



JIMMY CARTER

Trip report, Tunis, 3/16-19/96

During the past 30 months, 100,000 people have been killed in Burundi as violence continues between Hutu factions and the Tutsi-controlled military. The government is quite unstable, with the Hutu president having little real authority.

In Rwanda, where more than 500,000 Tutsis were victims of genocide in 1994, serious problems persist. About 65,000 prisoners have been incarcerated, with an almost totally destroyed judicial system unable to separate the guilty from the innocent. Of the 800 magistrates serving before the 1994 massacre, less than 200 survived, and some of these participated in the genocide. There are still almost 2 million Rwandan refugees in camps in Tanzania (650,000) and Zaire (1,300,000).

Cross border raids continue into both Rwanda and Burundi, mostly from Zaire, and arms are still flowing to the guerrilla forces. Large pledges of financial assistance to the region have not been honored by the donors, with almost all available funds from UN agencies being used to support refugees in the camps.

It has not been possible for either the United Nations or the Organization of African Unity to induce the regional leaders to participate in an international conference. Instead, the heads of state of Burundi, Rwanda, Tanzania, Zaire, and Uganda are willing to meet with each other only under the auspices of The Carter Center.

Because of the severity of the continuing crisis in this Great Lakes region, we have responded to appeals from these leaders and continued the effort commenced last November in Cairo, Egypt, to help them resolve some of the problems. In preparing for the Tunis conference, we sought information and advice from many sources within the UN, the OAU, the European Community and the U.S. government. Former presidents Nyerere of Tanzania and Toure' of Mali and Archbishop Tutu of South Africa have provided crucial assistance as facilitators.

Page 2

What has been done so far to honor the commitments made in Cairo and to continue efforts in the future?

For the first time, even among former antagonists, there have been a constant series of consultations with each other. In addition to visits between top political leaders, President M'Kapa has encouraged the prime minister and other top Rwandan officials to go into the Tanzanian camps to reassure the refugees about their safety. In Tunis, a similar agreement was concluded between President Mobutu and President Bizimungu. Since November, a total of 46,000 Rwandan Hutu refugees have returned to their homes from the camps in Burundi, Tanzania, and Zaire, with no reports of abuse or intimidation. They have been guaranteed priority in reclaiming their former homes and land, even when the same property is claimed by Tutsis who went into exile in 1959.

Some military equipment taken by the Hutus into Zaire in 1994 has been returned to Rwanda, and President Mobutu has pledged to continue this effort. Along the Tanzanian border, 400 armed infiltrators have been captured and detained. About 100 Hutu leaders in the camps who are intimidating other refugees against returning are identified and will soon be moved to other camps. Many of these intimidators are known to have been guilty of planning and executing the genocide. About a dozen intimidators have been arrested in the Zairian camps, and more are being identified.

In Rwanda, 300 magistrates and 200 prosecutors have been trained, a new supreme court has been established, and it is expected that trials of detainees will commence in May. A few legal experts from American universities have assisted Rwanda in this effort to reconstitute a legal system (described in a recent Newsweek article).

Despite their former relationships with the pre-1994 Hutu government in Rwanda, all heads of state have pledged to arrest and deliver for trial anyone who is indicted by the International Tribunal. All of us will use our influence to induce other governments to take similar action.

Although the mandate for UN armed forces in Rwanda expired this month, there are a large number of NGOs still active, and Rwandan officials have requested that 300 UN human rights monitors be stationed in the country to guarantee the safety of returning refugees. Burundi has approved the stationing of 50 human rights monitors.

The basic problem in Burundi is that the Hutu majority (85%) feel excluded from equal political, military, and economic authority, and the Tutsis (15%) are fearful of massive reprisals if the Hutus gain power. Although serious problems remain in Burundi, some progress has been made. About 20,000

Page 3

Hutus have returned to their homes in the suburbs of Bujumbura, from which they had been expelled. Leaders of the military and both major political parties (FRODEBU and UPRONA) in Burundi participated in our conferences, and have agreed that former president Nyerere would act as a mediator among them. One major goal will be to schedule an early national debate, the main purpose of which will be to devise a new constitution, leading to elections in 1998.

We facilitators received a mandate in Tunis to contact opposition leaders now in exile to ascertain under what conditions they will agree to achieve their legitimate goals through peaceful means.

In order to publicize our agreements and especially to reassure refugees about their safety after repatriation, the heads of state and facilitators participated in the preparation of a documentary, which will be broadcast on television and radio, especially to the refugee camps. In addition, all of us agreed to accept an invitation from CNN International to participate in a program on the Great Lakes, which will be a major focus of the CNN annual meeting in Atlanta in May. This will help us to sustain worldwide attention on this stricken area and will be an incentive for the heads of state to report good progress on their Cairo and Tunis commitments.

