




THE SECRETARY


**HOW MIDDLEMEN AND CORPORATIONS
ARMED THE RWANDAN GENOCIDE**


An Open Secrets Investigation

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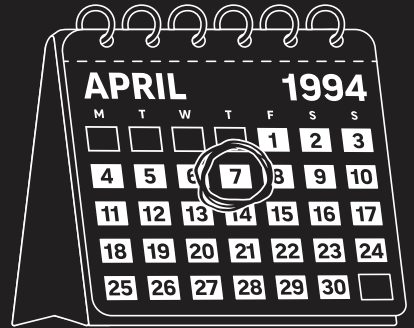
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NUMBERS AT A GLANCE:

100 DAYS

HOW LONG THE RWANDAN GENOCIDE LASTED.
FROM THE 7TH OF APRIL 1994 TO 15 JULY 1994.



THE RWANDAN CIVIL WAR LASTED
3 YEARS AND 9 MONTHS

- 2 500 AK-47S
- 6 624 MORTARS
- 8 160 GRENADES
- 551,756 PIECES OF AMMUNITION



80 TONS

WEAPONS SOLD TO RWANDA



R 1,4 BILLION

ESTIMATED CURRENT-DAY VALUE
OF WEAPONS FROM THE MALO*

*\$40 MILLION IN 1994

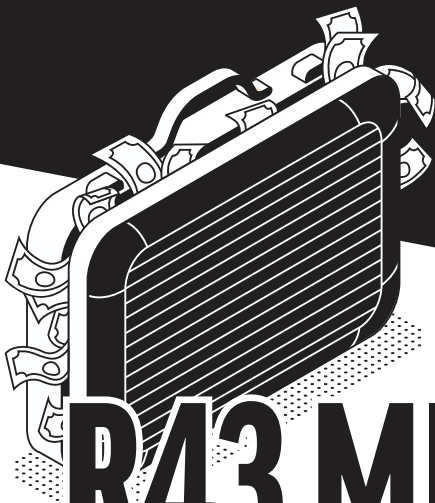
1 MILLION

CIVILIANS MURDERED IN RWANDA
DURING THE GENOCIDE*

*ESTIMATE BETWEEN 800 000 AND 1 000 000

40 000-50 000

ESTIMATED NUMBER OF
PEOPLE MURDERED
IN THE BISESERO HILLS
DURING THE GENOCIDE



R43 MILLION

APPROXIMATE
CURRENT-DAY VALUE*
THAT EHLERS POCKETED

*\$1326883 IN 1994

27 YEARS

SINCE BAGOSORA IDENTIFIED
EHLERS AS HIS SOUTH AFRICAN
CONTACT IN THE ARMS DEAL



6 YEARS

SINCE SHERPA FILED A COMPLAINT
AGAINST BNP PARIBAS FOR ITS
ROLE IN FINANCING ARMS SALES.

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KEY TERMS AND ABBREVIATIONS

AU

African Union.

BCR

Banque Commerciale du Rwanda (Commercial Bank of Rwanda).

BNP

Banque Nationale de Paris.

BNP PARIBAS

The bank created by the merger of Banque Nationale de Paris and Paribas (an international investment bank) in May 2000.

BNR

Banque Nationale du Rwanda (National Bank of Rwanda). This is Rwanda's central bank.

CIA

Central Intelligence Agency. This is the foreign intelligence agency of the United States government.

DIRCO

Department of International Relations and Cooperation. This is the foreign ministry of South Africa.

DRC

Democratic Republic of the Congo, the country formerly known as Zaire (until 1997).

EUC

End-user certificate. This is a documented contract between a country selling arms and the purchaser of the arms. It is intended to prevent munitions ending up with a third party not involved in the transaction.

FAR

Armed Forces of Rwanda. This was the name of the military of Rwanda until 1994. Following the end of the genocide and civil war, it was briefly known as the Rwandan Patriotic Army and is now known as the Rwandan Defence Force (RDF).

GMR

This was a Seychelles-based front company for the apartheid regime, named after an Italian arms dealer (Giovanni Mario Ricci).

ICTR

International Criminal Tribunal for Rwanda. This was an ad hoc court established by the United Nations Security Council to prosecute those responsible for the Rwandan genocide in 1994. The court formally closed in December 2015.

INTERAHAMWE

A Hutu extremist paramilitary organisation. The Interahamwe were the main perpetrators of the Rwandan genocide and are still active in Uganda and the Democratic Republic of the Congo today. Interahamwe means 'those who work together' or 'those who fight together' in Kinyarwanda.

■ MRND

Mouvement Républicain National pour la Démocratie et le Développement (National Republican Movement for Democracy and Development). Founded in 1975, the MRND was the ruling party in Rwanda until 1994.

■ NPA

National Prosecuting Authority. This is the agency of the South African government responsible for state prosecutions.

■ NRA

National Resistance Army. This was the armed wing of Uganda's National Resistance Movement. It was renamed the Uganda People's Defence Force in 1995.

■ OAU

Organisation of African Unity. Established in 1963, the OAU was the predecessor of the African Union.

■ PARMEHUTU

The Party of the Hutu Emancipation Movement, also known as the Mouvement Démocratique Républicain (Republican Democratic Movement)–Parmehutu (MDR–Parmehutu). Founded by Grégoire Kayibanda in 1957, this was a Hutu nationalist party, which ruled in Rwanda from 1961 until 1973 when it was dissolved following a coup by Juvénal Habyarimana.

■ RLTM

Radio Télévision Libre des Mille Collines. Propaganda radio station for the commission of the Rwandan genocide.

■ RPF

Rwandan Patriotic Front. Led by Paul Kagame, the RPF has been the ruling party in Rwanda since 1994 when it invaded Kigali, ending the Rwandan genocide and civil war, and formed a government.

■ UNITA

União Nacional para a Independência Total de Angola (National Union for the Total Independence of Angola).

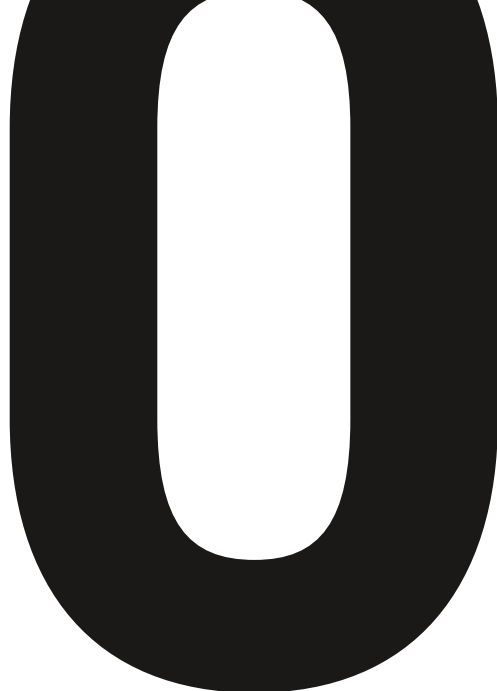
■ ZAIRE

Former name of the Democratic Republic of the Congo. The DRC was known as Zaire, officially the Republic of Zaire, from 1971 to 1997.



“If Rwanda was the genocide that happened, then South Africa was the genocide that didn’t. The contrast was marked by two defining events in the first half of 1994: just as a tidal wave of genocidal violence engulfed Rwanda, South Africa held elections marking the transition to a post-apartheid era. More than any other, these twin developments marked the end of innocence for the African intelligentsia. For if some seer had told us in the late 1980s that there would be a genocide in one of these two places, I wonder how many among us would have managed to identify correctly its location.”

~ Mahmood Mamdani ¹



INTRODUCTION

South Africa and Rwanda embarked on two disparate paths in April 1994. One country towards a democratic election, the other towards a genocide. Joy and misery; rebirth and death. Unspoken and sometimes forgotten are the ties that bind these two moments. Because while South Africa was ushering in democracy, apartheid's personnel had found new opportunities to sow misery in Rwanda in pursuit of profit. This investigative report tells the story of one such man who helped arm a genocide.

In July 1989, the South African apartheid regime's most significant political prisoner met the country's top praetorian in secret. When Nelson Mandela, as prisoner 46/664, set foot on the soft carpeted floors in PW Botha's office at Tuynhuys in Cape Town, he entered an office that would be his own in just five years.² Botha, feared and loathed in equal measure by most South Africans, was in the final months of his tenure as head of state. He and his allies in the National Party had created an imperial presidency, supported by an enormous military and political machinery designed to preserve white power.

In his autobiography, Mandela described the hour-long interaction as 'friendly and breezy until the end. It was then that I raised a serious issue. I asked Mr. Botha to unconditionally release all political prisoners, including myself. That was the only tense moment in the meeting, and Mr. Botha said that he was afraid that he could not do that.'³ This meeting did not result in Mandela's immediate unconditional release (that came eight

months later), but it was of extraordinary historic significance—signalling the beginning of an irreversible shift of power.

Only one photo exists of the meeting.⁴ It suggests a moment of levity, with Mandela and Botha facing one another in jocular conversation, surrounded by Botha's minister of justice, Kobie Coetsee; the head of the prison service, Willie Willemse; and the chief of the civilian intelligence service, Niël Barnard. As the story goes, the photo was taken in haste with a point-and-shoot camera by the one other man in the room—Willem 'Ters' Ehlers.⁵

Ters Ehlers was no ordinary photographer. As Botha's private secretary and aide-de-camp, the commodore was his confidant and belonged to the powerful and paranoid state president's inner circle. By the end of 1989, Botha was ousted from power by the conservative National Party loyalist, FW de Klerk. While Ehlers was now without a government job, he was not without power and connections. The early 1990s and the advent of democracy in 1994 would be an opportunity for him and other securocrats to monetise their proximity to the inner workings of the apartheid military establishment.

Ehlers was a man with wide-ranging illicit connections from his time in the apartheid regime. He had been stationed in France in the 1970s when Paris was Pretoria's major supplier of military hardware—it would become a nerve centre for the apartheid regime's global arms sanctions-busting network by the end of the decade. In the 1980s, Ehlers was part of a tight scrum of trusted hawks surrounding Botha who were active in the dark arts of retaining white power. Ehlers, together with the likes of Minister of Defence Magnus Malan and apartheid assassin and spy Craig Williamson, enjoyed proximity to an imperial president. By 1994, Ehlers had branched into international arms dealing for clients around the world. He specialised in securing deals for those facing sanctions and other scrutiny, and thus in need of clandestine deals under which money and arms could be moved in secret.

In June 1994, as South Africa settled into a tenuous peace in its second month as a democracy and the genocide in Rwanda reached an alarming crescendo, 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 arms travelled to their destination—Rwanda—with Colonel Théoneste Bagosora on a DC-8 plane registered in Zaire.⁶ Bagosora was an official in the Rwandan ministry of defence and a leader of the Interahamwe,⁷ the extremist militia considered to be the main perpetrator of the genocide. This circuitous trip was undertaken twice, and was unsuccessful the third time, as the media and people in the Seychelles learned that the arms were supporting the ongoing genocide in Rwanda.⁸ This arms sale was in explicit contravention of United Nations (UN) sanctions on the sale of weapons to the genocidal Rwandan regime.

THE SALE OF WEAPONS IS BUSINESS

In 2019, eNCA aired a show, *The First Citizen*, in which journalist Aldrin Sampear interviewed former African presidents including FW de Klerk, Olusegun Obasanjo, and Ellen Sirleaf Johnson. In April 2019, on the 25th anniversary of the Rwandan genocide, Sampear also spoke to former South African president Thabo Mbeki. In the course of their conversation about the events of April 1994, Mbeki, who was deputy president and the African National Congress' (ANC) head of international affairs at the time, revealed that he had received a delegation from the Rwandan Patriotic Front (RPF) at the 'beginning of 1994'.⁹ The RPF has been the ruling party in Rwanda since its invasion of Kigali and defeat of the Rwandan government in April 1994, which ended the 100 days of genocide

and a four-year civil war.

When the RPF delegates met with then Deputy President Mbeki, they informed him of arms sales from South Africa to Rwanda during the genocide.¹⁰ According to Mbeki, he asked Pik Botha, the former apartheid foreign minister and then mineral and energy affairs minister in Nelson Mandela's first cabinet, to meet with the RPF delegation, so that they could raise the matter with him. One of the RPF delegates informed Mbeki that not only did Botha confirm the sales but also showed them invoices proving the arms had been sold to the previous Rwandan government (the perpetrators of the Rwandan genocide).¹¹ According to Mbeki, Botha told him,

'The issue of [the] sale of weapons is business ... We sell to whoever is ready to buy and pay us.'¹²

This is the modus operandi of arms dealers, whether they be states like apartheid South Africa or individuals like Ehlers.

That the 'business' of arms dealing may facilitate genocide is rarely a consideration for those engaged in the business; rather, profit often beats out principle. This state of affairs is cemented by the lack of accountability that enablers like Ehlers face for their role in international crimes. Théoneste Bagosora was charged and convicted of crimes against humanity by the International Criminal Tribunal for Rwanda (ICTR) and spent the rest of his life in prison until he died in September 2021. But Ehlers has maintained his cushy life in South Africa, nestled away from the repercussions of his actions as apartheid's

secretary and arms dealer to Rwanda.

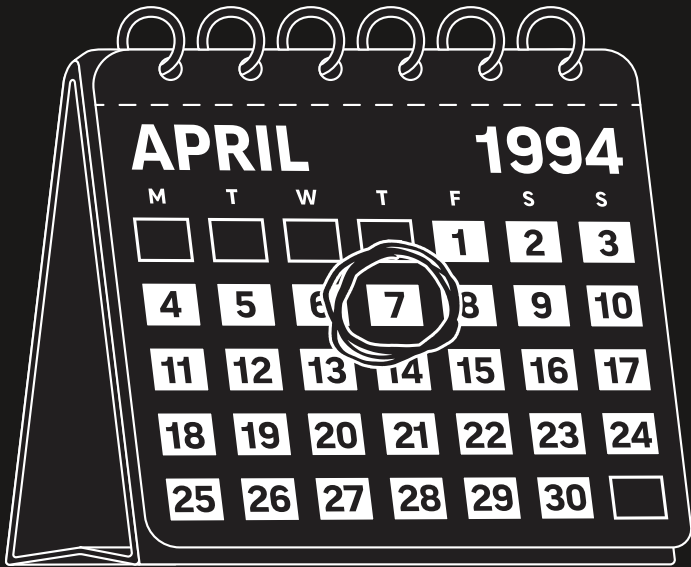
In the eNCA interview, Mbeki regretted that in April 1994, South Africa was 'very preoccupied with change ... The challenge to manage this change in South Africa became so overwhelming that for some weeks we actually did forget about Rwanda.'¹³ Those weeks have now turned into decades, but Rwandans have not forgotten—neither should South Africa and the rest of the world.

