

Unaccountable 00041: Even if you are an arms dealer, BNP Paribas wants your money!

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This is the second article in a two-part series on a weapons transaction that aided and abetted the Rwandan genocide. In part one, we looked at the role of Ters Ehlers in facilitating the sale of arms to the Rwandan government, that may have been used in genocidal violence in Biseseero, Rwanda in June 1994. In this Unaccountable, we focus on the role of French bank, BNP Paribas in enabling the transaction.

In March 1973, French bank Banque Nationale de Paris (BNP) launched a provocative campaign aimed at showing the bank's single-minded focus. The campaign simply stated, "Pour parler franchement, votre argent m'intéresse"/"To speak frankly, I want your money." This attitude seems to have endured in the practices of the bank in the 20th and 21st centuries. BNP has dealt

with Latin American despots, genocidal governments, and states under international sanctions. In 2000, BNP merged with Paribas to become BNP Paribas.

In 1994, BNP was the bank of choice for the Rwandan government to make payments to various arms dealers, including former South African navy officer Willem Ters Ehlers. BNP facilitated over \$1.3 million in payments from the Rwandan government to Ehlers. This was payment for Ehlers ensuring that weapons originally destined for Somalia were instead flown to Goma in the DRC and finally on to Rwanda, where a genocide that would kill 1 million people was already underway.

The Secretary: How Middlemen and Corporations Armed the Rwandan Genocide

In June 1994, as South Africa settled into a tenuous peace in its second month as a democracy and the geno-

cide in Rwanda reached an alarming crescendo, Ters Ehlers was facilitating a secretive and circuitous arms transaction. He travelled from South Africa to the scenic Seychelles islands to buy weapons, which were sold on to a Rwandan colonel, who provided a falsified end-user certificate (EUC) from then Zaire (now Democratic Republic of the Congo, DRC).

The weapons – including AK-47s, mortars, and fragmentation grenades – travelled to Rwanda with Colonel Théoneste Bagosora on a DC-8 plane registered in Zaire. Bagosora was an official in the Rwandan ministry of defence and a leader of the Interahamwe, the extremist militia considered to be the main perpetrator of the genocide. This circuitous trip was undertaken twice, but a third trip was stopped when media and people in the Seychelles learned that the arms were supporting the ongoing genocide in Rwanda.

To pay for the arms and for the role of Ters Ehlers as middleman, Bagosora used the Rwanda central bank's account at Banque Nationale de Paris (BNP). This arms sale was in explicit contravention of United Nations (UN) sanctions on the sale of weapons to the genocidal Rwandan regime.

Banking on Genocide: How the FAR Fi- nanced Genocide

Commercial banking activity was suspended on 7 April 1994 in Rwanda when the 100 days of the genocide began. This meant that the Rwandan government used myriad money-laundering-esque tactics to pay for the arms. This started with a trip to Germany, between 28 April and 8 May 1994, by two representatives of the Banque Commerciale du Rwanda (BCR), a commercial bank in Rwanda. Ephraim Nkezabera (director of BCR) and Ezakar Bigilinka (director of BCR's foreign department) went to Germany to ensure the transfer of BCR assets held there to the Banque Nationale du Rwanda (BNR)—Rwanda's central bank—which held a bank account with Banque Nationale de Paris (BNP).

This transaction was a crucial building block for facilitating payment for arms transfers; it made it possible for genocidaire, Théoneste Bagosora to pay both Ehlers and the government of the Seychelles. Initially Bagosora had attempted to pay for the arms through Thomas Cook traveller's cheques, but this attempt was thwarted by FNB and the South African police.

On the 9th of June 1994, Al-

fred Gakuba Kalisa was arrested in a First National Bank (FNB) branch at the Carlton Centre in Johannesburg upon trying to deposit Thomas Cook traveller's cheques worth \$1,597,000. Kalisa was informed that the cheques were stolen and subsequently taken downtown to John Vorster Square police station and interrogated.

The cheques were interceded as they were on a stop list. A fax from Neal Richardson, a special investigator at Interpayment Services, indicates that the traveller's cheques were part of a batch obtained by the Banque Commerciale du Rwanda (BCR) that had been put on a stop list and therefore they were illegal. Interpayment Services was the traveller's cheque-issuing subsidiary of Barclays Bank that was acquired by Thomas Cook in 1994.

At John Vorster police station, Kalisa told the story of having arranged a meeting between Ters Ehlers and two Zairean nationals "Camille" and "Jean Jacques" who sought to purchase arms. Camille was later revealed to be an alias of Bagosora (read part 1).

It is not clear how long Alfred Kalisa was detained by the South African police after his failed attempt to deposit the Thomas Cook traveller's cheques. However, by 9 June 1994 he was able to contact Bagosora to inform him that the traveller's cheques were fake. Bagosora insisted

on the authenticity of the cheques, but because he was already in the Seychelles, he had to find another way to make the payments.

Bagosora contacted Joseph Nzirorera, the president of Rwanda's National Assembly and secretary-general of the Mouvement Révolutionnaire pour le Développement (MRND), who in turn contacted the BNR governor, Denis Ntirugirimbazi, to make the payment. It was at this point that BNR began using its BNP account to transfer money to Ehlers' Swiss bank account at Union Bancaire Privée (UBP).

The timeline of events in the Ehlers saga illustrates the lengths undertaken to layer the money to pay for the arms from the Seychelles, using BNP and UBP's facilities. The first transfer was made on 14 June 1994 and amounted to \$592,784, while the second transfer, which was made two days later on 16 June, amounted to \$734 099. The day after each payment, there were payments from Ehler's UBP account to the Seychells Central Bank in New York. These payments also correspond with the evidence of arms deliveries on 16 and 20 June 1994 from Seychelles to Goma, Zaire.