Following the Tunis conference, ambassadors Marion Creekmore, Vince Farley, and Gordon Streeb made personal reports to the European community, the United Nations, and the U.S. government.

Since our pilots couldn't fly all the way home without rest, we spent one night in Casablanca. The new Grand Mosque is 200 meters long and 100 meters wide, exceeded in size only by the one in Mecca. It is breathtakingly beautiful, one of the wonders of the world. We also enjoyed going to Casablanca Bar, where we heard "Sam" play "As Time Goes By" while a 100-pound Rick imitated Humphrey Bogart.

We returned home today, pleased with the results of our trip.



44 on the return to Rwanda of heavy military equipment taken into Zaire by  
45 ex-Armed Forces of Rwanda. Zaire, on February 13, 1996, returned the  
46 military equipment which it had been able to identify and possess and  
47 agreed to continue its search efforts as promised to find the other  
48 equipment and to return it as found to the Rwandan government.  
49

50 4. Cross border incursions continue, and increasingly, the perpetrators kill  
51 civilians, particularly local officials, and lay land mines as they retreat. But  
52 some significant actions have been taken. There is now greater  
53 cooperation and information sharing among governments of the region.  
54 Tanzania has rounded up and confined 400 persons known to be involved  
55 in such activities. President Mkapa stressed that refugees in Tanzania  
56 received neither arms deliveries nor military training. Because of fighting  
57 in Burundi spilling across its border, Tanzania has increased its level of  
58 troops in the area as a deterrent.  
59

60 --Additionally, the Heads of State pledge to:

61  
62 --take more rigorous efforts to shut down arms flow and military  
63 training to rebel groups engaged in cross-border incursions,  
64 including urging the UN to station monitors at airports and border  
65 points.  
66

67 --Heads of State will restrict the travel of leaders associated with  
68 cross border incursions and urge other countries to take similar  
69 action and freeze the financial assets these persons hold abroad; and  
70

71 --Heads of State will permit the Commission of Inquiry established  
72 by UN Resolution 1013 to investigate reports of military training  
73 and arms transfer to former Rwanda government forces.  
74

75 5. The Heads of State reiterated their hope that most of the refugees will  
76 return home in a relatively short period of time. They recognized,  
77 however, that many refugees would not likely repatriate in the near future  
78 because of their real or perceived association with the genocide in Rwanda.  
79 In the camps themselves, intimidation is continuing. They also note that  
80 some bureaucratic procedures pertaining to logistics and registration are  
81 playing into the hands of intimidators and endanger refugees intending to  
82 repatriate.  
83

84 --It should be noted that Zaire has arrested a few intimidators who have  
85 been removed from the refugee camps. In addition, Zaire has banned  
86 political activities of the RDR in camps.

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

121

122

123

124

125

126

127

128

129

--Tanzania and Burundi have banned RDR political activity, and has tightened security control within the camps. Tanzania has identified the key intimidators in the camps and intends to separate them from the other refugees and house them in a camp in the interior. It is seeking financial assistance to carry through these plans.

--More needs to be done to separate the intimidators, including armed factions, from the other refugees in order to enable them to make a free choice about repatriation. Conscious of the need to avoid forced repatriation, the Heads of State challenge the international community to work with them and finance a major effort that would permit this choice. This effort would consist of the following components:

--preparing the home communes to receive the refugees, including the placement in the communes of an adequate number of human rights and other monitors to ensure security;

--taking measures involving camp administration and management that will guard against cases of insecurity in the border areas.

6. The Heads of State pledged full support to the International Criminal Tribunal for Rwanda and other jurisdictions in accordance with UN security resolution 955 (1994) of November 8, 1994. They promised to turn over to these jurisdictions indicted persons located in their countries and urged all other countries to do the same. President Mkapa said that the genocide suspects located in Tanzania are under surveillance and will be picked up if indicted by the Jurisdictions. The Heads of State further affirmed that they will cooperate fully in the investigations of the competent jurisdictions. They will similarly support the work of the International Commission of Inquiry for Burundi. The Heads of State of Rwanda and Burundi pledged to guarantee the security for personnel and witnesses relevant to the work of the International Tribunal and the Commission of Inquiry.

7. The Heads of States expressed continuing concern about the use of radio broadcasts and the print media to spread hate and fear in the region. The participants pledged to take action to curtail the illegal and inflammatory radio broadcasts from one country to another, and reaffirmed their requests for assistance. President Mkapa stressed that Tanzania would not permit hostile propaganda to be broadcast into neighboring countries. President Mobutu said he had asked for assistance to locate and halt inflammatory radio broadcasts despite questions of sovereignty.