This investigative report is about the global nature of civil wars and genocide. It shows how localised genocides have far and complex origins, involving not just victims and perpetrators but also enablers and profiteers. Motivated by profit and far removed from the consequences of their actions, these actors continue to sow discord around the world. Without justice, they will continue to do so. It is our duty to hold them to account and to remember that April in Rwanda.

Using declassified records from South Africa's Department of International Relations and Cooperation (DIRCO); Central Intelligence Agency (CIA) cables and faxes; and police affidavits, witness testimonies, and other documents of the International Criminal Tribunal for Rwanda, we show that Ters Ehlers and Théoneste Bagosora facilitated and perpetuated crimes against humanity and genocide in Rwanda in June 1994—a genocide that claimed the lives of over 800,000 to one million people in just 100 days.¹⁴

“Every year in April the raining season starts. And every year, every day in April ... The haunting emptiness descends over our hearts. Every year in April, I remember how quickly life ends. Every year, I remember how lucky I should feel to be alive. Every year in April ... I remember.”

~ Augustin Muganza, protagonist in *Sometimes in April*, a film about the Rwandan genocide.¹⁵





100 DAYS IN RWANDA

On 6 April 1994, Rwandan President Juvénal Habyarimana's plane was shot down by surface-to-air missiles as it flew into Kigali. His assassination nullified the 1993 Arusha Accords, which had been signed to end the Rwandan civil war, and became the catalyst for the genocide that began on 7 April. Rwanda witnessed genocide for 100 days until 15 July when the Rwandan Patriotic Front, led by Paul Kagame, seized the capital, Kigali. Kagame is yet to loosen his grip on power: he first served as vice president and defence minister under President Pasteur Bizimungu and then became the president of Rwanda in 2000—a position he still holds.

The 100 days of massacres are widely recognised as a genocide by legal practitioners and genocide scholars based on the evidence showing that it was an attempt to destroy 'in whole, or in part'¹ the Tutsi and Twa ethnic groups. Over 100 days, between 800,000 and one million people were killed; an average of 10,000 people every day or 417 people every hour. Had the killings lasted any longer, it is hard to imagine that the Tutsi and Twa would not have been annihilated.

The genocide was the culmination of a long history of colonialism, racialisation, and ethnic violence in Rwanda. Human Rights Watch's 1999 report on the Rwandan genocide notes: 'Rwandans take history seriously.'² Our report focuses only on one aspect of the genocide, a single arms transaction facilitated by Ters Ehlers in June 1994. This chapter is, therefore, not a full account of the genocide or the history of Rwanda; rather, we

investigate the genocide in the context of the Rwandan civil war and the role of the international arms industry in arming the parties in the war and genocide.

The Kingdom of Rwanda emerged, in the 1500s, out of a number of smaller kingdoms established over a period of hundreds of years.³ Rwanda was first colonised by Germany in 1884 and then, following an invasion, by Belgium in 1916. It remained in Belgian hands until 1959. During the colonial period (1884–1959), the European colonisers (the Germans and then the Belgians) favoured the Tutsi in Rwanda as part of a divide and rule strategy because they felt the Tutsi had physical features and traits that made them slightly more ‘civilised’ and thus were closer to being European than the rest of the local Rwandan population.

When the Europeans encountered Rwandan society, they perceived the Tutsi to be elites, and because the Europeans already perceived themselves to be superior to Africans, they viewed the African elites as being closer to their idea of European-ness.⁴ In essence, the Belgian colonists used Eurocentrism to invent the Tutsi as a Hamitic (foreign colonising) race.⁵ The Tutsi were co-opted by the Belgian elite and were more likely to be integrated into the colonial administration and to be given some form of education, be it inferior to the education Europeans received. The entrenchment of class had the effect of privileging the Tutsi at the expense of the Hutu and Twa, which not only stratified these groups but also cemented the Tutsi’s role as an intermediary between Europeans and Africans.⁶

In 1935, the Belgians introduced racial classifications on identity cards, distinguishing between Hutu, Tutsi, and Twa.⁷ Eighty-four per cent of the population classified themselves as Hutu, 15 per cent as Tutsi, and one per cent as Twa.⁸ The 1950s saw a growing movement among the Hutu that called for an end to colonial rule and thus also an end to Tutsi domination. The Belgian colonial administration, perhaps realising the deeply damaging racialisation of Rwandan society, tried to walk back the racially stratified system by empowering the Hutu. This culminated in the 1959 Hutu Revolution, which was backed by the outgoing colonists and saw the ouster of the Tutsi king.⁹

In 1961, the Party of the Hutu Emancipation Movement (Parmehutu)—led by its

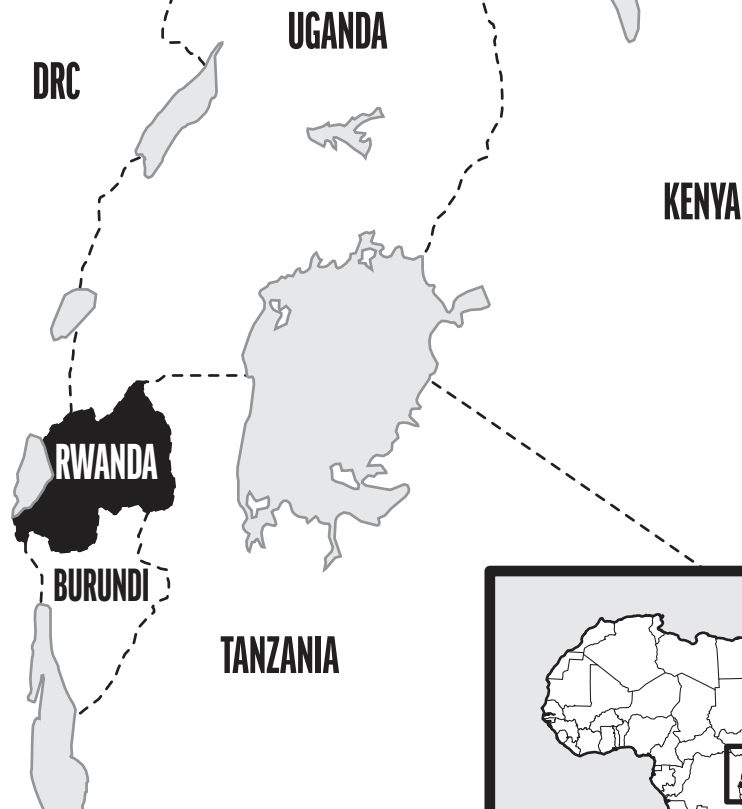
founder, Grégoire Kayibanda—took power from the Belgian administration. As its name suggests, Parmehutu was a Hutu ethnic nationalist political party, which angered and alienated many Tutsi, and as a result, the years following decolonisation were marked by ethnic violence and pogroms against the Tutsi. Between 1959 and 1964, around 20,000 Tutsi were killed and more than 300,000 fled into exile.¹⁰

Rwanda became a one-party state in 1973 and a dictatorship in 1975 under Juvénal Habyarimana and the Mouvement Républicain National pour la Démocratie et le Développement (MRND). Despite a decision to ban Parmehutu in July 1973, ethnic tension continued to simmer. By 1990, many Tutsi, including political opponents of the regime, had been exiled from Rwanda and were living in the neighbouring East and Central African states of Kenya, Tanzania, Uganda, and then Zaire (now DRC), as well as in the United States (US).¹¹

THE CIVIL WAR: A PRELUDE TO GENOCIDE

The Rwandan genocide was triggered by a civil war. In October 1990, the Rwandan Patriotic Front invaded Rwanda from neighbouring Uganda to overthrow Juvénal Habyarimana and the ruling MRND government.¹² Uganda was home to an estimated 200,000 Tutsi refugees. The Rwandan diaspora—the Banyarwanda—formed a key part of Ugandan leader Yoweri Museveni’s National Resistance Army (NRA). However, the trained fighters were still marginalised as refugees in Uganda and denied citizenship and access to land for livelihoods, limiting their full integration into Uganda society.¹³ Supported by Banyarwanda across the world and Museveni’s Uganda, the RPF invasion sought to overthrow the Habyarimana regime and pursue a form of ‘armed repatriation.’¹⁴

Long-serving French President François Mitterrand viewed the RPF attack as part of a calculated anglophone takeover of France’s political sphere of influence in Africa. A key factor influencing this view was that Museveni’s regime enjoyed the financial and military patronage of the United States. Among other things, Ugandan elite forces—notably including Paul Kagame, trained in American



institutions.¹⁵ At the beginning of the invasion, Kagame was at the US Army Command and General Staff College at Fort Leavenworth, Kansas, ‘studying field tactics and psyops, propaganda techniques to win hearts and minds.’¹⁶ He returned to lead the invading Rwandan Patriotic Army—the armed wing of the RPF.¹⁷ Also, the RPF’s arms imports were financed by the Banyarwanda in North America.¹⁸

France had long backed the Habyarimana regime financially and militarily. The French desire to maintain influence in Rwanda was also motivated by its access to Zaire’s valuable mineral resources, and the Habyarimana regime had proved to be a key ally.¹⁹ France’s support for Habyarimana was emblematic of Françafrique—a term used to describe its continued imperial relationship with former French and Belgian colonies in Africa.²⁰ This French support intensified during the civil war. The Rwandan government purchased mortars, artillery, armoured cars, and helicopters from France. Paris also deployed up

to 680 troops and military advisers to help repel the RPF.²¹ Owing to this past relationship and its complicity in the genocide (discussed in Chapter 5), France has had a strained relationship with Rwanda since 1994.

In January 1994, Human Rights Watch reported that both the government’s Armed Forces of Rwanda (FAR) and the RPF had committed human rights violations and were culpable for the deaths and displacement of civilians and the destruction of crops and property.²² In August 1993, with the conflict at a stalemate, the RPF and the Rwandan government signed the Arusha Peace Agreement, also known as the Arusha Accords, in Arusha, Tanzania.²³ The accords were brokered by the Organisation of African Unity (OAU)—the predecessor of the African Union (AU)—and Tanzania²⁴ and included commitments to a ceasefire, establishing a

transitional government, holding national democratic elections, and ensuring the promotion of national unity and reconciliation.²⁵

In October 1993, the UN Security Council adopted resolution 872 establishing the United Nations Assistance Mission for Rwanda (UNAMIR) to monitor the implementation of the Arusha Accords.²⁶ This international peacekeeping force had an authorised strength of over 2,000 troops and was composed primarily of Belgian and Bangladeshi contingents.²⁷ However, the Arusha Accords had created but a fragile peace. Of the civil war and its descent into genocide, Mahmood Mamdani writes:

The civil war profoundly changed all those who took part in it. The Rwanda[n] Patriotic Front (RPF) went into it as an army of liberation and came out of it as an army of occupation. The Habyarimana regime entered the war pledged to a policy of ethnic reconciliation and came out of it pledged to uphold Hutu Power. From a marginal tendency in the constellation of forces supporting the regime in 1990, the war turned Hutu Power into a central tendency in Hutu politics. With defeat looming on the horizon, the Hutu Power tendency differentiated even further: the genocidal tendency was born of the crisis of Hutu Power.²⁸

MISSILE STRIKE: CATALYST FOR THE GENOCIDE

On 6 April 1994, Rwandan President Juvénal Habyarimana and Burundian President Cyprien Ntaryamira were assassinated, when their plane was downed by missiles on its way back to Kigali from further peace talks in Dar es Salaam. The downing of Habyarimana's plane was the catalyst for the genocide, as Hutu militias alleged it was an attempt by the RPF to subvert the peace talks.²⁹ Blaming the RPF for the attack also helped the Rwandan army secure foreign assistance, particularly from France.³⁰

In 2012, French Judge Marc Trévedic found that Hutu extremists were culpable for the downing of the plane. However, the inquest was reopened in 2016 when Rwanda's former army chief of staff, Faustin Kayumba Nyamwasa, said he had evidence that Kagame had ordered the downing of the plane.³¹

The case was later dismissed without having reached a final conclusion. Of the dismissal, Kagame had this to say: 'I believe that the past is behind us ... Reopening a classified file is to invite problems.'³² Kagame's regime subscribes to the argument that Colonel Théoneste Bagosora—one of the subjects of our investigation—instigated and carried out Habyarimana's assassination to serve as a pretext for genocide (to which we will return in Chapter 5).