14 June 1994: \$592 784 was deposited from the BNR account at BNP (Paris) to Ehlers' Swiss UBP account.

15 June 1994: \$179 965 was

paid from Ehlers' Swiss UBP account to the Seychelles Central Bank in New York.

16 June 1994: \$734 099 was deposited from the BNR account at BNP (Paris) to Ehlers' Swiss UBP account.

17 June 1994: \$149 982,50 was paid from Ehlers' Swiss UBP account to the Seychelles Central Bank in New York.

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Accountability

On 29 June 2017, French and Rwandan civil society groups filed an official complaint against BNP Paribas on the basis of complicity in the Rwandan genocide, war crimes, and crimes against humanity. They include Sherpa, an anti-corruption group that defends victims of economic crimes; Ibuka France, an association that defends survivors of the Rwandan genocide; and the Collective of Civil Parties for Rwanda (CPCR), a group based in France that pursues claims against genocide suspects. The complaint centres on the payments made to Ehlers that facilitated the shipment of weapons.

Sherpa and the other com-

plainants have relied on gathered evidence, testimonies, and investigative reports, including the UN International Investigation Commission for Rwanda. They assert that BNP 'could not have doubted the genocidal intentions of the authorities of the country for which it allowed the transaction'.

In their complaint, the NGOs claim that *by allowing the financial transaction requested by the BNR during the Rwandan genocide, when an embargo voted by the UN resolution was in place, BNP Paribas would have participated in financing the purchase of 80 tons of weapons, which served to perpetrate the genocide. It would have thus contributed to the genocide recognized by the International Criminal Court for Rwanda.*

Sherpa also reference the testimony of Jacques Simal, an employee of the Belgian bank Banque Bruxelles Lambert (BBL), who had been posted to the Banque Commerciale du Rwanda. Simal's testimony confirms that the banking sector had a clear understanding of the crimes taking place in Rwanda, and as a result, BBL made the decision to freeze BCR accounts and reject the money transfers that BNP went on to approve.

Additionally, the director of the foreign department at BCR confirmed that BNP was the only bank that agreed to transfer assets on behalf of BNR. The complicity of BNP

in the arming of a genocidal regime is, yet again, evidence of its willingness to flout international sanctions and prioritise its own profit over the lives and human rights of individuals.

After Sherpa and the others launched their complaint against BNP Paribas, Paris' public prosecutor announced that it had opened a judicial investigation into allegations of BNP Paribas' complicity in the 1994 Rwandan genocide. The probe opened on 22 August 2017 and is led by three investigating magistrates. Sources stress that despite the opening of a full-scale inquiry, there is no implication of guilt or guarantee of a trial, but rather that the information from the complaint and initial inquiries merit further investigation.

The focus of these organisations is important: they are seeking to hold a hugely influential economic actor to account. Headquartered in Paris, BNP Paribas is the largest bank in France, the second largest bank in Europe, and the ninth largest bank in the world by total assets. BNP Paribas' total assets in 2023 were valued at €2,591 billion (about R5.3 trillion).

We have not forgotten

Banks like BNP Paribas play a pivotal role in money laundering and international arms trafficking by facil-

itating transactions that should be flagged and reported. This is especially when being used by Politically Exposed Persons (PEPs) or by countries that are active war zones on which embargoes have been placed for certain transactions. Yet cash-for-arms deals continue unabated due to banks failing to fulfil their legal requirements to flag and break the money-laundering cycles of criminals, corrupt regimes, and in this case, genocidaires.

Banks were widely complicit in the sale of arms to Rwanda's fighting factions in the civil war and genocide. According to Human Rights Watch, 'Arms dealers in Israel, the United Kingdom, South Africa, and Albania had no scruples about selling weapons to authorities who were executing a genocide'. All of these arms dealers had to be paid somehow.

BNP was not the only French bank complicit in the arms sales—so was Credit Lyonnais, which provided a bank guarantee that facilitated a \$6 million arms sale from Egypt to Rwanda. A UN commission also found that banks in Belgium (Banque Bruxelles Lambert), Italy (Banca Nazionale de Lavoro), Switzerland (Union Bancaire Privée, Geneva), and the United States (Federal Reserve Bank and Chase Manhattan Bank) handled financial transactions involved in the purchase of weapons destined for Rwanda.

We have shown how Bagosora and Ehlers attempted to place Thomas Cook traveller's cheques in the account of Alfred Kalisa, who was then instructed to pay Ehlers and the government of the Seychelles in multiple transactions. However, due to Interpayment Services correctly flagging the transaction as originating from Rwanda, the sale was temporarily halted. Arguably, the sale could have been permanently halted, had other banks been willing to follow similar protocols.

"Never again" is a phrase oft used as a lament about the horrors of war and genocides, like the Holocaust, the Bosnian Genocide and Rwanda. Yet Darfur, Palestine, the Eastern DRC and Myanmar are glaring examples of how humanity finds itself repeating death and destruction over and over again. We simply are not learn-

ing from history. But we can change that by holding all who profiteer from war crimes accountable.

The corporate enablers and profiteers of genocide are very rarely held to account. Cloaked by the shiny veneer of professionalism, bankers more so than shady middlemen often escape the notice of international prosecutors. Yet without banks like BNP Paribas being willing to facilitate money laundering for genocidaires and arms traffickers, war profiteering is impossible.

If we are never again to repeat the horrors of 1994, banks like BNP Paribas must be held to account.

We wrote to BNP Paribas's Paris office for comment on this story. Despite multiple attempts to contact them they did not reply.

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