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Ad Hoc Interagency Meeting on Eastern Zaire
Issues Paper
November 2, 1996

Purpose

- To decide what strategy for repatriation of Rwandan refugees the U.S. should urge UNHCR to pursue. (S)
- To consider additional steps the USG might take to prepare to assist international aid agencies to respond to a potential wider humanitarian disaster in Eastern Zaire. (S)
- To decide what further diplomatic steps the USG might take to achieve an immediate ceasefire and spur resolution of the crisis on the Zaire-Rwanda border. (S)
- To decide whether to give consideration to a series of additional steps that might help stabilize the situation in Zaire/Rwanda over the longer term [redacted]

[redacted] (S)

E.O. 13526, section 1.4(c)(d)

Recent Developments/Potential Scenarios (See Tab 4)

POLICY GOALS

U.S. policy objectives in Central Africa remain regional stability, prevention of a wider humanitarian crisis, finding a negotiated solution to the conflict in Burundi, and the repatriation of Rwandan refugees whose presence on the border is a proximate cause of the current instability. (S)

To achieve these goals, over the past several months we have engaged in aggressive regional diplomacy, supported humanitarian aid efforts and pressed a strategy to encourage refugee repatriation. In the current context, however, further and perhaps more radical steps may be necessary to secure an end to the fighting, return refugees and respond to a wider humanitarian crisis. (S)

ISSUES FOR DECISION

1) Refugee Repatriation Strategy?

UNHCR agrees with U.S. officials that refugees should not return to reconstituted camps on the Rwandan border. Re-establishment of these camps would merely replicate the circumstances that sparked the latest round of violence -- at great expense to the international community. UNHCR also realizes that Zaire will oppose the establishment of new camps further inside the country. (S)

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INTERAGENCY SECURITY CLASSIFICATION APPEALS PANEL,
E.O. 13526, SECTION 5.3(b)(3)
ISCAP APPEAL NO. 2013-040, document no. 31
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Moreover, new camps further west in Zaire would be difficult, if not impossible, to provide with adequate food and water. Neither the dispersal of the refugees further west into Zaire nor the re-establishment of the refugee camps on the Rwandan border is desirable. Hence, UNHCR recognizes that repatriation is the only way to avert a larger humanitarian disaster and reduce instability in the region. (S)

E.O. 13526, section 1.4(b)(d)

To work through these issues with UNHCR and try to arrive at a viable, aggressive repatriation plan, it may be necessary to send a policy team to UNHCR Geneva and to consult in key European capitals. The U.S. team should be armed with an agreed U.S. strategy to promote repatriation in the current unsettled environment. That strategy might draw upon all or some of the "pull" and "push" elements outlined below: (S)

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PULL ELEMENTS

- **Aggressive public information campaign in Mugunga camp to encourage repatriation.** Leaflet drops, air-borne loud-speaker messages, statements by the GOR and UNHCR, radio broadcasts, in-person testimonials by safely returned refugees and other means could be used to try to convince refugees it is safe to return to Rwanda, the old camps on the border will not re-open, and no relief supplies can be provided to those refugees that move west into Zaire. (S)
- **Establishment by UNHCR of humanitarian corridors inside Zaire and Rwanda to protect returnees.** ZCSC and RPF forces would have to form this corridor from Goma to Gisenyi. To give refugees further confidence, there must be a substantial complement of international observers -- civilian or military, official or non-official. UNHCR has maintained that only international peacekeepers can perform this role adequately. However, such a force cannot be constituted quickly, if at all. The only practical, immediate alternative might be to ask all foreign embassies and NGOs in the region to dispatch all potentially available personnel to observe repatriation through the corridors. The U.S. might activate former Peace Corps volunteers with local language capability. The OAU should also be asked to provide observers (military or civilian) and the UN might supply UN volunteers or other officials on TDY basis. Ethiopia (which served admirably in Rwanda, has a capable military and indicated a potential willingness to respond to another Great Lakes crisis) might be asked to provide a battalion or two to assist the ZCSC with security. (S)
- **Significantly increase UNHCR and other international resources and personnel inside Rwanda:** establishment of reception centers, resettlement packages, positioning of food, water, medicines and other supplies inside Rwanda, augmentation of human rights monitors group with other international observers, safe transit to home communes. (S)
- **Urge the Rwandan Government to take further steps to encourage refugee return.** Such steps should include public announcements that the GOR will: start genocide trials immediately and issue a timetable for trials; ensure returning refugees are processed fairly and swiftly with international supervision and their cases monitored over the long-term at the communal level; prosecute in military court all military personnel accused of attacking civilians; establish a mechanism for adjudicating property disputes. (S)