The day after the downing of the plane, on 7 April 1994, the Interahamwe³³ began attacking and killing Tutsi. Hutu Power went from rhetoric to genocide. The violence was all-encompassing and continues to have international notoriety for the macabre and intimate murders of neighbours, family members, acquaintances, and friends.³⁴ This violence was spurred on by radio stations throughout Rwanda that supported Hutu Power and used genocidal rhetoric against the Tutsi and Twa. Broadcasters told people where to go to kill Tutsi with talk of 'cutting the tall trees' or killing the 'cockroaches'.³⁵ According to Human Rights Watch, the government also distributed radio sets to local authorities to deliver these messages of hate.³⁶ This is perhaps best illustrated by the ICTR's trial and conviction of Ferdinand Nahimana, Hassan Ngeze, and Jean Bosco Barayagwiza for conspiracy to commit genocide and direct and public incitement to genocide for their role in the media in running Radio Télévision Libre des Mille Collines (RTLM) and the newspaper, Kangura.³⁷

Foreign workers, humanitarian aid workers, and journalists had established a presence in the country since the beginning of the civil war. They were well placed to raise the alarm and urge intervention by foreign governments. Those who did were ignored. In 1990, French General Jean Varret warned Paris that a 'genocide is being prepared', but was plainly ignored in favour of the pursuit of narrow national interests.³⁸ Owing to the alliance between the French and MRND governments, French troops stationed in Rwanda are said to have not only ignored warnings but also to have facilitated the genocide. They are further alleged to have aided in the escape of senior genocidaires through the French *Operation Turquoise* humanitarian zone in the south of Rwanda, near the country's border with Zaire, at the end of the genocide in July 1994.³⁹

The Rwandan genocide is notorious not just for the awful violence but also for the exodus of foreign aid workers, diplomats, journalists, and other foreign nationals from the country. At the beginning of the onslaught in April 1994, foreign governments acted only to repatriate their citizens and left Rwandans to fend for themselves. In 1999, the UN initiated an inquiry into its own role and that of the broader international community in the genocide. Accepting culpability, the report stated:

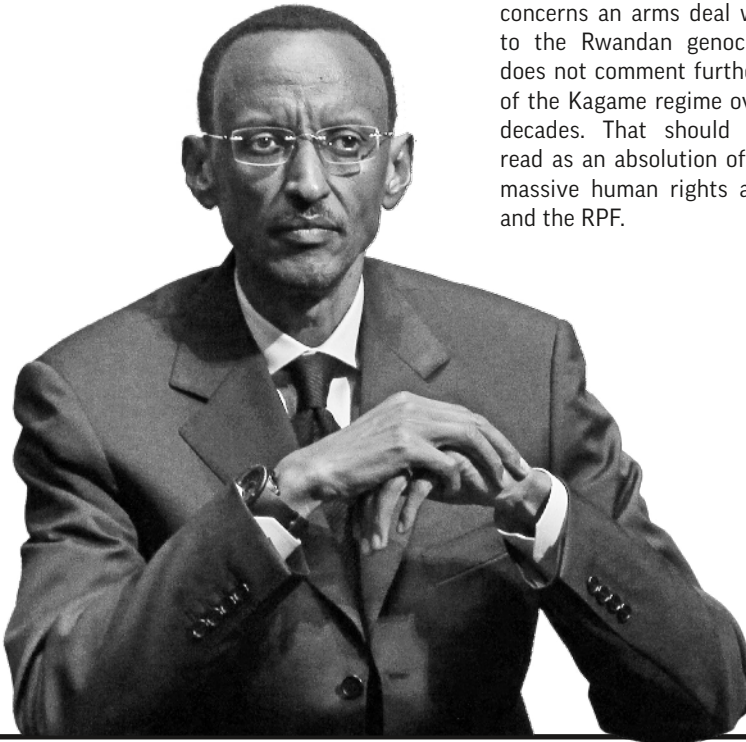
The failure by the United Nations to prevent, and subsequently, to stop the genocide in Rwanda was a failure by the United Nations system as a whole. The fundamental failure was the lack of resources and the political commitment devoted to developments in Rwanda and to the United Nations presence there⁴⁰

Not only did countries fail to respond but some also supplied weapons to Rwanda—despite all the warnings and the war. We turn to this in the next chapter.

PAUL KAGAME: LIBERATOR AND VILLIAN

President Paul Kagame and the RPF are seen as the liberators of Rwanda following the genocide. Many political elites continue to regard Kagame as a “model African leader” following his nearly three decade long grip on power. This is attributed to the relative economic prosperity of Rwanda and at a more superficial level, the oft cited cleanliness of its streets. The truth is more complex. Kagame and his security establishment have retained power by meting out brute force against domestic and foreign based critics of his regime.

This has included assassination squads sent as far afield as Johannesburg and who evidence suggests murdered some of the most senior members of his regime who had become strident critics of his power. To add to the complexity, Kagame and the RPF were not innocents in the horrific violence of 1994. They are implicated in the murder of civilians, particularly in the Eastern DRC, in the wake of the Rwandan genocide. They have also profited from the occupation of parts of the Eastern DRC, which has fueled instability, war, and human rights abuses. This investigation concerns an arms deal which contributed to the Rwandan genocide. It therefore does not comment further on the conduct of the Kagame regime over the past three decades. That should however not be read as an absolution of the complicity in massive human rights abuse by Kagame and the RPF.









3

ARMING THE CIVIL WAR, ARMING THE GENOCIDE

The Rwandan civil war was armed by a host of foreign countries, and arms were supplied to both the Rwandan Patriotic Front and the Armed Forces of Rwanda. Despite warnings of an impending genocide from as early as 1990, many countries were happy to cash in on the demand for weapons. Countries that supplied weapons to both factions in the civil war included African states (Egypt, Uganda, Zaire, and apartheid South Africa), former European colonisers (France and Belgium), and Asian states with a history of peddling weapons to the highest bidder (China and South Korea), among others.¹ Many of these weapons were later used in the commission of the genocide.

Some RPF soldiers carried weapons obtained during their time in Yoweri Museveni's National Resistance Army in Uganda. The international community at the time regarded the RPF as 'rebels' and not liberators. Training and arming them, as the Ugandan government did, was thus in contravention of the UN Charter and the rules of the OAU.² This implicated the US government as well, as it supplied arms to the Museveni regime—a US ally in the region.³ The United States was aware of the RPF's presence within Museveni's NRA, and so it would have known that some of these weapons may have gone to the RPF. The RPF is also said to have carried Kalashnikov AKM automatic rifles (commonly known as AK-47s) manufactured in Romania.⁴

Rwanda's political and economic classes were clearly preparing for an escalation of

the conflict, and many countries around the world would have been aware of this. British investigative journalist, Linda Malvern, pointed out that

‘in the three years from October 1990, Rwanda, one of the poorest countries in the world, became the third largest importer of weapons in Africa, spending an estimated \$US 112 million’.⁵

According to genocidaire Jean Kambanda,⁶ in 1993, Rwanda imported \$750,000 worth of machetes from China.⁷ In its 1994 report, Human Rights Watch notes that between January 1993 and March 1994, double the number of machetes were imported into Rwanda than in previous years. One of the primary Rwandan financiers of the genocide, Félicien Kabuga, is said to have imported 987 cartons of machetes, weighing 25,662kg, which were shipped from Mombasa, Kenya, in October 1993.⁸ Machetes were among the primary weapons used by ordinary Rwandans during the genocide, as they were often urged by radio propaganda to ‘cut the tall trees’ (a euphemism used to urge the killing of Tutsi who tend to be taller than the Hutu).⁹ Banks were widely complicit in the sale of arms to Rwanda’s fighting factions in the civil war and genocide. We will later profile the role of BNP Paribas in the South African transactions. But Paribas was not the only French bank complicit in the arms sales—Banque National de Paris (BNP) was complicit,¹⁰ as was Credit Lyonnais, which provided a bank guarantee that made a \$6 million arms sale from Egypt to Rwanda possible.¹¹ 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.¹²

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’.¹³ Correspondence obtained by Human Rights Watch shows

that UK company Mil-Tec Corporation deposited payments for arms sales to Rwanda in a National Westminster Bank account.¹⁴ Mil-Tec was operated by two Kenyans, Anup Vidyarthi and Rakeesh Gupta, and under the directorship of two British subjects, John and Trevor Donnelly; and it shipped \$5.5 million worth of ammunition and grenades to Rwanda.¹⁵ Shipping documents show that Mil-Tec used an aircraft registered in Nigeria but leased from a company in the Bahamas to make its deliveries.

The weapons used in the Rwandan civil war and then later in the genocide came from all over the world, including countries that purport to uphold human rights and peace. War crimes often involve the complicity of the international community, far removed from the violence and willing to profit from misery.

It should come as no surprise that one of these countries was apartheid South Africa. Prior to 1994, the South African apartheid regime was one of the main suppliers of arms to Rwanda, despite being subject to arms embargoes itself since 1976. The UN imposed mandatory restrictions against the sale of arms to apartheid South Africa, but the embargo on importing arms from the apartheid state was voluntary. The latter was imposed in December 1984 by UN Security Council resolution 558, which requested ‘all States to refrain from importing arms, ammunition of all types and military vehicles produced in South Africa’.¹⁶ The irony is that the willingness of states to violate the mandatory embargo left apartheid South Africa awash with imported weapons and technology to produce more; and it then became a key exporter to other violent regimes around the world.

The isolation of the apartheid state is said to have created a sort of siege mentality in

*an industry whose apartheid-era arms exports mirrored the immorality of domestic policy. Armscor, the state-owned arms exporter, was virtually given a free hand in pursuing lucrative markets that often turned out to be located where gross human rights abuses were taking place.*¹⁷

One of the myths dispelled by Open Secrets’ research in *Apartheid Guns and Money* is the idea that the apartheid state was a pariah of the world—friendless and economically

isolated. Rather, declassified archival material shows how for years apartheid South Africa and its allies—some of them permanent members of the UN Security Council—circumvented the arms embargo using a complex network to launder cash for arms and to create end-user certificates. Zaire, in particular, served as a central node for the transit of weapons bought illegally by the apartheid regime for União Nacional para a Independência Total de Angola (UNITA) in Angola.¹⁸ This relationship was also exploited for Mobutu Sese Seko's suppression of opposition in Zaire; for meetings between South African envoys and representatives of Gabon's Omar Bongo and Equatorial Guinea's Obiang Nguema Mbasogo; and to aid Hissene Habre's coup in Chad.¹⁹

According to Human Rights Watch, by 1994, South Africa was the tenth largest arms producer in the world, with approximately 800 arms and arms component manufacturers employing a workforce of 50,000.²⁰

State-owned arms company Armscor sold infantry weapons worth millions to the Rwandan government between 1980 and 1992.²¹ Between 1990 and 1993 alone, South Africa was estimated to have sold arms worth \$32 million to Rwanda.²²

With regard to the Rwandan civil war and genocide, there are two documented arms sales between South Africa and Rwanda: one in 1992 between Armscor and the Rwandan government and the other in May 1994 (which is the subject of this investigation). The weapons Armscor sold to Rwanda in 1992 were used not only in the civil war but also in the genocide.

Right: Invoices for the purchase of weapons by the Rwandan Ministry of Defence from the apartheid government.

THE 1992 ARMSCOR TRANSACTION

In 1994, the Arms Project—a joint UN and Human Rights Watch project—revealed that it had obtained documents dated 19 October 1992, which showed that South Africa had supplied Rwanda with a 'wide range of light arms, machine guns and ammunition.'²³ The project had acquired photographs and observed Rwandan government troops carrying South African R-4 automatic rifles and RPF soldiers with South African weapons they claimed to have captured from the Rwandan army.²⁴

The October 1992 sale included:

- South African-made 5.56mm R-4 automatic rifles;
- 20,000 high-explosive grenades and over 1.5 million rounds of ammunition;
- 7.62mm SS-77 machine guns;
- 12.7mm (.50 calibre) Browning machine guns and over one million rounds of ammunition;
- 70 hand-held 40mm MGL grenade launchers with 10,000 grenades;
- 100 60mm M1 mortars; and
- 10,000 M26 fragmentation grenades.

INVOICE
 REPUBLIC OF RWANDA
 MINISTRY OF NATIONAL DEFENCE
 BOX 100
 KIGALI
 RWANDA

ATTENTION: MAJ CYRILLE KATUBA

NUMBER: 147 DATE: 19/10/92

MINROD ACCOUNT NO.: 8861

YOUR REFERENCE: 811/04.1.4

TERMS: 30 DAYS AFTER RECEIPT OF INVOICE

IN CASE OF QUERY-PLEASE CONTACT:
 COLONEL RUSIN
 TEL: (012) 124 0471

ITEM	DESCRIPTION	UNIT PRICE	QUANTITY	AMOUNT USD
1	Grenade Rifle 7.62mm R4	58.12	10000	581 200.00
2	Grenade Rifle 5.56mm R4	58.12	10000	581 200.00
4	Grenade Hand 40mm M1	58.12	10000	581 200.00
6	7.62mm Vickers Linked for R477	999.00	1000000	999 000.00
7	12.7mm Browning Linked 4/1	399.00	1000000	399 000.00
8	60mm M1 Mortar	2 205.00	70	154 350.00
9	60mm M1 Mortar light	2 205.00	100	220 500.00
10	60mm M1 Mortar sps extra	1 610.00	100	161 000.00
11	Maintenance spares for R4	1 475.00	100	147 500.00
		72 241.00	1	72 241.00
SUBTOTAL			USD	3 960 861
TOTAL			USD	

REMARKS: *[Signature]* 19/10/92

SIGNATURE: *[Signature]* DATE: 19/10/92

MINROD ACCOUNT NO.: 8861

YOUR REFERENCE: 811/04.1.4

TERMS: 30 DAYS AFTER RECEIPT OF INVOICE

ITEM	DESCRIPTION	UNIT PRICE	QUANTITY	AMOUNT USD
1	Spares for R477	21 440.76	1	21 440.76
2	Maintenance spares for Mortar	18 970.00	10	189 700.00
3	12.7mm Browning ammunition	57 222.25	148900	8 509 000.00
4	5.56mm R4 Ammunition	248.00	4	992.00
5	Freight charges	55 752.00		55 752.00
SUB TOTAL			USD	8 901 091.36
TOTAL			USD	8 901 091.36

Human Rights Watch had obtained an invoice from Conrad Kuhn, an Armscor representative, to Major Cyprien Kayumba, in the Rwandan ministry of defence, dated 19 October 1992, which detailed the sale.²⁵ It indicated a total cost of \$5.9 million. This is significant in the context of Rwandan arms purchases. According to Human Rights Watch, Rwanda's arms imports between 1981 and 1988 totalled just \$5 million.²⁶

There is evidence that the arms provided by Armscor were used by soldiers of the Armed Forces of Rwanda in a massacre in Butare on 20 April 1994 (13 days into the genocide). The incident in Butare is referred to as an 'extermination' of Tutsi elites. FAR troops and militia arrived at Butare airport on 20 April and massacred prominent Tutsi—some in their homes, but many in the killing fields behind the museum in the city, in the arboretum of the university, and at a psychiatric centre.²⁷ The killing went on for three days, with the residents of Butare hearing 'frequent bursts of gunfire'.²⁸ According to an interview conducted by Human Rights Watch, a survivor in the town recalled:

I saw the deputy [Laurent] Baravuga leading three or four soldiers who were carrying South African rifles [probably R-4 rifles]. He had a list. He knew the area well and could direct them. The soldiers were Presidential Guards and they were followed by a large crowd of people. After the soldiers had finished and moved on, the crowd would move in and loot the house. I saw people streaming by carrying refrigerators, radios, anything. Nearly everyone from Cyarwa joined the crowd and they were happy to steal.²⁹

In a report on the genocide for SABC in 1994, Jacques Pauw spoke to Paul Kagame, then the general leading the RPF. They stand amid many dead bodies near a riverbank and a fallen bridge, and we are told that government forces have just been to the town. Pauw asks about the origin of the weapons of the RPF, to which Kagame responds that the weapons have been purchased with help from the Rwandan diaspora all over the world.³⁰ Pauw then quizzically states, 'I see a lot of South African weaponry?' and Kagame replies, 'You can be sure that was captured from the Rwandese government,

because they have been buying a lot of arms from South Africa.'³¹ The camera then zooms in on a very young, probably teenage 'soldier', holding a South African manufactured R-4 automatic rifle. This is one of the arms listed in Armscor's delivery in 1992.