130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172

President Carter agreed to continue his discussions with experts to ascertain how and whether technical assistance can be provided to locate and prevent such broadcasts.

**Within Rwanda:**

8. President Bizimungu expressed deep concern about the slow rate of refugee repatriation. Whereas 26,000 refugees from Burundi returned to Rwanda between December 1995 and February 1996, perceived insecurity within Burundi may have motivated some to repatriate. The refugee flows from Tanzania and Zaire during the same period amounted to 2000 and 20,000, respectively. President Bizimungu attributed these small flows to intimidation in the refugee camps.

9. Consistent with the principle of justice with reconciliation and to demonstrate to the refugees its strong desire for them to return, the Government of Rwanda reaffirms its obligation to ensure the safety of returnees, protect their legal rights, and recover their property. To this end, the Rwandan Government has:

--announced a decision to establish special procedures to expedite legal proceedings for the large number of persons held on charges relating to genocide. These mechanisms, which include specialized chambers within ordinary courts, will enable the judicial system to carry out an expeditious and systematic categorization of genocide perpetrators; release those for whom adequate evidence is lacking; permit plea agreements when appropriate; and conduct early trials of those charged. It has trained personnel in arrest procedures and is appointing prosecutors to authorize all arrests.

--in recognition that many refugees fear they will be arrested when they return, agreed to activate the review mechanism (Commission de Triage) to investigate cases (subject to judicial oversight) prior to arrests. It also accepts that defendants should have the opportunity to have the advice of legal counselors. It called upon the international community, particularly African states, to provide support for a mechanism to assist those who cannot afford legal counsel. The Government of Rwanda expects its genocide trials to begin in May 1996.

--trained 300 new magistrates, 90 new prosecutors, 250 new investigators, and has prepared files on thousands of individuals now ready for trial. The Government of Rwanda expressed

173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215

appreciation to other countries who have provided technical and other assistance for this training and hopes that future assistance, particularly in the legal area, will be extended when requested.

--attached special importance to the UN High Commissioner for Human Rights in Rwanda and declared that it would welcome the strengthening of this office and the deployment of an expanded number of human rights monitors throughout the country. It is prepared to permit the number of such monitors to increase to an authorized level of 300, and called on the international community to provide the resources to finance the critical work of the human rights monitors.

--continue with programs to promote greater professionalism and discipline within the armed forces, gendarmerie, and the police force, including training in non-lethal riot control. It plans to build more barracks for the soldiers and move forward in collaboration with the World Bank to establish a commission on demobilization and reintegration and initiate its work as soon as possible. The government promotes, within the framework of demobilization, integration into the military of those members of the ex-FAR who were not involved in the genocide.

--pledged to encourage initiatives undertaken by indigenous NGOs to rebuild civil society; urged NGOs operating in camps to transfer progressively their services and personnel from countries of asylum to countries of origin; and emphasized the need for these organizations to focus more on rehabilitation and development and less on relief.

--pledged to work out quickly the modalities with international financial institutions and the donor community to permit the early allocation of existing and future pledges of assistance toward critical rehabilitation and development projects. At present only 40 percent of funds pledged have been disbursed.

--reiterated its determination to strengthen administrative procedures that ensure respect of property rights, including land, as well as enable expeditious return of properties to their legitimate owners immediately on demand. In accordance with the Arusha agreement, new sites have been identified to develop for resettling old refugees, and the Government of Rwanda requested international technical and financial assistance in preparing these

216 lands for settlement. The government will endeavor to provide  
217 special assistance for widows (including land owning rights), for  
218 orphans, and for communities that receive large numbers of  
219 returning refugees.

220  
221 --encouraged refugee repatriation by actively promoting "look and  
222 see" cross-border visits by refugees, sent senior government  
223 officials into camps in Tanzania and Burundi to explain conditions  
224 inside Rwanda and urged refugees to come home, plans to make  
225 similar visits to camps in Zaire, and is encouraging international  
226 organizations and NGOs to intensify the campaign to provide  
227 objective information to the refugee camps on events and  
228 developments inside Rwanda. President Mobutu and President  
229 Bizimungu agreed that a high level Rwandan team would visit  
230 refugee camps in Zaire very soon.

231  
232 --collaborated closely with UNHCR and the countries of Tanzania,  
233 Zaire, and Burundi in preparing for the refugee return and  
234 encouraging them to do so. Through this continuing collaboration,  
235 and with technical support and equipment, these governments and  
236 UNHCR should be able to ensure that processing and other re-entry  
237 requirements can be met with minimum delay to the returning  
238 refugees.

