERE ARE MASS GRAVES THAT WILL HAVE TO BE EXHUMED AND FORENSIC EXPERTS NEEDED." (NOTE: THIS INCIDENT TOOK PLACE AT GIKONDO. PLEASE PROTECT FULLY.)

C) VARIOUS CREDIBLE SOURCES INDICATED THAT A MASSACRE TOOK PLACE OF "THOUSANDS OF PERSONS." THIS WILL REQUIRE THREE POLICE OFFICERS AND ONE PROSECUTOR; FORENSIC EXPERTS WILL BE NEEDED. (NOTE: THE LOCATION OF THIS INVESTIGATION IS CYANGUGU. PLEASE PROTECT FULLY.)

D) THE COMMISSION HAS A VIDEOTAPE SHOWING SEVERAL  
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HUNDRED CORPSES REMAINING UNBURIED AT THE TIME THE COMMISSION WAS ON ITS FIRST MISSION TO KIGALI. ALTHOUGH NO OTHER INFORMATION HAS BEEN COLLECTED, "THE FACT THAT THE BODIES HAD NOT BEEN BURIED SHOULD ASSIST IN COMPLETING THE INQUIRY. THE COMMISSION HAS DECIDED THAT THE TEAM OF NINE FORENSIC EXPERTS BE ASSIGNED AS A PRIORITY" TO THIS CASE. TWO POLICE OFFICERS AND A PROSECUTOR ARE ALSO REQUIRED FOR THIS INVESTIGATION. (NOTE: THE LOCATION FOR THIS CASE IS NTARAMA. PLEASE PROTECT FULLY.)

E) THE COMMISSION VISITED MASS GRAVES WHERE CHILDREN AND PATIENTS FROM A HOSPITAL ARE SAID TO BE BURIED. VARIOUS CREDIBLE SOURCES TOLD THE STORY. TWO POLICE OFFICERS AND APROSECUTOR SHOULD BE ASSIGNED. J. SALAZAR OF THE HUMAN RIGHTS FIELD OFFICE PARTICIPATED IN THE VISIT AND SHOULD FOLLOW THE CASE. FORENSIC EXPERTS WILL BE NEEDED. (NOTE: THE SITE OF THIS MASSACRE IS BUTARE. PLEASE PROTECT FULLY.)

F) ONE WITNESS TESTIFIED DURING THE COMMISSION'S VISIT TO THIS SITE, WHERE SOME CORPSES REMAINED UNBURIED WHILE THERE WERE OTHERS IN MASS GRAVES. THE MASSACRES WERE ALLEGEDLY CARRIED OUT BY THE RPF. THE COMMISSION

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BELIEVES THREE POLICE OFFICERS, A PROSECUTOR, AND FORENSIC EXPERTS ARE REQUIRED FOR THIS CASE. (NOTE: THE SITE FOR THIS MASSACRE IS SAID TO BE KABGAYI; VICTIMS INCLUDED RWANDESE BISHOPS AND PRIESTS. PLEASE PROTECT FULLY.)

G & H) THE COMMISSION DECIDED TO CONDUCT TWO OTHER INVESTIGATIONS OF VIOLATIONS ALLEGED TO HAVE BEEN CARRIED OUT BY THE RPF. THE SITES FOR THESE INVESTIGATIONS WILL BE CHOSEN BY THE HUMAN RIGHTS FIELD  
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OFFICERS IN KIGALI ON THE BASIS OF INFORMATION THE COMMISSIONERS RECEIVED DURING THEIR VISIT TO GOMA.  
I) FINALLY, THE MEMO NOTES, "A PARTICULAR INVESTIGATION WILL HAVE TO BE CONDUCTED REGARDING THE IMPACT OF MESSAGES DIFFUSED BY RADIO MILLE COLLINES AS AN INSTRUMENT OF THE POLICY OF HATRED OF THE FORMER AUTHORITIES CONCERNING AN ETHNIC GROUP." AN EXPERT ON "CONTENT ANALYSIS" SHOULD CONDUCT THE INVESTIGATION CORRELATING THE MESSAGES WITH MASSACRES WHICH OCCURRED. OTHER MESSAGES FROM RPF "RADIO MUHABURA" SHOULD ALSO BE ANALYZED, IN THE INTERESTS OF IMPARTIALITY. CASSETTE RECORDINGS WERE PROMISED TO THE COMMISSION BY AUTHORITIES IN KIGALI; ONE IS ALREADY IN THE POSSESSION OF THE COMMISSION. IT WILL BE NECESSARY TO TRANSCRIBE AND TRANSLATE THE CONTENTS OF THOSE RECORDINGS.  
END HIGHLIGHTS.

7. MINIMIZE CONSIDERED. SPIEGEL

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