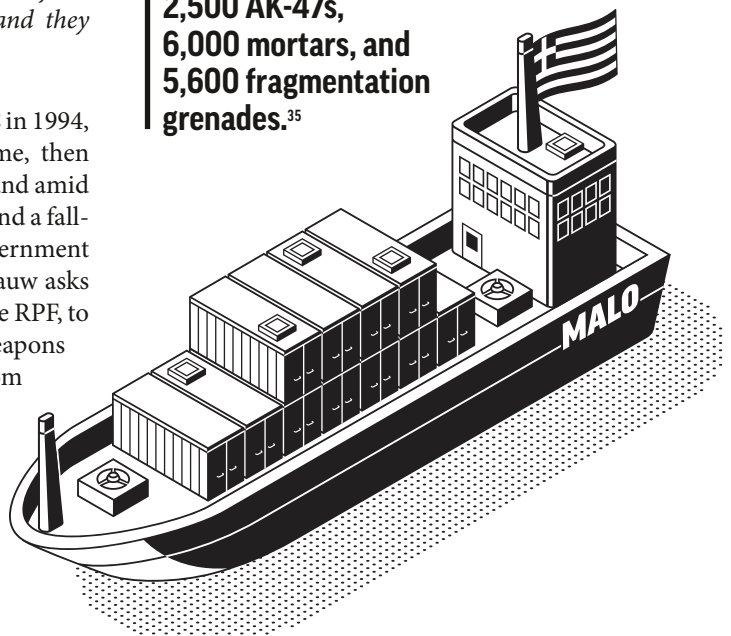
And this was not the only South African arms transaction that played a role in the 1994 Rwandan genocide.

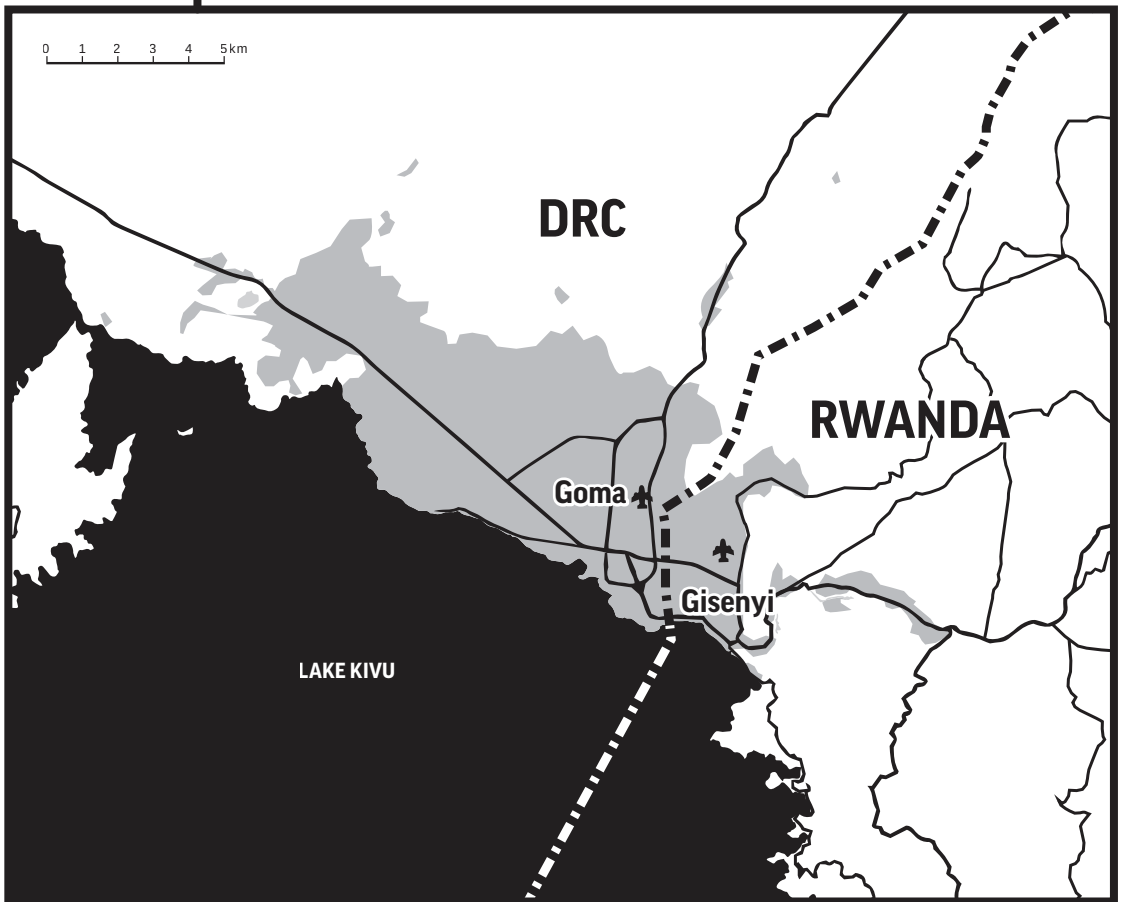
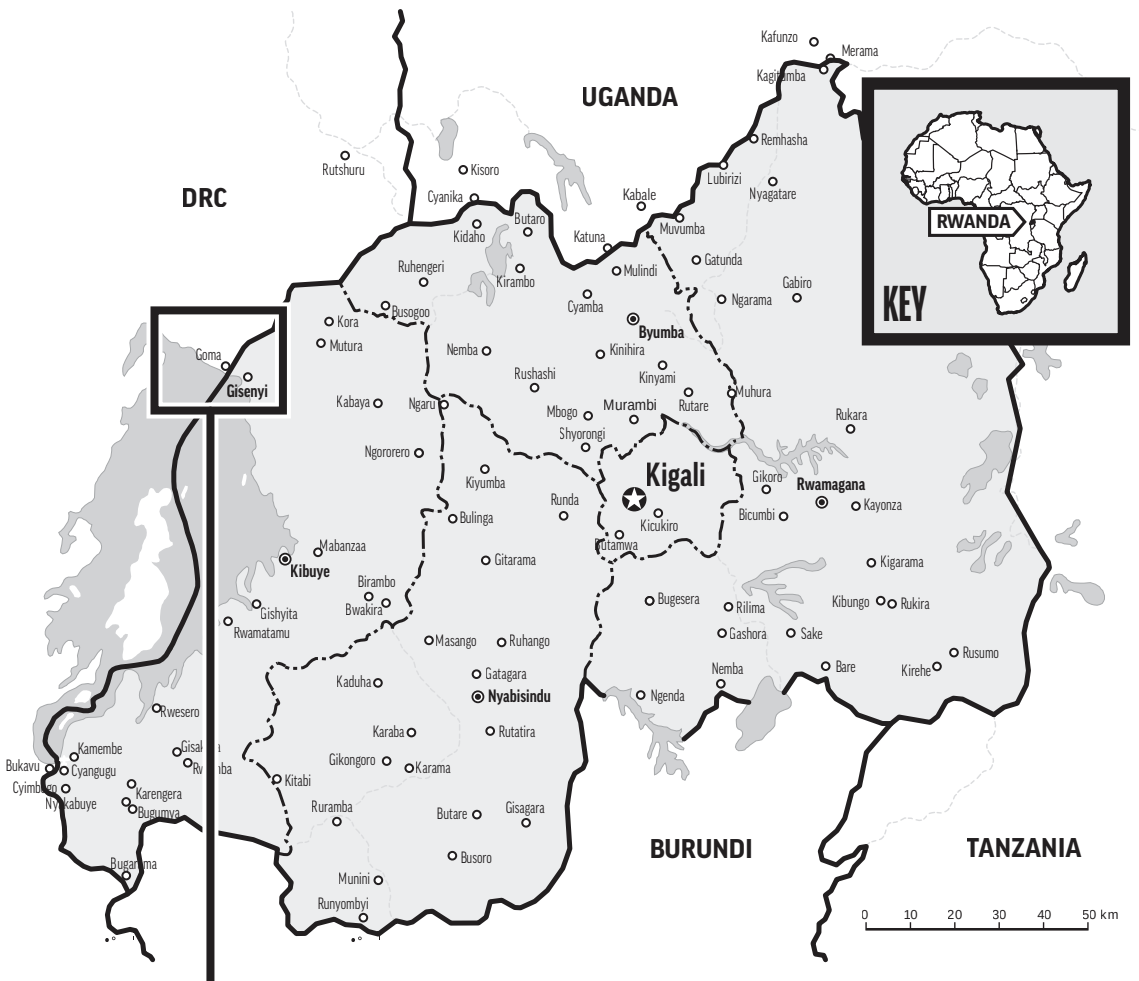
A GREEDY AND CYNICAL DEAL

In June 1994, two consignments of small arms and ammunition made their way from the Seychelles to Goma in Zaire and eventually to Gisenyi in Rwanda. The arms were transported on two separate flights between the Seychelles and Goma on 16–17 and 18–19 June 1994.³² A third consignment of arms was intercepted and stopped following news reports in the Seychelles that the final destination of the arms was Rwanda in defiance of sanctions on arms sales to that country.³³

Referred to in Seychellois newspapers as the 'Malo shipment', the arms came from a Greek ship, simply named *Malo*, which had set sail from Montenegro in the Mediterranean towards Somalia, a war zone at the time. The vessel was intercepted by Seychellois authorities in March 1993.³⁴ This was because Somalia was under a UN embargo due to the conflict there. Moreover, the origin of the weapons was Serbia, which was also under an embargo due to the conflict in the former Yugoslavia.

The weapons stockpile included 2,500 AK-47s, 6,000 mortars, and 5,600 fragmentation grenades.³⁵





Alain Butler Payette, the assistant to the Seychelles Foreign Minister, said the ship was carrying unspecified arms and munitions which, according to the ship's manifest, appear to have been loaded at Bar in Montenegro and were en route to Kismayu in southern Somalia.³⁶ There are differing reports on the confiscation of arms from the *Malo*: some say that the Seychelles coast guard caught the ship, while others say that it had engine trouble and was forced to dock in the capital, Victoria.³⁷ What remains curious is how the ship ended up in the Seychelles, given that it would have had to steer past Somalia and travel over 1,500km to the south-east into the Indian Ocean. Engine trouble might have been the cause, but a third country, such as the United States, France, or Kenya, also might have intervened to stop the transfer of weapons to Somalia—we do not know.

The Seychelles government said that they had originally planned to destroy the confiscated weapons, but claimed that they lacked the expertise to do so. Instead, they had reached out to the United States for help, but their request for assistance had been denied.³⁸ Arms trade researcher Kathi Austin describes how the Seychelles' failure to destroy the weapons, and the US refusal to assist, led the Seychellois government to put the weapons up for sale.³⁹

The arms were seized to prevent their transfer from one conflict zone to another and to prevent further loss of life in Somalia and Yugoslavia. However, as the Seychellois newspaper *Regar* noted at the time,

this move by the Seychelles to then sell the arms to Rwanda could best be described as a 'greedy and cynical deal'.⁴⁰

The deal was negotiated among senior Seychelles government officials, Rwandan Colonel Théoneste Bagosora, Zairean government officials, and a South African, Willem 'Ters' Ehlers. Ehlers is said to have accompanied Colonel Bagosora from Johannesburg to the Seychelles on 4 June 1994 to participate in these negotiations.⁴¹ According to Human Rights Watch, the government of Zaire issued an end-user certificate in respect of the arms, but on arrival in Goma, they were handed over for the use of the Rwandan government forces, which were at that time still in Gisenyi.

Both shipments of arms from the Seychelles were transported to Goma on a DC-8 plane registered in Zaire.⁴² Flight records show that two flights were made on the corresponding dates from Mahe International Airport to Goma Airport.⁴³ Once in Goma, the road from there to Gisenyi was a well-travelled hop across the border. Writing at the time, *The Guardian's* Chris McGreal described arms pouring into Rwanda, at Goma airport, as various flights carrying arms landed and unloaded crates of weapons from a host of origin countries.⁴⁴ Goma was





TO WHOM IT MAY CONCERN

I, Colonel T. BAGOSORA hereby certify that the Military Command of the Republic of Zaire has chartered aircraft QC9LV for military purposes. The said aircraft will be transporting arms and ammunitions from Seychelles to Zaire directly, and during the course of this flight, will be under full military responsibility of the Ministry of Defence of the Government of Zaire.

Signature: 
Col. T. BAGOSORA

Dated: 16th June, 1994.