239  
240 --agreed to take concrete steps to encourage dialogue, social  
241 healing, and integration among all Rwandese, including those  
242 refugees who were not involved in the genocide and who seek to  
243 rebuild Rwanda. The Government of Rwanda requested the  
244 facilitators of the Great Lakes Summit to make contact with  
245 influential personalities among the refugees to encourage them to  
246 come home and to assist in promoting repatriation of other  
247 refugees.

248  
249 --demonstrating its commitment to transparency, agreed to make  
250 public a report on implementation of the recommendation of the  
251 Commission established to investigate the Kibeho incident, as well  
252 as the outcome of the Commission on Inquiry into the Kanama  
253 incident.

254  
255 **Within Burundi:**

256  
257 10. The Head of State of Burundi and his delegation emphasized their  
258 commitment to bring to an end the climate of insecurity and impunity that

259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300

has paralyzed the country. They will move with speed and determination to launch a process leading to new institutional structures agreed upon and supported by all citizens that will ensure protection of the rights of all Burundians, and their participation within the political and economic life of the nation. To that end the Head of State and his delegation:

--welcomed that former Tanzanian President Mwalimu Julius K. Nyerere accepted the mandate given to him by the international community, and endorsed by the Heads of State of the region, to assist the people of Burundi in finding means to achieve peace, stability, and reconciliation within Burundi as a basis for a lasting political settlement. This settlement must include the resolution of fundamental problems relating to the access, control, and management of power, so that either the ethnic or political minority is reassured. The Government of Burundi is committed to take concrete steps to fight exclusion, extermination and genocide which have been used by some to achieve and monopolize power. For the success of any such dialogue, there should be an end to killings within Burundi. All parties, internal and external, should take all possible steps to create the necessary environment for successful progress.

--declared that the National Debate on the major problems facing the country will be launched urgently. The debate will seek a consensus for constitutional structures as described above, which will promote peaceful coexistence among all Burundians. All parties and groups that seek these goals and renounce violence as a means to reach political ends could participate. These principles will be incorporated into the constitution.

--reported positively on the dialogue and growing collaboration among the government, different socio-political partners, and the security forces. They reaffirmed their intention and determination to continue their collaboration. The representatives of the political parties, Frodebu and Uprona, who participated in the Tunis summit, made it clear that they appreciate and support the efforts of the government to restore peace and security to the country.

--reaffirmed its commitment to repatriate the refugees and reintegrate the displaced and dispersed elements of the population, premised on reconciliation at the community level. Adequate security will be essential. International assistance will be required

301 initially for communities heavily impacted by returnees, and to  
302 promote self-sufficiency of all returnees.  
303  
304 --agreed to create the necessary conditions of security to facilitate  
305 the reintegration on campus and in hostels those students who have  
306 left them.  
307  
308 --reiterated their commitment to guarantee the security of personnel  
309 of the UN, OAU, and humanitarian agencies in order that they can  
310 fulfill their mandate, particularly concerning affected populations.  
311  
312 --reaffirmed their commitment to continue to intensify their  
313 comprehensive dialogue aimed at ensuring the security of all and  
314 restoring mutual confidence among all Burundian citizens. This  
315 debate should lead to the establishment of a National Pact of  
316 Peaceful Coexistence between the different components of the  
317 country and of a constitution adapted to universal democratic  
318 principles and to the specificities of Burundi in order to put in place  
319 the indispensable instrument for the organization of free and fair  
320 elections in 1998.  
321  
322 --declared their support for the deployment of UN Human Rights  
323 monitors based on the needs expressed by the government, stated  
324 strong hopes to see the current number substantially increased, and  
325 pledged to deploy these monitors to all sections of the country and  
326 ensure that they can safely carry out their functions.  
327  
328 --reaffirmed their determination to guarantee security for personnel  
329 and witnesses relevant to the work of the International Commission  
330 of Inquiry for Burundi.  
331  
332 --in order to begin the process by which the population will regain  
333 confidence in the security forces (as pledged in Cairo,) committed  
334 to undertake a comprehensive training program to enhance  
335 professionalism and discipline within the security forces. Such  
336 training would include how to uphold international human rights  
337 conventions while carrying out military responsibilities. The  
338 Government of Burundi also intends to redefine the respective  
339 structures and mission of the security and defense forces so that  
340 they will assume responsibility for the security of all elements of the  
341 population. The international community should be prepared to  
342 provide the necessary technical assistance.  
343

344 --once again called upon the international community in general and  
345 neighboring countries in particular to prevent armed external  
346 attacks on Burundi and to dismantle the networks of arms flow  
347 across borders.

