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Current Class: CONFIDENTIAL
Current-Handling: n/a
Document Number: 1994GENEVA07233

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Channel: n/a

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ACTION DRL-09

INFO	LOG-00	AF-01	AID-01	AMAD-01	ARA-01	CIAE-00	SMEC-00
	OASY-00	DODE-00	EAP-01	EB-01	EUR-01	OIGO-01	H-01
	TEDE-00	INR-00	IO-16	LAB-01	L-01	ADS-00	NEA-01
	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01	PM-00	PRS-01
	P-01	SNP-00	SP-00	SR-00	SS-00	STR-01	TRSE-00
	T-00	USIE-00	SA-01	PMB-00	PRM-10	PRME-01	G-00

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P 181310Z AUG 94
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 2685
RWANDA COLLECTIVE PRIORITY 0041

C O N F I D E N T I A L SECTION 01 OF 02 GENEVA 07233

DEPT. FOR A/S SHATTUCK AND A/S BENNET

C.O. 12356: DECL:OADR
TAGS: PHUM, UNHRC, PREF, PREL, RW
SUBJECT: RWANDA: INITIAL MEETING WITH COMMISSION OF
EXPERTS

REF: (A) STATE 221084; (B) GENEVA 7198

1. CONFIDENTIAL - ENTIRE TEXT.
2. BEGIN SUMMARY: AMBASSADOR AND DEPUTY LEGAL ADVISER
MET WITH RWANDA COMMISSION OF EXPERTS AUGUST 18 TO
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INDICATE U.S. SUPPORT FOR THE COMMISSION'S WORK AND TO
PRESS FOR AN EARLY INTERIM REPORT AS PREDICATE FOR
SECURITY COUNCIL ACTION CREATING A RWANDA TRIBUNAL.
COMMISSION CHAIRMAN AMEGA AGREED TO CONCEPT OF INTERIM
REPORT, BUT WAS NOT SPECIFIC AS TO TIMING AND CONTENT.
HE APPRECIATED U.S. OFFERS TO LOOK FOR WAYS TO ASSIST
COMMISSION, AND WILL GET BACK TO US RAPIDLY. MISSION

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: ARCHIE M BOLSTER
DATE/CASE ID: 18 MAR 2004 200303979

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WILL MAINTAIN CLOSE CONTACT WITH COMMISSION AND CONTINUE TO PRESS FOR AN APPROPRIATE INTERIM REPORT. END SUMMARY.

3. AMBASSADOR SPIEGEL AND DEPUTY LEGAL ADVISER MATHESON (ACCOMPANIED BY POLOFF AND MISSION LEGAL ADVISER) MET AUGUST 18 WITH THE THREE MEMBERS OF THE RWANDA COMMISSION OF EXPERTS. THE COMMISSION WILL HOLD ITS FIRST FORMAL MEETING TODAY, THEREBY TRIGGERING ITS 4-MONTH MANDATE UNDER SECURITY COUNCIL RESOLUTION 935.

4. DRAWING ON TALKING POINTS IN REF (A), AMBASSADOR STRESSED THE IMPORTANCE OF THE COMMISSION AND THE NEED FOR EARLY ESTABLISHMENT OF A WAR CRIMES TRIBUNAL TO HELP STABILIZE THE SITUATION IN RWANDA.

5. AMBASSADOR URGED THE COMMISSION TO CONSIDER MAKING AN INTERIM REPORT WITHIN A MONTH AS A PREDICATE FOR SECURITY COUNCIL CONSULTATIONS AND ACTION ON A TRIBUNAL. THE FULL FOUR MONTHS ALLOCATED TO THE COMMISSION BY RES. 935 WOULD TAKE TOO LONG. HE ALSO INDICATED THAT UNITED STATES WISHED TO OFFER WHATEVER ASSISTANCE IT COULD TO SUPPORT THE COMMISSION.

6. COMMISSION CHAIRMAN ATSU-KOFFI AMEGA EXPRESSED
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APPRECIATION FOR THE MEETING AND FOR U.S. OFFERS OF ASSISTANCE. HE SAID THE TRIBUNAL FACED MATERIAL DIFFICULTIES ON SEVERAL FRONTS -- HUMAN RESOURCES, MONEY, TRANSPORTATION AND EQUIPMENT. HE RECALLED THAT THE COMMISSION'S JOB IS NOT TO ESTABLISH A TRIBUNAL, BUT TO ANALYZE THE FACTS AND TO REPORT ON THEM AND THEIR LEGAL IMPLICATIONS. THE COMMISSION WELL UNDERSTOOD THE NEED FOR RAPID WORK, BUT ITS WORK HAD TO BE DONE PROPERLY. FOUR MONTHS WAS AN APPROPRIATE TIME FOR THE COMMISSION'S PRINCIPAL REPORT.