DFHQ's: K0053345

SEYCHELLES PEOPLE'S DEFENCE FORCES

Telegrams: SEYDEFENCE
Telex: 2365 SPDF SZ
Fax: 24338
Telephone: 24070/24005


Defence Forces Headquarters
Republic of Seychelles
P.O. Box 363
Victoria - Mahe

18th June 1994

This is to certify that I, Col. Leopold Payet have today handed over on good order to Colonel Bagosora the following items:

- P
- | | | |
|---------------------------------|---|-----------|
| 1. 60 mm Mortar | - | 6,000 pcs |
| 2. 82 mm Mortar | - | 624 pcs |
| 3. 12.7mm HE Ammunition | - | 4,800 pcs |
| 4. 37 mm + Fuse | - | 5,440 Pcs |
| 5. 14.5 mm | - | 7,600 pcs |
| 6. Fragmentation Rifle Grenades | - | 5,600 pcs |

P


LT. COL. L. PAYET
For: S.P.D.F


COL. BAGOSORA
For: F.A.Z

DATE: 18-6-94

18 June 1994

such a prolific site for the arrival of arms at the time that aircraft used by non-governmental organisations (NGOs) and bearing NGO insignia were found to be arriving at the airport carrying both aid supplies and arms.⁴⁵ While many of these flights would have taken place prior to the embargo, they establish Goma as the key point of entry for weapons for the Armed Forces of Rwanda, especially once they were at a stone's throw away from Goma in Gisenyi—the FAR's base in the later stages of the conflict.

A Human Rights Watch interview with a member of the Zairean secret police confirmed that Zaire assisted in transporting weaponry to the FAR troops in Gisenyi in return for Rwandan government vehicles as payment.⁴⁶ Austin's research, based on interviews with Bagosora, among others, describes the Seychelles shipments being escorted to Rwanda.⁴⁷ Furthermore, the International Criminal Tribunal for Rwanda believed that the UN Commission of Inquiry report, which looked at the Seychelles arms deal, corroborated Bagosora's account of successfully bringing weapons into Rwanda in mid-June 1994.⁴⁸

ICTR documents reveal that on 18 June 1994, a Colonel Leopold Payet of the Seychelles signed the following items over to Bagosora:⁴⁹

1. 6,000 60mm mortars
2. 624 82mm mortars
3. 4,800 pieces of 12.7mm high-explosive ammunition
4. 5,440 pieces of 37mm + fuse
5. 7,600 pieces of 14.5mm
6. 5,600 fragmentation rifles

The invoice was countersigned by Bagosora using his name, indicating an awareness of the final destination of the arms. The Seychelles government confirmed that the arms were paid for via two deposits into the Central Bank of the Seychelles at the Federal Reserve Bank of New York. The two payments of \$179,965 and \$149,982.50 were both made on 17 June from the Swiss Union Bancaire Privée (UBP) bank account of Willem Tertius Ehlers. Bank records uncovered by UN investigators indicate that Ehlers himself received one transfer of \$592,784 and a second transfer of \$734,099.⁵⁰ In total, Ehlers pocketed \$1,326,883 for this cache of arms to aid a genocide. To put this into context, adjusted for inflation,⁵¹ \$1,326,883 is equivalent to

Above: Documents from the ICTR investigation confirming the transfer of weapons between the Seychelles and Goma in the DRC

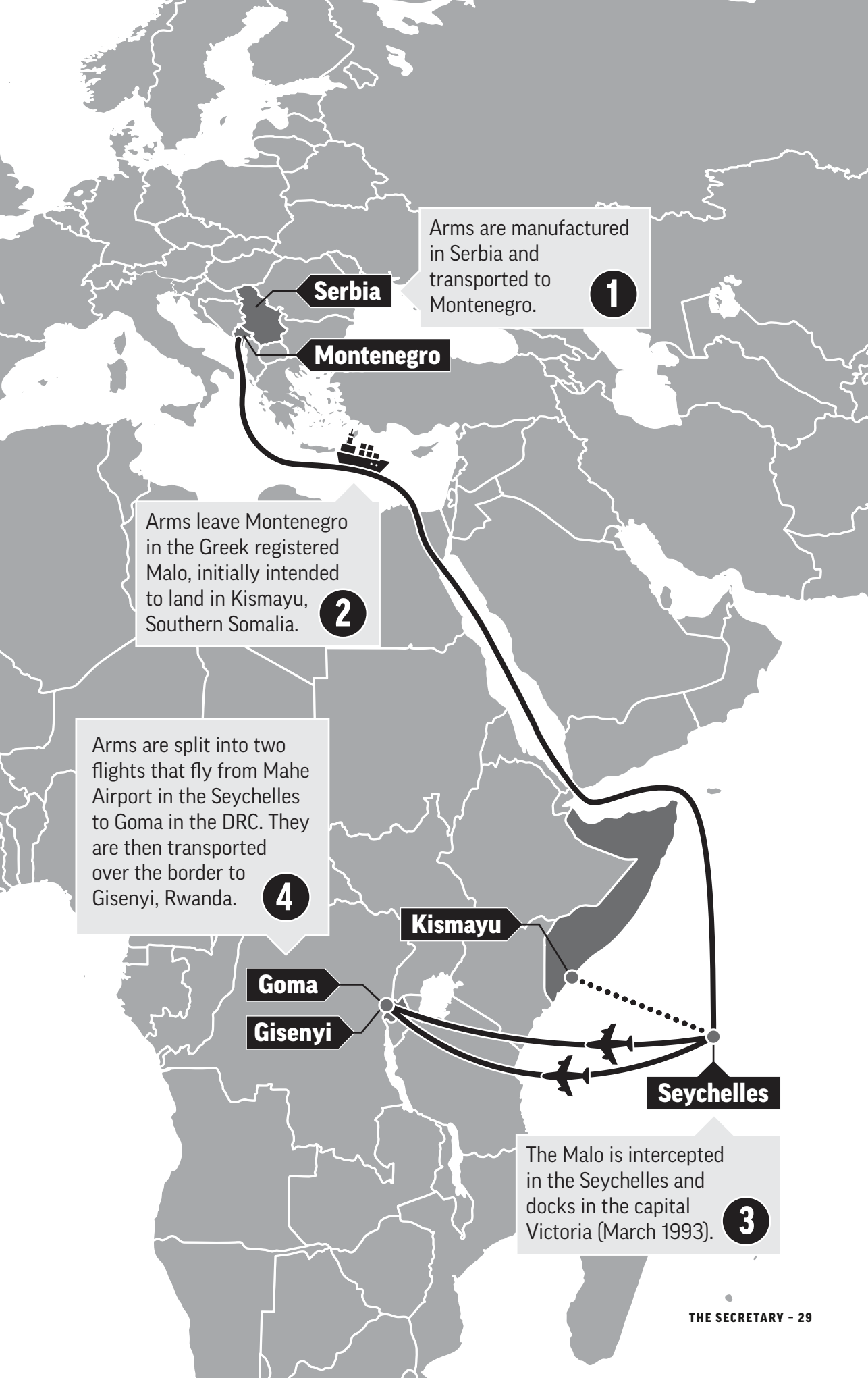
approximately \$2,617,021.55 (over R43 million) in 2022.⁵²

In November 1995, the UN's International Commission of Inquiry into Rwanda wrote to the foreign minister of a now liberated South Africa, Alfred Nzo, regarding the involvement of Ehlers in the Seychelles arms deal. Nzo responded on 20 February 1996 as follows:

*Following investigation by our authorities I am now able to furnish the following information which has come to hand ... In respect of the involvement of South African national: in connection with the sale or supply of arms and materiel to the former Rwandan Government and, in particular, Mr Willem Petrus Jacobus Ehlers, the information available indicates that Mr. Ehlers, in his private capacity, could have brokered the arms transaction in question in June 1994.*⁵³

But just who is Willem Petrus Jacobus Ehlers, the South African national at the heart of this cynical arms deal?

IN TOTAL, EHLERS POCKETED \$1,326,883 FOR THIS CACHE OF ARMS TO AID A GENOCIDE. TO PUT THIS INTO CONTEXT, ADJUSTED FOR INFLATION, \$1,326,883 IS EQUIVALENT TO APPROXIMATELY \$2,617,021.55 (OVER R43 MILLION) IN 2022.



Arms are manufactured in Serbia and transported to Montenegro. **1**

Serbia

Montenegro

Arms leave Montenegro in the Greek registered Malo, initially intended to land in Kismayu, Southern Somalia. **2**

Arms are split into two flights that fly from Mahe Airport in the Seychelles to Goma in the DRC. They are then transported over the border to Gisenyi, Rwanda. **4**

Kismayu

Goma

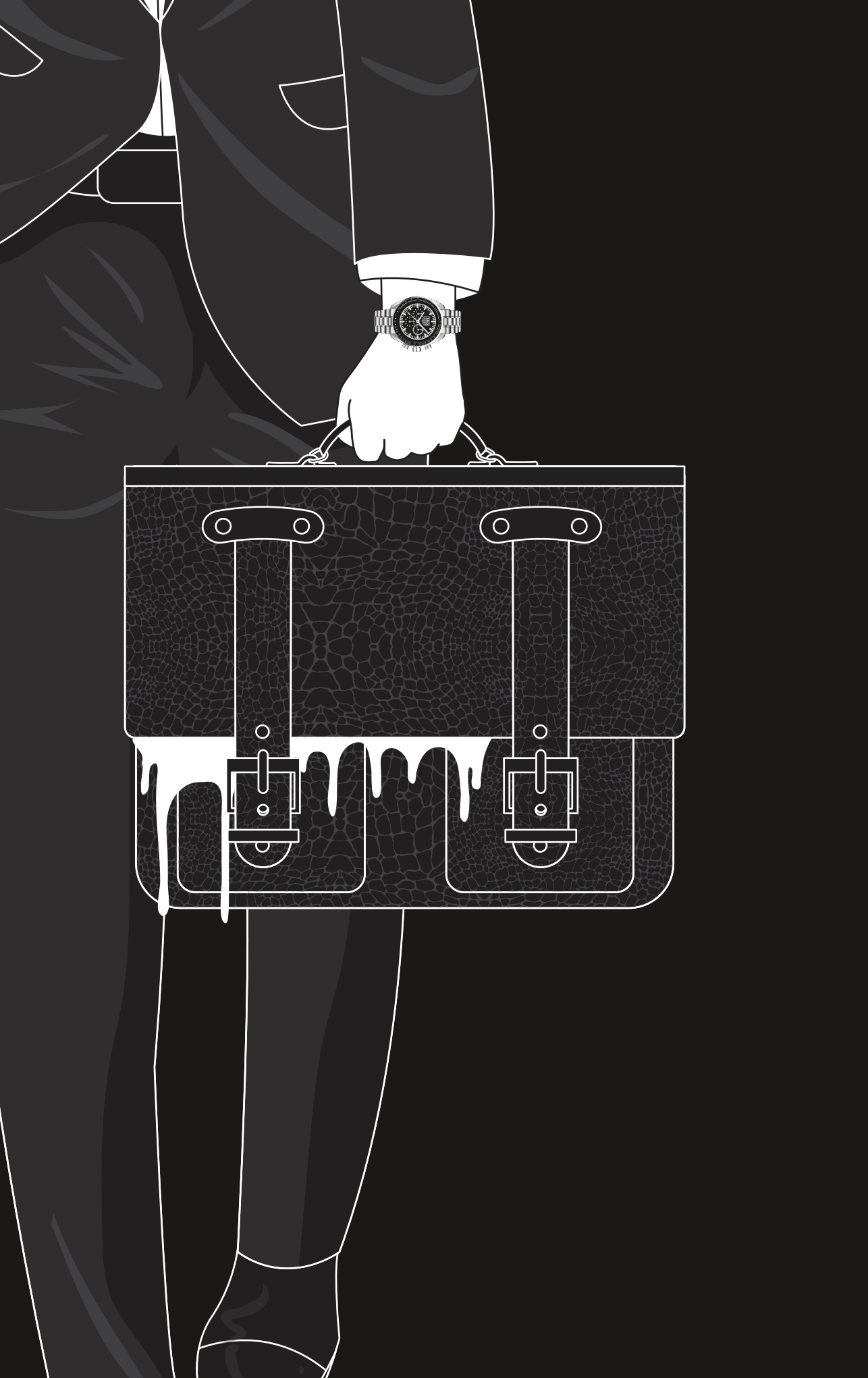
Gisenyi

Seychelles

The Malo is intercepted in the Seychelles and docks in the capital Victoria (March 1993). **3**







4

WILLEM 'TERS' EHLERS: APARTHEID'S SECRETARY AND GLOBAL ARMS DEALER

TERS EHLERS: AN OFFICER— AND A GENTLEMAN?

Today, Ters Ehlers lives in a villa in the affluent suburb of Waterkloof in Pretoria. He was born in 1948, the year which signalled the beginning of the National Party's 47 year-long grip on power in South Africa. These were golden years for regime loyalists like Ehlers and his family. By the 1980s, Ehlers held the influential position of secretary to PW Botha within the state system. His ascendancy to the inner sanctum of power in Pretoria was most likely helped along by the fact that other members of his family, including his cousin, Niël Barnard, were part of the apartheid regime's power elite. Barnard, who was Botha's chief civilian spook in the 1980s, can be seen between Nelson Mandela and Botha in the photograph taken by Ehlers at their first meeting in 1989. Barnard led the early phase of the clandestine talks between the government and the ANC leadership, in particular Mandela.

One of the few photos we have found of Ehlers was taken in the mid-1980s, in which he and two dozen other officials working in Botha's office are pictured together.¹ Commodore Ehlers—the only official in a crisp, white navy uniform—was assigned to his role as Botha's secretary by Defence Minister Magnus Malan. By the 1980's the apartheid state was not increasingly militarised, it was paranoid. Most important political policy decisions were made by the powerful and



secretive National Party Broederbond machinery. The cabinet itself was an instrument of the State Security Council which meant that securocrats would make all key decisions. The position of Secretary was therefore more than just that of imperial scribe, Ehlers occupied a position of enormous insight and influence, and it required someone Botha could trust, and who understood the workings of the military at a time that the regime was at war both at home and abroad.

