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FM SECSTATE WASHDC
TO AMEMBASSY DAR ES SALAAM IMMEDIATE
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C O N F I D E N T I A L STATE 180972

E.O. 12356: DECL: OADR
TAGS: PREF PREL TZ BY RW UN PHUM
SUBJECT: HUMAN RIGHTS VIOLATIONS: DETENTION OF GATETE AND ASSOCIATES
REF: (A) 94 STATE 163583, (B) 94 STATE 169949,
(C) 94 USUN NEW Y 2743, (D) 94 DAR ES SALAAM 4112,
(E) 94 DAR ES SALAAM 3823

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1. THIS IS AN ACTION MESSAGE. PLEASE SEE PARAGRAPH 4 FOR ACTIONS REQUESTED.
2. THE DEPARTMENT BELIEVES THAT GATETE AND ASSOCIATED INSTIGATORS SHOULD BE DETAINED BY THE GOVERNMENT OF TANZANIA FOR INCITING THE CAMP POPULATION TO VIOLENCE, AT A MINIMUM. (THE GOVERNMENT OF TANZANIA MAY HAVE OTHER LEGAL AUTHORITIES IT COULD INVOKE, INCLUDING POSSIBLY ITS STATUS AS A PARTY TO CERTAIN INTERNATIONAL TREATIES.)
3. THE DEPARTMENT IS EXPLORING WAYS TO INSURE THAT INDIVIDUALS SUSPECTED OF DIRECTING MASS KILLINGS IN RWANDA ARE HELD ACCOUNTABLE. DELIBERATIONS ON USG SUPPORT FOR THE RECENTLY ESTABLISHED U.N. COMMISSION OF EXPERTS, AS WELL AS USG SUPPORT FOR AN INTERNATIONAL TRIBUNAL FOR RWANDA, SHOULD ONE BE ESTABLISHED, ARE PROCEEDING.
4. FOR DAR ES SALAAM: PLEASE (A) INFORM THE GOVERNMENT OF TANZANIA AT THE APPROPRIATE LEVEL OF OUR BELIEF THAT

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IT SHOULD DETAIN GATETE AND OTHER INSTIGATORS OF THE VIOLENCE; (B) URGE OTHER EMBASSIES TO MAKE THE SAME REPRESENTATION; AND (C) URGE UNHCR, IN SOLVING THE IMMEDIATE PROBLEM OF REMOVING GATETE'S DESTABILIZING INFLUENCE ON THE REFUGEES, NOT TO BE DRAWN INTO SOLUTIONS WHICH UNDERCUT EFFORTS TO HOLD THE ALLEGED INSTIGATORS ACCOUNTABLE AND WHICH COULD JEOPARDIZE THE CREDIBILITY OF THE INTERNATIONAL FRAMEWORK FOR REFUGEE PROTECTION.
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