7. HOWEVER, AMEGA SAID HE UNDERSTOOD AND AGREED THAT THE SECURITY COUNCIL SHOULD BE KEPT INFORMED OF THE COMMISSION'S WORK. HE THOUGHT THEY WOULD BE PREPARED TO PROVIDE AN INTERIM REPORT OR REPORTS FOR THE SECURITY COUNCIL. HE DID NOT, HOWEVER, COMMIT AT THIS STAGE TO TIMING OR TO MAKING A RECOMMENDATION TO CREATE A TRIBUNAL.

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8. THE AMBASSADOR UNDERScoreD THE REASONS FOR SEEKING AN INTERIM REPORT AND THE UTILITY OF SUCH A REPORT AS A PREDICATE FOR EARLY SECURITY COUNCIL CONSULTATIONS AND ACTION.

9. THE AMBASSADOR ASKED AMEGA TO CLARIFY HIS REFERENCE TO FINANCIAL RESOURCES AND ASKED GENERALLY HOW THE UNITED STATES MIGHT ASSIST THE TRIBUNAL IN TERMS OF HUMAN RESOURCES, ASSISTANCE WITH TRANSPORTATION, OR OTHERWISE. HE NOTED THAT THE UNITED STATES MIGHT BE ABLE TO OFFER THE DETAIL OF ONE OR TWO LEGAL EXPERTS TO ASSIST THE COMMISSION EITHER IN GENEVA OR IN THE FIELD. HE ADDED THAT THE US GOVERNMENT WOULD BE
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WILLING TO TALK TO OTHER GOVERNMENTS TO ENCOURAGE DETAILS OF PERSONNEL OR OTHER SUPPORT FOR THE COMMISSION IF THAT WAS DESIRED.

10. AMEGA SAID HE AND HIS COLLEAGUES WOULD ACCEPT THE OFFER OF HUMAN RESOURCES. REGARDING TRANSPORT AND FUNDING, HE NEEDED TO DISCUSS THE MATTER WITH HIS COLLEAGUES AND THE SECRETARIAT. HE UNDERTOOK TO RESPOND IN GREATER DETAIL ON THESE MATTERS DURING THE DAY.

11. THE COMMISSIONERS SAID THEY EXPECTED TO TRAVEL TO THE REGION DURING THE WEEK BEGINNING AUG. 21. IN THE

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P 181310Z AUG 94
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 2686
RWANDA COLLECTIVE PRIORITY 0042

C O N F I D E N T I A L SECTION 02 OF 02 GENEVA 07233

DEPT. FOR A/S SHATTUCK AND A/S BENNET

E.O. 12356: DECL:OADR
TAGS: PHUM, UNHRC, PREF, PREL, RW
SUBJECT: RWANDA: INITIAL MEETING WITH COMMISSION OF
EXPERTS

HALLWAY AFTER THE MEETING, THE COMMISSION STAFF SAID THE
COMMISSION PLANNED TO TRAVEL TO THE REGION ON UN
AIRCRAFT. THEY SHOULD NOT REQUIRE U.S. ASSISTANCE WITH
TRANSPORT.

12. HOWEVER, COMMISSION SECRETARY BRUNA MOLINA STRESSED.
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THE COMMISSION'S IMMEDIATE NEED FOR FAXES AND OTHER
BASIC OFFICE EQUIPMENT. (OFFICE EQUIPMENT PROCURED FOR
THE YUGOSLAV WAR CRIMES COMMISSION HAS BEEN TRANSFERRED
TO THE YUGOSLAV TRIBUNAL IN THE HAGUE.) THE AMBASSADOR
SUBSEQUENTLY CALLED GENEVA UN HEAD PETROVSKY TO URGE
THAT THE COMMISSION PROMPTLY RECEIVE THE NECESSARY
EQUIPMENT FROM UN GENEVA.

13. CONCLUDING COMMENTS: CHAIRMAN AMEGA HANDLED THE
MEETING CRISPLY AND EFFECTIVELY AND DID ALL THE TALKING,
FLANKED BY HIS YOUNG COLLEAGUES. THE COMMISSION (LIKE
THE YUGOSLAVIA WAR CRIMES COMMISSION NEARLY TWO YEARS
AGO) IS STARTING OUT MODESTLY. ITS INITIAL STAFF AND
FACILITIES ARE MINIMAL. THE COMMISSION MEMBERS SPEAK
FRENCH; POLOFF INTERPRETED TODAY'S MEETING.

14. MISSION WILL MAINTAIN CLOSE CONTACT WITH THE
COMMISSION AND TRY TO ASSIST IT HOWEVER POSSIBLE. WE
WILL ALSO CONTINUE TO PRESS FOR AN EARLY INTERIM REPORT
AS A PREDICATE FOR SECURITY COUNCIL ACTION. SPIEGEL

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