Ehlers was no low-level officer—he had at one point been a contender for chief of the navy² and had reportedly received training at a French submarine base from 1970 to 1972.³ Such exchanges of personnel between the two countries ensured that enduring relations developed between some of the future top tier of military commanders. The Apartheid state understood that solidarity is about more than money, it requires political and personal connections. These French connections were important at the time as France was one of the primary suppliers of military hardware to the apartheid regime from the 1960s to the 1980s. This included much of the naval fleet. There was an intimacy that developed between South African and French military officials which extended beyond shady arms

deals, and Ehlers' time in France would have cemented his ties with officials within one of the apartheid state's most important allies.

The significance of the relationship between Paris and Pretoria was evident in the role of the South African embassy in Paris—exposed and detailed in *Open Secrets' Apartheid Guns and Money*—as Armscor's sanctions-busting headquarters in Europe.⁴ It has been suggested that Ehlers worked in the Paris embassy in the late 1970s, which would have put him at the heart of the regime's sanctions-busting enterprise.⁵

The period Ehlers spent in France overlapped with Botha's tenure as minister of defence from the late 1960s to the early 1980s when the latter oversaw both the increased militarisation of the apartheid state and the establishment of a sanctions-busting machinery to counter the UN arms embargoes.⁶

IN A PEN WITH THE BIG CROCODILE

Ehlers' selection as a secretary of PW Botha, the 'Big Crocodile', was no coincidence. The young man's military experience, exposure to state secrets, and ties to the apartheid power elite had groomed him to become part of the regime's inner circle. He would be Botha's side when he was developing strategy and consulting with foreign dignitaries.

By the 1980s, Botha increasingly centralised power around his presidency. The state security council—staffed by securocrats—gave Botha's compliant cabinet its marching orders and was central to the development of a 'total national strategy' meant to counter the 'total onslaught' of the liberation movements. The garrison state became security obsessed and military expenditure skyrocketed to over 30 per cent of government spending by the mid-1980s. This meant that the many state secrets

Top left: Ters Ehlers during our interview with him at the Intercontinental Hotel at OR Tambo.

Right: Declassified documents from the Department of Foreign Affairs

which passed across Botha's desk went, by extension, through Ehlers. This gave Ehlers access to some of the most closely guarded secrets of the state—the development of the South African nuclear weapons programme, clandestine offers of weapons from across the globe, and the booming arms trade with countries such as France, China, Israel, West Germany, and many others. It provided an excellent perch from which to develop contacts in intelligence agencies across the world and meet senior dignitaries, including from several African states, such as Zaire, that enjoyed a close, clandestine relationship with the apartheid regime, and Botha personally.⁷

Open Secrets accessed documents in the archives of the South African Department of International Relations and Cooperation that give insight into the type of information Ehlers handled at the time. They show correspondence from a South Africa-based arms trader, R Malek, to the South African foreign minister, offering to facilitate a top-secret arms deal with Iran in 1984. Malek indicated in his correspondence that he had been advised to contact Foreign Affairs by Ters Ehlers.⁸ It is unclear if the deal was successful, but it passed through a chain of command involving numerous officials who indicated that the transaction might not be advisable as South Africa was a major provider of hardware to Iraq, which was engaged in a bloody and protracted war with Iran at the time.⁹ Other documents show that South Africa ultimately supplied both sides of that conflict.

Apartheid spy Craig Williamson, who in the later apartheid years ran a clandestine arms and oil sanctions-busting operation called Giovanni Mario Ricci (GMR), described the thrill that their access to power gave him and men like Ehlers:

We did it because it was fun. It was great to be in the know. People who read the newspaper don't have a clue what is really going on. Government then was run like a military operation and required military discipline. We would caucus in [Defence Minister] Magnus Malan's office together with Ters Ehlers. There were no debates even in the NP party caucus about directives. The caucus was told, 'this is policy'.¹⁰

EHLERS GOES PRIVATE

In late 1989, Ters Ehlers lost his position. PW Botha was ousted as leader of his beloved National Party, and within months, his cabinet was successful in evicting the ailing Botha, who had suffered multiple strokes, from the presidency too.

The 42-year-old Ehlers left his offices at the Union Buildings in Pretoria carrying a little black book that was second to none. His decade as *handlanger* or assistant to Botha had set him up for life. He, like many securocrats, would leave government to privatise his services. Ehlers packed up his navy uniform and set up shop as a fixer and middleman in the dangerous and dirty world of highly lucrative arms deals. Ehlers became part of what Human Rights Watch, in a report published in 2000, described as South Africa's 'old-boy network' spanning national defence and private business and drawing on experience gained dodging apartheid arms embargoes. This network would go on to run the arms trade in Africa and globally, which included dealing with some of the world's worst human rights offenders.

Ehlers reportedly developed close ties with several senior African politicians and leaders.¹¹ According to *The Independent*, Ehlers worked in conjunction with former members of South African military intelligence and the South African National Defence Force (SANDF), calling on contacts that lingered within these structures.¹²

NEXT STOP: SEYCHELLES AND GMR

In 1990, Ehlers made a seamless transition from the security state to one of its most curious, secret front companies—the Seychelles-based GMR. Named after Italian Giovanni Mario Ricci, GMR was a sanctions-busting front for the apartheid regime from the mid-1980s to the early 1990s.¹³ Ehlers was tasked with taking over the reins of GMR from Craig Williamson, who he knew well from his days in Botha's presidency.¹⁴ This relationship with GMR is important for our understanding of Ehlers' role in the arms sales to Rwanda during the genocide as those weapons transited through the Seychelles in 1994.

GMR was originally established by Giovanni Mario Ricci, an Italian businessman who settled in the Seychelles in the mid-1970s, having lived and done business in Mexico, Haiti, and Somalia. Ricci had fled Italy following a conviction for fraud in 1958 and had later been in Switzerland for possessing counterfeit money—both of which he subsequently had expunged from his record.¹⁵

Ricci became a friend and financial adviser to Seychellois President France-Albert Rene, as well as a financier of the Seychelles' only political party, the Seychelles People's United Party, and the government itself. In 1978, Ricci was granted extraordinary power: the sole rights to incorporate and administer offshore companies in the Seychelles, through a new entity called the Seychelles Trust Company.¹⁶ It started as a joint venture with the Seychelles government but was fully privatised by 1981—making it the first private offshore registration company in the world.¹⁷ Ricci also received diplomatic status in the Seychelles, apparently on the mistaken assumption by Seychellois officials that he was a representative of the Vatican. His status was as emissary of an entity called the Sovereign Order of the Coptic Catholic Knights of Malta, which, though bearing a resemblance to a Knights of Malta order of the Vatican, turned out to be a commercial company registered in New York.¹⁸ Ricci was a schemer and the kind of man that white nationalists like to keep close, even if offshore.

With this access and power in the Seychelles, Ricci became a natural go-between for foreigners wishing to cultivate influence or financial interests with the Seychellois political elite. As Stephen Ellis, a historian and an expert on organised crime and deep state networks, writes, 'Although having no official government position, [Ricci] was diplomat, unofficial head of security, businessman and financial adviser to President Rene all rolled into one.'¹⁹

Ricci appears to have become an especially important intermediary for South Africa following its failed coup attempt in the Seychelles in 1981 that aimed to replace President Rene.²⁰ Ricci partnered with Craig Williamson, and in 1986, established a company called GMR (Ricci's initials). Williamson became managing director of GMR South Africa. GMR's primary purpose was to soften the blow of disinvestment from apartheid

South Africa. Williamson and Ricci claimed that it was set up to break the capital boycott and trade sanctions against South Africa, by bringing in foreign capital from an array of foreign businesses into the country and facilitating the movement of boycotted goods through the Seychelles.

Williamson is on record as having said that GMR was used to 'avoid any inhibiting laws' preventing the import of goods to South Africa.²¹

While little is known about the exact nature of Ehlers' business transactions when he took over from Williamson at GMR in 1990, it is likely that it was more of the same—but with a focus on the clandestine sale of weapons. Although Nelson Mandela and other political prisoners were free, South Africa was only liberated following democratic elections in April 1994, and so the international arms embargo was still in place. This meant that trusted clandestine operations, such as GMR, benefitted the apartheid state. In 1991, South Africa's Minister of Defence Magnus Malan (Ehlers' former boss) and Minister of Foreign Affairs Pik Botha visited the Seychelles on separate occasions, indicating the importance of the island state to the apartheid regime.²²

Ehlers is said to have left GMR in 1994, but the company continued to play a role in illicit arms trade after the transition to democracy in South Africa. It facilitated a 1996 arms deal with forces in Burundi during that country's near-concurrent genocide with neighbouring Rwanda. In one documented incident, an unidentified South African employee of the GMR group of companies offered a consignment of weapons, including assault rifles, anti-tank mines, and grenades of Somali origin, to the Burundian government, and then, shortly after the imposition of an arms embargo against Burundi, sold it to the rebels.²³ Human Rights Watch reported that although there was no evidence that South African government officials were directly involved in the supply of arms to Burundi, there were serious concerns that they may have implicitly allowed private individuals to go ahead.²⁴

Ehlers also facilitated dubious private arms deals outside of GMR. For example, Ehlers is connected with Dr Jan Lourens, who had for

years worked on one of apartheid chemist Dr Wouter Basson's chemical and biological warfare projects.²⁵ Basson, whose activities have been linked to numerous atrocities in Namibia, is often referred to as 'Dr Death'. Lourens had helped develop, among other things, a screwdriver that dispensed poison as it stabbed, umbrellas and walking sticks that fired poisoned micro-balls or darts, and a signet ring with a hidden poison compartment.²⁶ Not long after Lourens' resignation in March 1993 (as a result not of ethical qualms, but largely due to suspicions that his wife was having an affair with Basson), he was approached by Ehlers who introduced him to a person from Syria who hoped to purchase documentation or expertise on chemical and biological weapons for the Syrian army.²⁷ The deal apparently fell through, but Ehlers' pattern of monetising skills and connections gained from his time at the heart of the apartheid state was established.

According to press reports at the time, Ehlers served as chief of GMR until 1992,²⁸ and by July 1994, the company confirmed that he had left its services.²⁹ However, by then Ehlers had transitioned fully into being an international arms trader, and his networks in the Seychelles and around the world would come in handy. One transaction facilitated by Ehlers through the Seychelles was for weapons that were used in the Rwandan genocide.

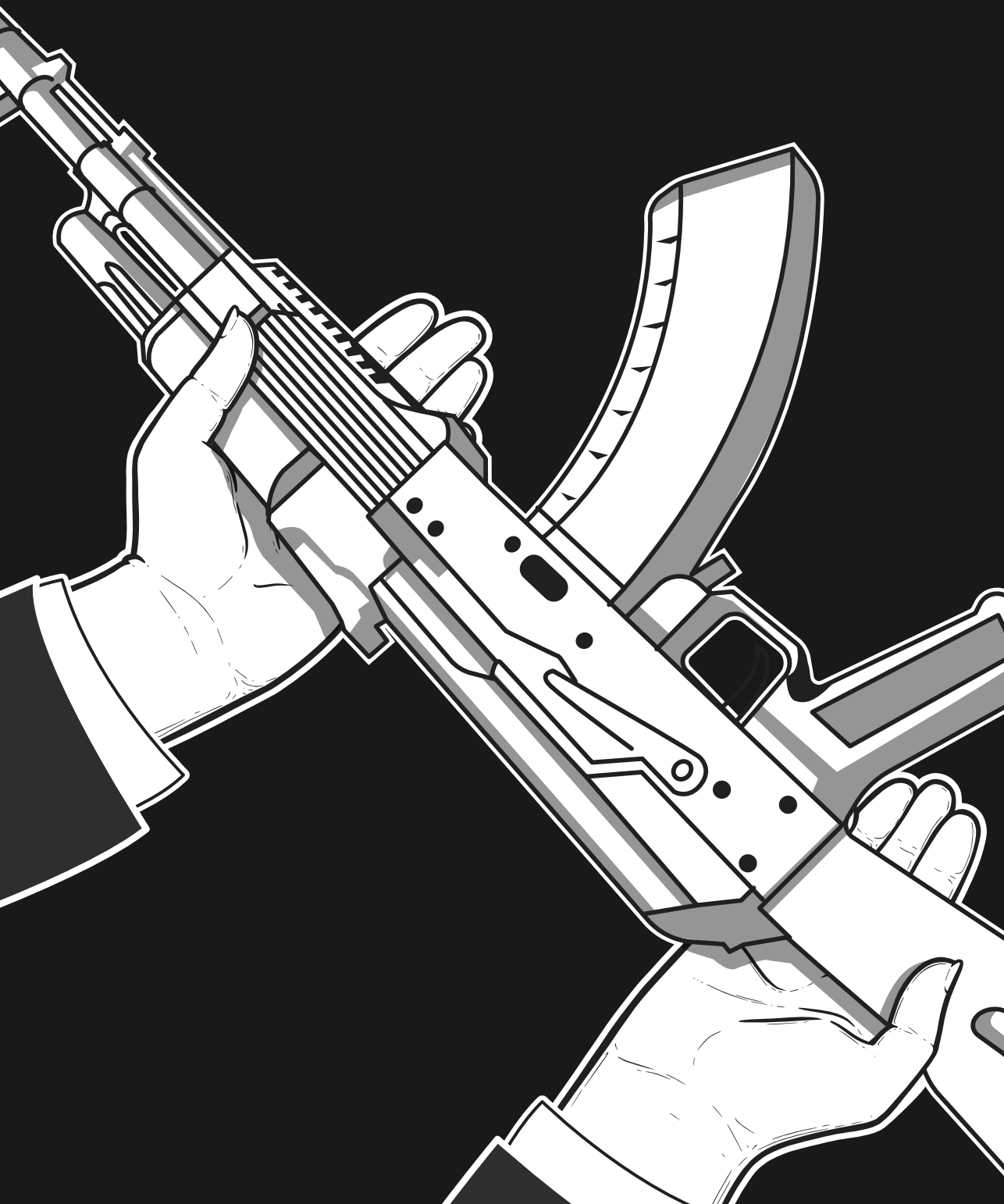
Right: An image of PW Botha's presidential staff taken in 1985. PW Botha seated centre of the front row. Ters Ehlers in naval uniform is second from right in the back row.













