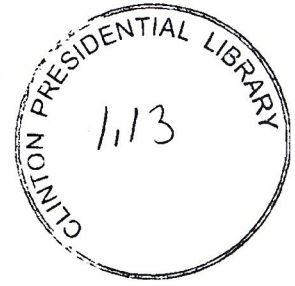


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MEETING WITH JUSTICE RICHARD GOLDSTONE

CONTEXT OF MEETING

Justice Richard Goldstone, Chief Prosecutor for the Rwanda War Crimes Tribunal, has had a distinguished career on the South African bench with a key role in his native country's reconciliation process. He is concerned with issues (e.g., information sharing) which are relevant to the Rwanda Tribunal. The USG has supported the Rwanda Tribunal both politically and financially, giving \$3.5 million thus far. The Tribunal has had some administrative growing pains, which are being addressed. It had been expected that the Rwanda Tribunal would issue indictments in November, but it's now clear that won't happen until December. Our own draft legislation to authorize surrender to the Tribunal of alleged offenders found in the U.S. is stalled on the Hill. Goldstone is very concerned about security for the Tribunal, and wants to see that the UNAMIR peacekeeping force is kept in Rwanda to guard the Tribunal, should the GOR agree to a continuation of UNAMIR. The USG peacekeeping core group has decided to go along with the emerging Security Council consensus to renew UNAMIR with its current size and mandate for six months beyond its expiry on December 8.

OBJECTIVES

- o To reiterate U.S. political and financial support for the Tribunal.
- o To assure Justice Goldstone that the USG is concerned about security for the Tribunal, and to seek his views.
- o To discuss our position on UNAMIR renewal.
- o To convey our concern over the long time it is taking the Tribunal to return indictments.
- o To remind Justice Goldstone that we are concerned that there may be one or two alleged violators in the U.S. and ask how the Tribunal staff is progressing on their cases.

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- o To bring up the fact that Zambia has performed admirably in apprehending several alleged offenders, but that there are concerns that any delays in removing them from Zambia may result in their release (we understand that Goldstone may go to Zambia).

#### TALKING POINTS

- o We wish to reaffirm our support, both political and financial, for the Rwanda Tribunal. Thus far, our government has committed \$3.5 million, including secondments of experts, and we have been glad to support the creation and funding of the Tribunal at the UN.
- o We regret that the International Tribunal for Rwanda will not issue indictments until December. Early action by the Tribunal is crucial to maintaining the credibility of the international community with the GOR and our ability to press the Rwandans to take appropriate judicial and non-judicial action themselves.
- o As you know, discussions are going on at the UN now regarding a renewal of UNAMIR, whose mandate expires December 8. While we generally support the Security Council consensus that the mandate should be renewed for six months, the outcome is far from certain at this point.
- o We are committed to seeing that the International Tribunal for Rwanda has adequate and appropriate security. It strikes us that some, though not all, of the security could be provided by the Government of Rwanda. What are the specific security needs you foresee that will require a UNAMIR or other international presence? Could these needs be fulfilled some other way?
- o Members of various agencies of our government have been working with the Rwanda Tribunal staff regarding the case of a Rwandan, Elizaphan Ntakirutimana, who has immigrated to Texas and has now been accused by Rwandan human rights activists of involvement in massacres in 1994. It now appears that his son may have joined him in Texas over the summer. What progress has your staff made on these cases?
- o Zambia has done an admirable job in detaining several alleged offenders. Observers there are concerned that delays in removing the suspects from Zambia could result in their being freed by the Zambian court system. What could be done to address this problem?

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