348  
349 --condemned the ideology of exclusion and genocide and expressed  
350 a strong desire for the expeditious establishment by the countries of  
351 the region of an early warning mechanism to prevent destabilization  
352 and human rights violations, as well as dissemination of the  
353 ideology of ethnic hatred, exclusion, and genocide.

354  
355 --agreed to develop a democratic media policy, including provisions  
356 for independent and autonomous media; guarantee wider access to  
357 information to journalists on all sides; and support initiatives that  
358 promote responsibility of the media. As expressed in Cairo, they  
359 reaffirmed their deep concern over the use of radio broadcasts to  
360 spread hate and fear in the region. The participants pledged to take  
361 all possible action to terminate the illegal and inflammatory radio  
362 broadcasts from one country into another. They called upon the  
363 international community to assist by providing technology to  
364 identify and demobilize mobile transmitters.

365  
366 --pledged to guarantee neutrality and independence of the courts,  
367 and take concrete steps to improve the system of justice, including  
368 accelerating the trials of those accused of crimes against humanity;  
369 the training of lawyers, judges, and magistrates; and judicial  
370 assistance to defendants. They reiterated their request to the  
371 international community for assistance, including the use of foreign  
372 lawyers, to achieve these goals.

373  
374 --pledged their commitment to organize democratic elections in  
375 1998.

376  
377 **Appeal to the International Community:**

378  
379 To enable the governments to fulfill the commitments made above, the Heads of  
380 State call upon the international community to assist in arranging and disbursing the  
381 necessary funding to achieve them. In Rwanda and Burundi, in addition to funding for  
382 rehabilitation, resettlement, and development, international assistance will be required for  
383 improving the systems of justice, development of democratic media policy, deployment of  
384 human rights monitors, and professionalization of the security forces. Member states of  
385 the UN are requested to respond generously to the appeals from UNHCR and UNHCHR.  
386 A greater proportion of funding should go to projects within the countries of origin.

387 Funding must also be obtained in order to conduct the National Debate in Burundi, restore  
388 the environment in countries of asylum, and continue the work of the International  
389 Tribunal for Rwanda and the Commission of Inquiry for Burundi, Zaire and Tanzania  
390 require financial, and in some cases technical, assistance for their efforts to separate  
391 intimidators from bonafide refugees. The facilitators agreed to work to obtain and  
392 expedite funding for these efforts.

393

394 In recognition of the close collaboration between governments in the region and  
395 the international and regional governmental organizations and donor governments, as well  
396 as local and international NGOs, the Heads of State declared their willingness to work  
397 closely with these groups, and particularly with the UN, OAU, and World Bank, in the  
398 future. The focus of this collaboration should be the accomplishment of concrete  
399 programs and projects on the ground that will promote justice, reconciliation, peace,  
400 stability, and development.

401

402 The Heads of State requested that former Presidents Carter, Nyerere, and Toure  
403 and Archbishop Tutu continue their efforts to facilitate contact and actions by their five  
404 governments, track comprehensively the achievements made at this meeting and in Cairo,  
405 and prepare recommendations for consideration by these governments at their next  
406 meeting. General Touré, who consulted extensively in the region since the Cairo Summit,  
407 suggested the following for future consideration: greater regional collaboration and  
408 economic and security matters; cooperation among African states in the areas of health,  
409 agriculture, and education; and a mechanism to accomplish these purposes. They also  
410 accepted the invitation by CNN to arrange for participation in person or by satellite of the  
411 five Heads of State and the facilitators at the internationally broadcast CNN World Report  
412 in early May at which time they will be able to share worldwide their assessment of the  
413 situation in the Great Lakes region and the efforts being undertaken to deal with the  
414 complex, interrelated problems of the area.

415

416 The Heads of State were pleased by the frank, open, and constructive discussions  
417 that characterized the Summit. They commended The Carter Center for arranging the  
418 meeting.

419

420 The Heads of State and their delegations expressed their profound appreciation to  
421 President Ben Ali and the Tunisian people for their support and hospitality for this historic  
422 meeting.

423

424

425

426

427

428

ENVOI : CARTER CNTR;

18- 3-96 18:41; 330368 ->

#13/13

429 Signed:

430

431

432

433

Mobutu Sese Seko

Yoweri Kaguta Museveni

Pasteur Bizimungu

434

435

436

437

438

Syvestre Ntibantunganya

Benjamin William Mkapa

439

440

441

442

443

Mwalimu J. K. Nyerere (witness)

Amadou T. Toure (witness)

444

445

446

447

448

Jimmy Carter (witness)