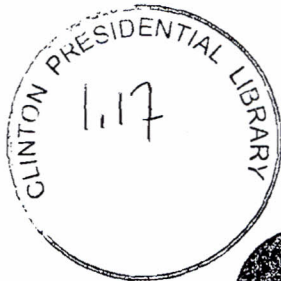


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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506



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0830

February 7, 1995

INFORMATION

MEMORANDUM FOR ANTHONY LAKE

FROM: DON STEINBERG *DS*
SUSAN RICE *SR*

SUBJECT: Rwanda-Burundi Ad Hoc Meeting, 3 p.m.,
Wednesday, February 8

This meeting is held against the backdrop of increasingly gloomy projections by the intelligence agencies on the prospects for peace and national reconciliation in Rwanda and for avoiding an ethnic blow-up in Burundi. While our support programs for these countries are proceeding, there are numerous specific issues that need impetus at the senior level.

ISSUE I: To what extent should the USG provide support for UNHCR camp security program?

Background: UNHCR plans to use Zairian troops to provide security in the Zairian refugee camps. UNHCR will pay salary supplements for up to 1500 Zairian troops who will be supported by a UNHCR trainers and logisticians. We anticipate the cost to UNHCR will be \$13-15 million, raised through voluntary contributions. Absent willing troop contributors, this unorthodox method of providing security remains the only game in town. Private contractors were considered but deemed prohibitively expensive. State previously indicated its intention to provide as much as \$5 million for this effort, but has recently indicated they may instead provide 25 percent of whatever the total cost will be.

Goal

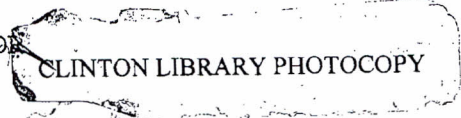
-- Nail down State's commitment to contribute at least 25% percent of the cost of the UNHCR mission.

ISSUE II: How should the U.S. respond to the threat to the refugee population posed by the potential eruption of the volcanos?

Background: There is a body of convincing evidence that one or both of the two volcanos near Goma will soon erupt. Experts estimate one may well blow in next couple months; the other may likely within six months. State conveyed its concerns for safety of refugees to UNHCR. UNHCR is conducting a public information

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campaign, preparing contingency plans to evacuate refugees and considering moving refugees to a site 30 miles north in Zaire.

We have urged State to press UNHCR to use the threat posed by the volcanos to encourage substantial refugee repatriation. We have sought to discourage notions of moving camps as costly and ultimately counterproductive. State has done little so far as it seems torn between the customary reluctance to pressure refugees to return and the various problems posed by a permanent refugee population. State's draft paper, proposing another approach to Mrs. Ogata, is at Tab II.

Goal:

-- Instruct State to press Ogata next week at regional refugee conference in Bujumbura to pursue activist repatriation campaign, using volcanoes as impetus.

ISSUE III: Assistance/Justice Programs

a) Is AID moving sufficiently quickly to provide agreed assistance to the GOR for rehabilitation of ministries, administration of justice programs, and the National Triage Commission?

b) Will DOJ/FBI Provide Personnel to support the Rwandan War Crimes Tribunal?

Background:

AID Programs: AID's project grant agreement for \$3.4 million for assistance to ministries (other than Justice) was signed January 11. The project procurement of vehicles, computers, other office equipment and technical assistance has begun, but is going slowly. Separately, on January 31, the World Bank made available the \$50 million line of credit to the GOR.

We remain concerned about the slow pace of the National Triage Commission (NTC) in reviewing the files of some 20,000 persons arrested (including 10,000 held in overcrowded prisons) to determine if there are grounds to hold them. Brian Atwood is still reviewing the appropriateness and legality of direct U.S. assistance to the GOR for this purpose. Some in AID are concerned there may be a legal prohibition against using AID funds for what may be construed as law enforcement purposes. At present, AID is providing \$600,000 in supplies to the Ministry of Justice, which oversees the NTC, and is preparing a longer-term \$4 million MOJ support project. In addition, State will provide \$1.4 million for the War Crimes Tribunal once the 15-day notification period expires the week of February 20.

DOJ/FBI Personnel: DOJ and FBI have not provided any of the 13 investigators requested from them for the War Crimes Tribunal. Jamie Gorelick assures us DOJ is supportive but the problem is funding. State has none for this purpose and believes either DOJ or the Tribunal itself should identify the resources. Goldstone is willing to pay for four DOJ investigators for Yugoslavia, which may relieve some constraints on DOJ support for Rwanda, but he may not be able to deliver the UN bureaucracy. Gorelick has tasked DOJ to determine the maximum support it can provide. USUN is pressing the UN to help with funding. L