PUSH ELEMENTS

- **Urge the GOR to press Zairian Tutsi forces to deploy in a fashion that spurs repatriation.** Fear is what motivates the refugees. The refugees are almost certain not to return to Rwanda unless fear of staying in Zaire exceeds fear of return to Rwanda. Zairian Tutsi forces may be the only indigenous force

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capable of spurring refugee movement back to Rwanda in the near term. The refugees have fled the Zairian Tutsi forces in fear in recent days and may move again in the opposite direction, if prompted. While, thus far, reports indicate the Zairian Tutsi forces have demonstrated discipline, tactical capability and have treated refugees with civility, their ability and will to spur repatriation without significant bloodshed operation is uncertain. Lives could be lost, particularly if Zairian Army and/or ex-FAR forces to resist this operation. If the mission fails and is perceived as a U.S. idea, the political fall-out could be significant. However, the alternative to spurred refugee return -- the death of thousands of displaced in the interior of Zaire -- is an even worse scenario. (S)

- **Urge the Zairian Government to use its forces to spur repatriation.** Rather than using Tutsi rebels to spur repatriation, some consideration has been given to suggesting that Zairian forces do so. This approach would enable Zairian forces to preserve control over significant portions of its own territory and may be less politically problematic. However, given their incompetence, corruption and indiscipline, FAZ forces -- even elite forces, paid by the international community and deployed from Kinshasa to the region -- probably could not conduct this operation effectively in the near term, if at all. To date, FAZ forces have abandoned virtually all contested areas and resorted to looting rather than face the small, but well armed, trained and equipped Tutsi opposition. (S)

Alternatively, Ethiopia might be asked to assist the FAZ in this operation. While Ethiopia is unlikely to accept and Zaire may resist inviting in Ethiopian forces, this option may be both viable and more desirable than using FAZ alone or the Zairian Tutsi forces.

- **Employ sophisticated PsyOps campaign to convince refugees at Mugunga that Zairian Tutsi forces are approaching from the West.** UNHCR would have to lead the campaign, possibly with U.S. assistance. The threat alone of approaching Tutsi forces may be sufficient to cause mass movement east back in the direction of Rwanda. Many refugees left their camps in the last few weeks out of fear rather than under actual attack. (S)

2) USG preparations for wider humanitarian disaster

DOD has already issued a general planning order in anticipation of a worst case contingency and potential international organization requests. These requests might involve assistance with water delivery/supply, building pit latrines and sanitary systems, opening airheads to relief supplies, airlifting supplies, evacuating humanitarian workers. (S)

In order for the U.S. to be prepared to respond swiftly and effectively to potential requests to provide unique capabilities or other critical services, we could take any or all of the following steps: (S)

- **Dispatch technical team** (humanitarian experts plus military planners and logisticians) to **Geneva** for intensive consultations with UNHCR to identify likely gaps and facilitate USG planning.
- **Send CDC water expert to region; pre-position water bladders and other critical equipment in the region.**
- **Issue warning order/deploy evacuation team to Entebbe.**
- **Establish 24-hour interagency Task Force at State** to track U.S. citizens, monitor developments, liaise with NGO community, coordinate U.S. relief efforts.
- **Dispatch an experienced U.S. humanitarian coordinator** with strong diplomatic skills to work with a representative from a leading U.S. NGO, UNHCR and the GOR in Kigali to help coordinate the international response to the impending humanitarian crisis.
- **Urge Embassy Kinshasa to allow the DART team in Kigali access to Eastern Zaire through Rwanda.** AID has just decided that it needs to dispatch the DART team to Eastern Zaire. AID seeks clearance from Embassy Kinshasa to send this team over as needed and as security conditions permit. Once clearance is granted in principle, the DART team would notify Embassy Kinshasa prior to crossing the border from Rwanda to Zaire.

