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PAGE 01 PARIS 19216 01 OF 02 131720Z  
ACTION EUR-01

INFO	LOG-00	AF-01	AID-01	AMAD-01	CIAE-00	SMEC-00	OASY-00
	DODE-00	DOEE-00	EB-01	H-01	TEDE-00	INR-00	IO-16
	JUSE-00	L-01	ADS-00	NEA-01	NSAE-00	NSCE-00	OIC-02
	OMB-01	PA-01	PM-00	PRS-01	P-01	SB-00	SCT-03
	SNP-00	SP-00	SR-00	SS-00	STR-01	TRSE-00	T-00
	USIE-00	PMB-00	PRME-01	DRL-09	G-00	/044W	

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P 131729Z JUL 94  
 FM AMEMBASSY PARIS  
 TO SECSTATE WASHDC PRIORITY 7759  
 USMISSION USUN NEW YORK PRIORITY  
 INFO AMEMBASSY THE HAGUE  
 USMISSION GENEVA  
 AMEMBASSY PRETORIA  
 AMEMBASSY ADDIS ABABA  
 AMEMBASSY DAR ES SALAAM  
 AMEMBASSY NAIROBI  
 AMEMBASSY LAGOS  
 AMEMBASSY KAMPALA  
 AMEMBASSY DAKAR  
 AMEMBASSY TUNIS

C O N F I D E N T I A L SECTION 01 OF 02 PARIS 19216

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E.O. 12356: DECL: OADR

CONFIDENTIAL

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PAGE 02 PARIS 19216 01 OF 02 131720Z  
 TAGS: PREL, PHUM, UN, RW, FR  
 SUBJECT: CONSULTATIONS WITH FRANCE ON RWANDA WAR  
 - CRIMES ISSUES

REF: STATE 184612

1. CONFIDENTIAL - ENTIRE TEXT.
2. SUMMARY: QUAI POLITICAL AFFAIRS DIRECTOR RIVASSEAU TOLD US JULY 13 THAT THE GOF IS ANXIOUS TO HAVE THE UN MOVE FORWARD AS QUICKLY AS POSSIBLE UNDER RESOLUTION

935. HE BELIEVES CONSTITUTING A WAR CRIMES TRIBUNAL ALONG THE LINES OF WHAT IS BEING DONE FOR EX-YUGOSLAVIA WOULD BE APPROPRIATE, BUT THAT A LEGAL FRAMEWORK IS NECESSARY BEFORE FRANCE OR ANY OTHER NATION ACTS AGAINST WAR CRIMINALS. THE GOF PREFERS CONSULTATIONS ON RWANDA TO BE HELD AT THE UN, BUT RIVASSEAU WAS NOT PREPARED TO COMMIT TO A BILATERAL SESSION AND WILL GET BACK TO US. END SUMMARY.

3. WE SPOKE TO THE DIRECTOR OF THE QUAI'S OFFICE OF POLITICAL AFFAIRS, FRANCOIS RIVASSEAU, AND THE HUMAN RIGHTS DESK OFFICER FOR AFRICA JULY 13 TO PRESENT REFTEL TALKING POINTS. RIVASSEAU STATED THAT THE GOF IS ALREADY GATHERING INFORMATION, SOME OF WHICH IT HAS TRANSMITTED TO THE UN. IT IS PREPARED TO SUPPLY THE REST TO ANY PROPERLY CONSTITUTED BODY AND SEEKS USG HELP IN PUSHING FOR EARLY ARRIVAL IN RWANDA OF A UN COMMISSION UNDER RES. 935.

4. RIVASSEAU AGREED THAT INTERNATIONAL PROSECUTIONS,  
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PAGE 03            PARIS 19216 01 OF 02 131720Z  
SUCH AS THOSE BEING PREPARED FOR EX-YUGOSLAVIA, WOULD BE APPROPRIATE. HE STRESSED THAT THE RWANDAN CASE WAS OF GREATER MAGNITUDE AND THE MECHANISM WOULD HAVE TO BE ADAPTED. THE GOF CURRENTLY IS REFLECTING ON THIS ASPECT. WITH REGARD TO ARRESTING AND DETAINING ACCUSED PERSONS, HE SAID, THE GOF DOES NOT HAVE MANY IDEAS. FIRST, HE POINTS OUT, FRANCE DOES NOT HAVE AUTHORITY ("MANDAT") FROM THE UN TO ACT. THE ONLY PRECEDENT IS SOMALIA, WHERE THE UN FAILED IN TRYING TO ARREST ONLY EIGHT PEOPLE. IN RWANDA, BY CONTRAST, HUNDREDS ARE INVOLVED. THE GOF IS PREPARED TO COLLABORATE FULLY IN IMPLEMENTING ANY SOLUTION BUT, HE UNDERLINED, CANNOT BE EXPECTED TO GET OUT IN FRONT OF THE UN.

5. ACCORDING TO RIVASSEAU, FRANCE CURRENTLY HAS NO AUTHORITY TO ARREST PEOPLE FOR GENOCIDE, BECAUSE THE INTERNATIONAL CONVENTION HAS NOT YET BEEN ADOPTED INTO FRENCH LAW, ALTHOUGH A DRAFT LAW NOW IS UNDER CONSIDERATION. WHAT IS REQUIRED IS A SECURITY COUNCIL RESOLUTION REQUESTING ALL COUNTRIES TO ARREST WAR CRIMINALS WITHIN THEIR JURISDICTION, AS INVOKED IN THE RECENT CASE OF A SERB ARRESTED IN GERMANY FOR WAR CRIMES COMMITTED IN EX-YUGOSLAVIA. RIVASSEAU ADDED THAT SECURITY OF FRENCH TROOPS IN RWANDA WAS NOT A

DETERRING FACTOR. THE GOF WAS PREPARED TO ACT AS SOON AS THERE WAS A JURIDICAL BASIS. HE FELT IT IMPORTANT THAT ALL COUNTRIES OF THE REGION PARTICIPATE IN THE ARREST OF WAR CRIMINALS.

6. AS TO A VENUE FOR CONSULTATIONS, RIVASSEAU DECLARED THAT FRANCE PREFERRED THE UN. HE WAS NOT PREPARED TO  
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PAGE 04 PARIS 19216 01 OF 02 131720Z  
COMMIT TO A U.S.-FRENCH BILATERAL MEETING HOWEVER, AND PROMISED TO GET BACK TO THE EMBASSY AFTER CONSULTING HIGHER AUTHORITY.

7. RIVASSEAU EMPHASIZED THAT THE GOF WILL NOT ALLOW THE SECURITY ZONE ESTABLISHED BY FRENCH TROOPS IN RWANDA TO BECOME A REFUGE FOR WAR CRIMINALS, THOUGH HE NOTED FRENCH TROOPS CURRENTLY HAVE NO AUTHORITY TO ARREST OR DETAIN SUSPECTED WAR CRIMINALS THEY MAY

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