Goals

- Ask AID for update on assist provided/planned; Direct AID to move asap to provide assistance for the rehabilitation of ministries.
- Within legal constraints, instruct AID to provide as much assistance as possible directly to NTC or through Ministry of Justice for the rapid processing of cases, especially those of individuals held in overcrowded prisons. Request status from AID report to NSC by COB Monday.
- Obtain commitment from DOJ directly and on behalf of FBI for commitment a minimum of 5 investigators; ask USUN to continue pressing UN agreement to some USG investigators and provide status report by COB Monday. ✓

ISSUE VI: Military Issues

- a) Should the U.S. seek a partial lifting of the UN arms embargo against Rwanda to enable the provision of non-lethal aid to GOR?
- b) Should the USG seek GOR agreement to destruction by GOZ of ex-FAR APCs in Zaire?
- c) Should the Administration use Presidential waiver authorities to lift legal restrictions on providing IMET to Rwanda in FY 95?

Background:

Arms Embargo: At our urging, the UNSC imposed a sweeping arms/related materiel embargo on Rwanda last May. Kagame wants the embargo lifted so the RPA may receive non-lethal equipment, including communications gear and vehicles. He argues this equipment will help stabilize the security situation and improve command and control, thereby reducing RPA indiscipline. DOD supports modifying the embargo to allow provision of non-lethal assistance (trucks, commo gear etc.). We agree with DOD that

partial lift and possible provision of non-lethal aid is fully consistent with our policy of bolstering GOR. State believes even partial lift would be a mistake, sending signal that a military solution is possible in Rwanda.

Obtaining agreement even to partial lift in UNSC would be difficult. French and UK at minimum are likely to resist.

APCs in Zaire: Intelligence indicates about a dozen of the 20 ex-FAR APCs, known to have been in GOZ custody, are missing. The presumption is they are in ex-FAR hands. The remainder are in GOZ cantonment sites. We would like to prevent ex-FAR from obtaining remaining APCs for use in counter-offensives. The UN arms embargo against Rwanda prevents return of APCs to GOR. State is resisting an alternative approach of urging GOR to ask GOZ to destroy the vehicles in place. State thinks such an approach places us in an awkward position. While we think this less than a top-priority issue, we believe we should try to prevent ex-FAR from acquiring the remaining APCs.

IMET: The FY95 Foreign Operations Act prohibits provision of IMET to GOR in FY95. The legislation was enacted in the wake of the genocide last year and was not directed at the present government. While the law does not prohibit IMET in FY96, the prohibition could be rolled over into the next FY. State has agreed to work with Congress to ensure that the prohibition is not extended.

Kagame requested IMET in December. All agencies agree we should resume IMET immediately to promote professionalism and respect for civilian authority and human rights, and we have \$50,000 still available in FY 95. The issue is under what legal authorities do we resume the program. There are two options: getting legislative relief, or; using a Presidential waiver authority (e.g. 614). Legislative relief is uncertain and would not come for months until there is an appropriate legislative vehicle, which may be too late in the FY. State is resisting using a waiver, arguing we have used such waivers too frequently in the past and risk angering Congress if we use this tool. Initial Hill consultations reveal no resistance to lifting the FY-95 IMET prohibition.

Kigali DATT: Earlier issue of whether DOD would extend tour of US DATT in Kigali has been resolved at least temporarily. Current DATT will stay six more months. We may have to revisit issue at end of that period.

Goals

-- Obtain agreement that State will begin consultations in New York and regional capitals on potential resolution lifting arms embargo partially to allow provision of non-lethal aid. ✓

-- Encourage State to approach GOR to urge that it request GOZ to destroy APCs in place. ✓

-- Instruct State to sound out key Members of Congress on how best to provide IMET to GOR in FY95. State should stress Administration's preference for using waiver due to slow pace of legislation. If no significant negative reaction, State should proceed with waiver. State should report to NSC by Feb. 17. ✓

ISSUE V: What more can/should USG do to prevent major, new outbreak of violence in Burundi?

Background:

Burundi seems to lurch from crisis to crisis, playing an increasingly dangerous game of "chicken" with ethnic warfare. While it is up to the FRODEBU and UPRONA leadership to take the tough steps needed for national reconciliation, we have undertaken a number of activities to build up the core of moderates, ease the external pressures and keep the country in the spotlight.

These actions include: enhanced assistance focused largely on national reconciliation; ensuring steady stream of visitors, most recently a UN Security Council team that leaves NY February 8; supporting a regional refugee conference in Bujumbura next week; supporting OAU and other human rights monitors; and issuing strong statements from Embassy Kigali and State. We are now considering additional steps, including a statement by POTUS to the refugee conference and a taped VOA message. W

Goals

-- Press Ad Hoc Group for ideas to expand efforts to prevent a major blow-up in Burundi. ✓

-- Urge State to prepare a public affairs strategy highlighting Administration efforts to address this potential crisis, including letter from A/S Moose to either New York Times or Washington Post. ✓

Attachments

- Tab I Agenda
- Tab II State Paper on Volcanos