It is important to note that even in the best of circumstances -- large-scale refugee repatriation -- a substantial international humanitarian relief operation will be necessary. (S)

3) Diplomacy

The most urgent diplomatic objective is to achieve a ceasefire in eastern Zaire, which would facilitate the delivery of humanitarian relief supplies and diminish the potential for a wider conflict. This is the top priority of UN Special Representative Raymond Chretien, who will depart the U.S. Wednesday for consultations with Mobutu in Switzerland and then proceed to the region. The U.S. is lending full support to Chretien, including intelligence-sharing and expert briefings in Washington. *In addition, the U.S. could consider offering to second a senior diplomat and a representative from EUCOM to his staff to assist in any way he might find helpful.* (S)

Equally urgent is the need for the top political and military leaders of Rwanda and Zaire to agree on concrete steps aimed at defusing the crisis. These steps should include: (S)

-- immediate ceasefire.

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- withdrawal of all foreign forces from Zaire and Rwanda.
- affirmation by the GOZ that all Banyamalenge and other Zairian Tutsis are Zairian citizens, need not leave the country and will not be persecuted or harassed by GOZ officials.
- public commitment by Rwanda (as well as by Uganda) not to provide further direct or indirect support to any elements in Eastern Zaire.
- reciprocal commitment by Zaire not to provide support or sanctuary to Ex-FAR and Rwandan Hutu militias in Zaire.
- joint GOZ-GOR border monitoring mechanism with UN assistance.
- refugee repatriation/camp closure plan.

Thus far, Zairian Prime Minister Kengo has refused such a meeting until all foreign forces are out of Zaire. VP Kagame of Rwanda has conditioned Rwandan participation on guarantees by Zaire that the Banyamalenge will be accorded the full rights and protections of Zairian citizens and that remaining camps will be moved away from the border. (S)

NEXT STEPS

a) Nairobi Summit

Kenyan President Moi has invited regional leaders to attend a summit in Nairobi on Tuesday, November 5 to discuss the situation in central Africa. OAU Secretary General Salim Salim and most key regional leaders (except Kengo) plan to attend. This summit affords a potentially important opportunity for regional leaders to discuss the regional crisis and for Zaire and Rwanda to reach agreement on the steps above. To facilitate a successful outcome at Nairobi, the USG could: (S)

-- *Join with European countries to take all possible steps to push key regional leaders to attend the Nairobi Summit, especially Kengo plus his top military aides and Kagame. (This should include demarches, phone calls by senior U.S. officials -- e.g. Moose, Tenet -- to appropriate leaders, as necessary.)*

-- *Dispatch senior U.S. official to Nairobi to work on the margins of the summit to gain agreement to the steps above.*

b) Threat to Zairian Tutsis

In addition, to try to prevent reprisals or possible genocide against Zairian Tutsis, the U.S. could use its influence to: (S)

-- *persuade Zairian officials and military leaders to take all necessary action to prevent incendiary rhetoric and protect ethnic Tutsis.*

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-- stress publicly and privately we will not tolerate ethnic cleansing of Tutsis, hold the GOZ and its officials personally accountable, and sanction those guilty of such action.

-- urge European partners to reinforce this message.

c) Rwandan Government

The GOR could be pressed to allow humanitarian relief supplies to cross Rwanda into Zaire and to avoid attacks at or near Mugunga refugee camp, which would cause a humanitarian catastrophe. (S)

4) **Additional Issues**

There are five additional actions the USG might take aimed at promoting regional stability over the longer term and improving our intelligence collection capabilities. Each of these possible steps have significant policy and resource implications and require substantial further study before decisions can be taken. To facilitate further study of these issues, appropriate action agencies are suggested below. (S)

A) Provide financial incentives to separate intimidators. The International Criminal Tribunal for Rwanda (ICTR) released a list of more than 400 individuals who were suspected leaders in the 1994 genocide. To date, fewer than 50 have been apprehended around the world. Most are suspected to reside among the refugee populations in Eastern Zaire and Tanzania. The governments of Zaire and Tanzania have been unwilling to arrest any of these suspects, even in cases when the ICTR has issued international arrest warrants. Offering a bounty for the arrest of each of these individuals could increase the likelihood they are apprehended. (Action agency: State/DRL) (S)

B) Increase USG funding for the ICTR. The international community has provided limited funding to the Tribunal which has been tasked with bringing to justice the leaders of the genocide. No investigations of genocide have been conducted in the entire eastern portion of the country due to lack of resources and personnel. The first trial has been delayed repeatedly in part due to insufficient detention facilities and limited prosecutorial staff. Additional U.S. financial support, technical assistance and leadership to secure additional funding is necessary, if the ICTR is to become an effective instrument in the struggle to bring lasting justice to Rwanda. At the same time, however, there are serious allegations of mismanagement at the ICTR under investigation by the UN inspector general. (Action agency: State/DRL and IO) (S)

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