EHLERS ARMS THE RWANDAN GENOCIDE

On 17 May 1994—41 days after the genocide began and just under a month after the massacre at Butare—the UN Security Council adopted resolution 918 imposing a mandatory arms embargo on the sale or supply of arms to Rwanda.¹ The resolution clearly stated:

All States shall prevent the sale or supply to Rwanda by their nationals or from their territories or using their flag vessels or aircraft of arms and related matériel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts.²

Resolution 918 noted not only the widespread killing of civilians but also the ‘killing of members of an ethnic group with the intention of destroying such a group, in whole or in part’³—the standard definition of genocide. The UN Security Council further established a sanctions committee to monitor implementation of the embargo. Despite this, several countries continued to sell weapons to Rwanda during the genocide. This included South Africa and France, a permanent member of the Security Council. The sanctions were partially lifted in September 1996, two years after the genocide.

The main weaponry of the genocidaires (in both the army and the Interahamwe)⁴ included machetes and small arms, in particular rifles. While civilians mainly used machetes and makeshift weaponry in the genocide, army personnel favoured the use

Full Name: ALFRED GAKUBA KALISA
Residential Address: 3 EDWARD RUBENSTEIN, SANDTON
Business Address: KWNZA TRADING AND FINANCING CC,
703 CARLTON CENTRE, JOHANNESBURG
Telephone Number: 783 - 9547 (HOME)
331 - 2047 (BUSINESS)
Passport Number: UNITED STATES PASSPORT ISSUED NEW YORK,
NUMBER 110322863

Make Oath and state the following:

I am ALFRED GAKUBA KALISA my company is KWNZA TRADING AND FINANCING CC at the offices in 703 CARLTON CENTRE, JOHANNESBURG.

SUBJECT: THOMAS COOK MASTERCARD AND VISA TRAVELLERS CHEQUES
TOTALLING USD 597 850 CONFISCATED BY SOUTH AFRICAN POLICE

A Mr Camille, who works for the Ministry of Defence for Zaire, in the Presidents Office, i.e., Sesako Mobutu he travels on a diplomatic passport. A Jean Jacques works for Camille.

Four weeks ago I received a phone call from Camille asking whether I can help with a contact at Armscor, I told him that I was not in that type of business, but a very good friend namely Commodore Ehlers who is in the armament business.

I subsequently arranged a meeting between Camille and Commodore Ehlers in Johannesburg, present at the meeting was myself and Jean Jacques. It is at that meeting that Commodore Ehlers told them that Zaire is prohibited from buying arms from Armscor. However, they could buy from stocks available in the Seychelles, which belong to the government of the Seychelles.

At that meeting it was agreed that:

1. The arms were for the Republic of Zaire.
2. That the Zairian party Camille will produce end user certificate of Defence for Zaire before the government of the Seychelles release
3. For the arms to be released Mr Camille should hand over the travellers cheques, obviously not stolen or fake to myself, who w. Ehlers who by this time will be in the Seychelles, that the money/ resident account at First National Bank, Carlton Centre Branch Commodore Ehlers will then advise me where to transfer funds.
4. Subsequently there was a meeting on the Saturday, 28 May Jacques, Commodore Ehlers and a man who was referred to as V Republic of Zaire. The meeting took place at an estate in Sand Camilles brother. I was not at this meeting, the reason being Ca only act as financial advisor to Commodore Ehlers and since I h were going to discuss the security and safety of the transactions.

Received From : 32 2 645777

This spread: Documents from the Belgian government's investigation into the Malo arms sale. This includes an affidavit by Alfred Kalisa.

ANN 9
K0077185

When I got to the room "the so-called Minister" name unknown but answered the phone as introduced himself as Joseph. The Minister and Jean Jacques were counting the travellers cheques this stage because of shortage of time they counted for me an amount of USD 596 960.

We only received the serial numbers given to me as evidence, for instance I received two seal packages each containing USD 125 000 (Visa cheques) total USD 250 000. Then at about 10 am proceeded to the Carlton Centre at my office I put USD 300 000 into my briefcase and secured the remainder in my safe. I then went downstairs to my bank First National, Foreign Exchange Department, where I called one of the managers Mr Bertie Burger, who is known to me and who knew about my Tuesday enquiry about these travellers cheques.

We went into cubicle one for the counting of the travellers cheques and also told him that I must transfer out of this amount USD 180 000 to the account of Central Bank of the Seychelles at the Federal Reserve Bank of New York, to this effect I filled out and signed a transfer form, because of the quantities involved and the 15:00 hrs the bank deadline for value of a transaction I was only able to sign for USD 200 000 sufficient to enable the bank to effect the transfer the following day for the credit of Central Bank of the Seychelles an essential condition for the government of the Seychelles to release the arms.

Due to the fact that I had still USD 100 000 in my briefcase I went upstairs to my office to obtain the key to the safety deposit that I maintain at the branch of FNB, so that I could secure the balance of the travellers cheques until the return of Commodore Ehlers on Saturday, 11 June 1994, who also agreed for security purposes to store the travellers cheques or part thereof at his home in Pretoria since he has a strongroom there.

When I got back to the bank from my office Mr Bertie Burger took me to the office of Mr P van Niekerk, Manager, Resources. It was at this time that I was introduced to Sgt Dennis Brunette of the SAP Commercial Branch, who informed me that the travellers cheques that I had in my possession were stolen. I was taken to John Vorster Square for further interrogation, during which I volunteered the fact to Major Kruger that I had more travellers cheques at my office and that I would like to hand them over. We went to my office and collected the remaining cheques.

Last night Thursday, 9 June 1994, I received a phone call from Jean Jacques who is now in Kinshasa who told me that he would be coming very shortly to prove that the travellers cheques are indeed legitimate and are the ownership of the government of Zaire. I also called Camille in the Seychelles to ask him why he has put the Commodore and myself in this most embarrassing situation. Camille indicated that he will be returning on Saturday, 11 June 1994, with the Commodore and he expects during the course of the week a high-powered delegation from the Ministry of Defence of Zaire and the Central Bank of Zaire in addition personnel from the Interim-government of Rwanda and would show/ prove that these cheques are indeed legitimate that is that they belonged to the Rwandese Government and were purchased by the Republic of Zaire.

I know and understand the contents of this statement. I have no objection to taking the prescribed oath. I consider the prescribed oath to be binding on my conscience.

Signed: _____

At: _____

BELGIUM Government

Procès Verbal "Pro Justitia" de Olivier Bogaert du 24 juillet 1995, à propos d'achat d'armes par BAGOSORA, et 9 annexes.

told me that the following was confirmed:
 K0077187
 certificate indicating arms for Zaire.
 that he would source the arms from the Seychelles for
 could be sourced from the Peoples Republic of China.
 Minister of Defence and Jean Jacques confirmed that the funds
 would be as outlined in 3. above.
 ing Saturday, 4 June 1994, that Commodore Ehlers with a
 Jean Jacques plus a Senior Military Officer from the
 to the Seychelles.
 Africa prior to their departure for the Seychelles for
 Ehlers.
 Lisbon I left Johannesburg for Lisbon on 30 May 1994
 on Saturday early morning 4 June 1994, prior to their
 Camille and Commodore Ehlers and on Friday 3 June said
 day night to Johannesburg at 8 O'clock that morning
 Camille and Commodore Ehlers who confirmed that:
 the Seychelles together with a certain Lt Col from
 would remain behind in Johannesburg and would deliver
 vouchers cheques to me.
 Camille and Lt Col were satisfied of the quality of the

DOCUMENT INFORMATION		For Witness Statement:	
Document Title	Procès-Verbal	Signature	
Document Source	Bel. Instructi	Author	Bogaert
Document Ref	ICTR-LO	Witness	Olivier
Doc. Original No.		DOCUMENT CODING	
Doc. Date	24-Jul-95	Document No.	BELGGVT-02
Doc. Type	Typewritten	ICTR Number	
Original Language	French	FRN Number	K007 7161-92
Translation	English	Doc. Reference	BELGGVT-02
FRN Number	K026 0815/26-44	Doc. Status	Yes

Past Disclosure-----Past Disclosure-----Past Disclosure-----Past Disclosure			
Discloser	Doc. Ref.	Date	Yes/No
Bagosora	BOGAOLI-01	12-Oct-98	Yes
Kabiligi	BELGGVT-02	25-Feb-00	No
Nsengiyumva	BELGGVT-02	25-Feb-00	No
Ntabakuze	BELGGVT-02	25-Feb-00	No

On 7 June 1994 Jean Jacques and myself met at The
 has a non-resident account he showed me a hand-
 numbers. He indicated to me that they were verified
 or false. However, I insisted that we go to my bank
 again, my bank certified that the
 Ehlers in the Seychelles that the
 the Central Bank of Seychelles and
 transfer USD 180 000 (one hundred
 like sure that I receive the agreed
 ear's girlfriends flat in Yerville, we
 in Jacques asked me to wait in the
 to leave about 9:30 am Jean Jacques
 scheduled flight to Kinshasa at 11:20

K0260815
Indicator No

CRIMINAL POLICE DEPARTMENT
 Crown Prosecutor's Office
 District of Brussels
 Crimes Section
 PJ 205
 Annex
 Transcript of hearings: a
 No. 41.401
 Following Transcript No
 Of the Brussels Criminal Police
 Department

Forwarded to Investigating Judge Vandermeersch
 Brussels, 17 November 1995
 (Signed) For the Commissioner in Chief, DJ

PRO JUSTITIA

In the year one thousand nine hundred and ninety-five, on the
 fourteenth of November at 2.50 p.m.

I, **Olivier Bogaert**,
 Inspector of Police, Criminal Police Department in the Crown
 Prosecutor's Office, District of Brussels, hereby state that the
 examination of the procedural documents of Record No.
 enabled us to find the present
 able for us to find the name of

K0260816

District of Brussels Trial Court Office of the Investigating Judge Damien Vandermeersch Palais de Justice-Extension Rue des Quatre-Bras 13 1000 Brussels Tel. (02) 508.78.95 Fax (02) 508.71.61 Record No. 57/95 Subject: Record X (Peacekeepers) Article 62 bis C.I.C. (where necessary)	FORWARDED TO: The Commissioner in Chief, Criminal Police Department, Brussels Attention: Ms. Deseille
	Notice No. 33489 / 23.5.95 / 26.7.95
MEMO Kindly pursue the investigation concerning the implication of Théoneste Bagosora within the purview of Record No. 20.11.550/94 (Mandoux 206/94 Record), chiefly by requesting leave of the Crown Prosecutor (Mr. Ver Elst) to consult and obtain a copy of this record Thank you in advance, and please accept my highest esteem.	

K0077161 - K0077192

of live ammunition weapons such as machine guns and rifles.

At the start of the genocide and as the genocidal campaign intensified, the Armed Forces of Rwanda needed to acquire weapons clandestinely to circumvent resolution 918. Despite past arms sales to Rwanda, Armscor was unable or unwilling to officially provide weapons with the embargo in place and with a change in regime imminent in Pretoria. Allegedly, Armscor instead referred the Rwandans to arms dealer Willem 'Ters' Ehlers and his company, Delta Aero. What followed was an arms transaction worth \$1.3 million involving middlemen, fake identities, unscrupulous government officials, charter flights, and war criminals in a complex web of deceit.

ALFRED KALISA: THE FINANCIAL ADVISER

On the 9th of June 1994, Alfred 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.⁵ He told the police an intriguing tale about Ters Ehlers facilitating a weapons deal for Zaire (now DRC).

According to Kalisa, he had been recently contacted by a 'Mr Camille', a man claiming to work for the ministry of defence in Mobutu Sese Seko's government in Zaire, and another man known as 'Jean Jacques', who in turn worked for Camille. Camille had asked Kalisa whether he could put him in contact with someone from Armscor, to which Kalisa had replied that he 'was not in that type of business' but could put Camille in touch with his 'good friend', Commodore Ehlers, who also worked in the armaments business.⁶

It was at this point that Kalisa arranged a meeting between him, Ehlers, Camille, and Jean Jacques in Johannesburg in May 1994. Kalisa provided testimony to the International Criminal Tribunal for Rwanda, in which he discussed the details of this meeting, in 1995. Kalisa said that Camille and Jean Jacques told Ehlers they were interested in purchasing weapons for Zaire. Ehlers, in turn, said that he could supply weapons stockpiled in

the Seychelles, and they agreed that Camille would produce an end-user certificate signed by the Zairean defence minister that the government of the Seychelles would require before releasing the arms. Given the apartheid state and Ehlers' own deep ties to the Seychelles, it is not hard to see how Ehlers was the ideal candidate to facilitate the sale of the Malo shipment.

Following this initial meeting, there was a second meeting between Camille, Jean Jacques, Ehlers, and a defence vice minister named only as Joseph. Kalisa said that he was not at this meeting, at which the transfer of the arms was discussed in more detail.⁷

With regard to payment, it was agreed that Camille would hand over the agreed amount of money⁸ for the arms in the form of traveller's cheques to Kalisa. Kalisa was to deposit the traveller's cheques into his FNB account and then alert Ehlers. At that point, Ehlers would tell Kalisa where to transfer the money.⁹

INTERPAYMENT
MESSAGE FAX

A : Insp. Herman Lafier
Police Judiciaire
Bruxelles
Belgique

De : Neal Richardson
Enquêteur spécial
Sécurité Cheques de Voyage
(212) 898-8308 ligne directe
(212) 558-8607 Fax

Date : 9 juin 1994

Nombre de page : 2 (lière page incluse)

Voici les dernières nouvelles :

Johannesburg, Afrique du Sud

Nous avons été informés de votre homme tentait d'encasser 150,000 Dollars de nos chèques de voyage à la First National Bank (Filiale Carlton Centre) à Johannesburg. On l'a fait attendre jusqu'à l'arrivée de la police. Il est toujours détenu et interrogé. Il s'agit de:


Alfred Kalisa
né le 27 juillet 1952
Titulaire d'un passeport américain numéro 1103226431

L'homme prétend avoir acheté les chèques en Angola. Nous n'avons aucun bureau de vente en Angola, et ces chèques sont inscrits comme faisant partie du stock rwandais. Nous vérifions le numéro du passeport pour voir ce que nous pouvons trouver.

Le policier en charge est le Sergeant Dennis Brunette de la section délits commerciaux. Il peut être atteint à:

27-11-674-2945 chez lui
27-11-083-6560383 au service.

Traduit "ne varier" :
Le traducteur est
Bruxelles, le 19.7.94



Above: Fax from Interpayment Systems which details their investigation into whether Kalisa was knowingly selling arms to the Rwandan government.

A PAWN OR A PLAYER?

Kalisa's failed attempt to deposit the traveller's cheques prompted an investigation by Interpayment Services, who enlisted the help of the Belgian police to determine the origin of the cheques. Interpayment Services was the traveller's cheque-issuing subsidiary of Barclays Bank that was acquired by Thomas Cook in 1994.¹⁰ 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.¹¹

In a follow-up fax to the Belgian police, Richardson wrote that Kalisa had been described as a mere 'pawn' by the South African police and that he was cooperating with the police and had turned over all the traveller's cheques given to him by Camille.¹² Kalisa's characterisation as a pawn is dubious. Born in 1952, Kalisa is an American-educated Rwandan, who had grown up in exile in Burundi.¹³ In an appeal case for Yussuf Munyakazi at the International Criminal Tribunal for Rwanda, Kalisa was described as a known financier of the Rwandan Patriotic Front since its early days.¹⁴

Kalisa is part of an elite group of East Africans, which includes a former Bank of Uganda governor, a Kenyan who once led Kenya's export promotion body, and a former governor of the Central Bank of Tanzania. These individuals all studied at Boston University in the United States and have been referred to, by journalist Asuman Bisiika, as the 'Boston Mafia' because of their collective financial power.¹⁵ Kalisa worked for the New York-based Chemical Bank in West Africa in the 1980s and reportedly set up companies in Nigeria in the early 1990s.¹⁶

A search of the South African Companies and Intellectual Property Commission (CIPC) reveals that Kalisa holds dual US and South African citizenship. He is registered as the director of at least seven South African companies focused on finance and investment since 1991.¹⁷ These businesses have now all been deregistered and bear the hallmarks of shell companies. There are no websites for the companies; four of the seven had the same address on the 12th floor of the Forum Building in Sandton (Johannesburg); and only some of the businesses appear in online

directories, but even there, they provide no descriptions of their actual work.¹⁸ Kalisa's statement to the police, in 1994, indicates that one of his companies—Kwanza Trading and Financing—had a physical office in the Carlton Centre, where the traveller's cheques were kept before being handed over to investigators. Kwanza Trading and Financing is listed in several business directories, but again, there are no descriptions of its business activities.

In 1995, Kalisa became the founding president of the Bank of Commerce, Development, and Industry (BCDI) in Rwanda. The Kinshasa branch of the bank, Banque de Commerce et de Développement (BCD),¹⁹ was opened in 1997, with Kalisa coming to be described as 'Kabila's Banker' due to his closeness to Congolese President Laurent-Désiré Kabila.²⁰ It was said that the bank, which was opened by Kabila in October 1997, was also part-owned by the president, together with Salim Saleh, the brother of Ugandan President Yoweri Museveni and an unnamed Rwandan company.²¹ According to an *Africa Confidential* article, Kalisa claimed that the bank was '20 percent owned by him, 40 percent by Congolese and 40 percent by others.'²² Kalisa would later be ousted by Kabila, in August 1998, after Tutsi rebel groups in Congo rose up against Kabila's regime.

Kalisa was arrested for corruption, misuse of BCDI funds, and falsification of documents in Rwanda in 2007. He remained in jail until 2010 when he received a presidential pardon from Paul Kagame and was released. Kalisa is now a trusted economic adviser to Kagame and Rwanda's ambassador to Algeria, Egypt, Libya, and Tunisia.²³ We reached out to Rwandan Embassy in Egypt to pose questions related to his involvement in the Malo arms transaction but his office has not responded to our email.

All of this makes it likely that Kalisa was no pawn, but rather a well-connected player; and that he knew the real identity of 'Mr Camille'—a Rwandan colonel looking for weapons during the genocide.



Above: Eyaounde, Cameroon: Colonel Théoneste Bagosora speaks from Cameroon's central prison in Yaounde 11 July. He says there was "no genocide in Rwanda". (Alexander Joe/AFP via Getty Images)

CAMILLE AKA COLONEL THÉONESTE BAGOSORA

While Belgian police investigators concluded that Alfred Kalisa was an unwitting player in the transaction, they verified that the traveler's cheques he had received were the same as those purchased by Théoneste Bagosora on 30 May 1994 from the Banque Commerciale du Rwanda.²⁴ Piecing together events, it becomes clear that Bagosora was 'Camille', and that 'Joseph' was Joseph Nzirorera, the president of Rwanda's National Assembly and secretary-general of the MRND. This was confirmed by Bagosora at his hearing at the International Criminal Tribunal for Rwanda. Jean Jacques, described only as a French man, is the only person involved in this transaction whose identity remains unknown, despite some speculation that he could be a well-known French business person and arms dealer.

Born in Giciye commune in Gisenyi prefecture in Rwanda in 1941, Bagosora came from a large family that had strong connections to prominent members of the Hutu community. The godmother of Bagosora's eldest child was Juvénal Habyarimana's wife, Agathe Habyarimana.²⁵ Both Bagosora and

Agathe Habyarimana would later be accused of belonging to Hutu supremacist groups. Bagosora had a religious upbringing: he attended a local Catholic school and sang as a choirboy in his church. As a young adult, Bagosora devoted his life to the military. In 1962, he enrolled in an officer training school in Kigali. Upon graduating in 1964,²⁶ Bagosora quickly rose through the ranks and was promoted to lieutenant in 1967. During this time, Bagosora received military training in Belgium.²⁷ He was then involved in the fighting against the 1968 invasion by exiled Rwandans from Burundi.²⁸

Bagosora's prominent military position and close association with other key figures in the Rwandan government would help him lay the groundwork for the violence that would take place in April 1994. Bagosora supported Juvénal Habyarimana in his successful coup d'état, in 1973, which ousted Grégoire Kayibanda.²⁹ At this stage in his military career, he was the head of the military police.³⁰ He remained in this position until 1980 when he was sent to receive further military training in France.³¹ Upon his return to Rwanda, Bagosora was made head

of Rwanda's military intelligence, known as Services Documentation,³² which was part of the defence ministry. In 1992, he was appointed cabinet director for the defence minister but remained listed as an on-duty soldier.³³

A GENOCIDAIRE

During the Rwandan civil war, Théoneste Bagosora was chair of the Enemy Commission in 1992. This commission published a report that overemphasised the ethnic component of the Ugandan-backed invasion of Rwanda in 1990 and referred to the enemy as the Tutsi.³⁴ Bagosora is said to have continued using this rhetoric, in particular at meetings at the military camp under his control.³⁵ His work at the Enemy Commission would later inform the unofficial lists of 'the enemy' that he distributed to military officials prior to the genocide.³⁶ These lists were created by local government officials and used to collect information about suspected RPF sympathisers. Owing to the overwhelming ethnic basis on which these lists were compiled, they are suspected of directing the violence of the conflict with the RPF towards Tutsi civilians.³⁷

Bagosora played a central role in the genocide. Not only did he define a national enemy in broad ethnic terms but he also distributed weapons to youth groups and politically affiliated militias with a history of violence, increasing the risk of violence against civilians.³⁸

An Interahamwe leader later testified before the International Criminal Tribunal for Rwanda that Bagosora had ordered the creation of lists of Tutsi to kill.³⁹

Bagosora was also the leading figure in creating the government programme known as Auto-Défense Civil, comprising civilian self-defence groups that polarised communities and prepared them for violence.⁴⁰ The ICTR found that Bagosora used these groups to facilitate killings following Habyarimana's assassination.⁴¹ Another indicator of Bagosora's preparation for ethnic violence was his suspected membership of Hutu supremacist organisations. The most prominent of these was the Akazu, also known as the Zero

Group.⁴² Suspected of operating clandestine radio networks and death squads, this group is thought to have played a key destabilising role in the early 1990s.⁴³

As the country erupted into violence after Habyarimana's assassination, Bagosora quickly took steps to seize power by assuming control of the Rwandan military.⁴⁴ He used this power to eliminate political rivals and to control any broadcasts to the population. One of Bagosora's first acts was to orchestrate the murder of Prime Minister Agathe Uwilingiyimana.⁴⁵ Owing to the organised nature of the military assault that preceded the prime minister's killing, which involved several elite units of the Rwandan military, Bagosora was found to have been responsible for the attack that resulted in Uwilingiyimana's death.

Not long after taking steps to secure control of the military and the state more broadly, Bagosora could be found around the country at sites of extreme violence. The ICTR indictment against him contains a host of witness statements placing him at the scenes of numerous killings.⁴⁶ When Bagosora left Rwanda in May 1994 to procure arms in South Africa—presenting himself as 'Mr Camille'—it was with the ambition to **'wage a war that will be long and full of dead people until the minority Tutsi are finished and completely out of the country'**.⁴⁷

MR CAMILLE

In his testimony at the International Criminal Tribunal for Rwanda, Théoneste Bagosora testified to leaving Rwanda on 23 May 1994 in order to procure arms for the Armed Forces of Rwanda using official Zairean facilities, in particular in Goma for transit between



Rwanda and Zaire.⁴⁸ The city of Goma—situated on the border between Rwanda and Zaire—is a convenient location for the transfer of arms to Rwanda.

Not only did Goma serve as a transit point for arms to Rwanda in 1994 but the Zairean government also provided a fraudulent end-user certificate for the arms destined for Rwanda. An end-user certificate is a documented contract between a country selling arms and the purchaser of the arms. This is intended to prevent munitions ending up with a third party not involved in the transaction: 'It effectively means that a purchasing country needs to agree that the munitions bought will not be transferred any further without the selling country's permission.'⁴⁹

Despite vocal commitment to the anti-apartheid movement, many African states did regular business with the apartheid regime.⁵⁰ Apartheid South Africa's relationship with Zaire was of particular note. Zaire served as a central node for the transit of weapons bought illegally by the apartheid regime for UNITA in Angola.⁵¹ This served both Zaire and South Africa's interests in one of the Cold War's interminable proxy wars in Angola.⁵²

In May–June 1994, following the imposition of the UN embargo on arms sales to Rwanda, Bagosora made use of the Zaire channel to disguise the FAR's arms purchases. According to Bagosora's testimony at the ICTR, he spent the period from 23 May to 22 June in Zaire, South Africa, and the Seychelles, procuring weapons.⁵³ After signing contracts for arms in Kinshasa, he joined another Rwandan official, Joseph Nzirorera, in Johannesburg on 3 or 4 June.⁵⁴ Bagosora's account and timeline then match those of Alfred Kalisa in that a day or so after arriving in Johannesburg, he left for the Seychelles with a South African broker to purchase arms.⁵⁵ He confirmed this broker was Ters Ehlers.

Bagosora's testimony confirmed that the South African deal did not go as smoothly as previous transactions using the Zaire channel; rather, payment by traveller's cheques became impossible after travel bank Thomas Cook cancelled the cheques based on its suspicion that they were being used to violate the embargo.⁵⁶ This is why Kalisa's attempt to deposit the traveller's cheques failed. Bagosora, however, found a new channel—the French bank BNP Paribas, an old hand at dirty money deals.

BNP PARIBAS

Open Secrets' work has long shown the pivotal role banks play in money laundering by facilitating transactions that should be flagged and reported, 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 our case, genocidaires.

Cloaked by the shiny veneer of professionalism, bankers more so than shady middlemen often escape the notice of international prosecutors. Yet without banks willing to facilitate money laundering for genocidaires and arms traffickers, war profiteering is impossible. Banks are a central node of international arms trafficking, and they were crucial in propping up the apartheid regime. This is evidenced by the extensive mechanisms



BNP PARIBAS

Kredietbank Luxembourg and Kredietbank Belgium used to obscure the origin and destination of money for arms purchased by the apartheid regime.⁵⁷

THERE ARE TYPICALLY THREE STAGES OF MONEY LAUNDERING.

1: Placement:

Illicit funds are 'placed' into the financial system by deposit(s) into a bank account, usually through structuring or smurfing, i.e. splitting money up into smaller deposits.⁵⁸

2: Layering:

This entails various processes to disguise the origin of illicit money and distance it from its original source. A common way is simply to route the funds through multiple bank accounts across different jurisdictions.⁵⁹

3: Integration:

After layering, illicit proceeds can be integrated into the 'legitimate economy' by transferring them into a new bank account or purchasing assets, like property or art.⁶⁰

We have showed 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; in essence, to layer the money. 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.

BANKING ON GENOCIDE: HOW THE FAR FINANCED GENOCIDE

Commercial banking activity was suspended on 7 April 1994 in Rwanda, which meant that a myriad array of money-laundering-esque tactics was used by the Rwandan government to pay for arms. This started with a trip to Germany, between 28 April and 8 May 1994, by two representatives of the Banque Commerciale du Rwanda, Ephraim Nkezabera (director of BCR) and Ezakar Bigilinka (director of BCR's foreign department), to transfer the 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.⁶¹ (Later, in May 2000, BNP merged with Paribas and is now known as BNP Paribas.) This transaction was a crucial building block for facilitating payment for arms transfers; it made it possible for Théoneste Bagosora to pay Ters Ehlers and the government of the Seychelles.

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, but 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 transaction happen. So Bagosora contacted Joseph Nzirorera, the president of Rwanda's National Assembly and secretary-general of the MRND, who in turn contacted the BNR

governor, Denis Ntirugirimbazi, to make the payment.⁶²

It was at this point that BNR began using its BNP account to transfer money to Ehlers' Swiss bank account at Union Bancaire Privée. A private bank for the wealthy, UBP



is notable for its location in a secrecy haven, which has long helped tax evaders and money launderers move money without notice.⁶³

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 \$734 099.⁶⁴ These payments correspond with the evidence and testimony on arms deliveries on 16 and 20 June 1994 to Goma, Zaire.

Moving the Money

A timeline of payments made to Ehlers by the Rwandan Central Bank for procuring the weapons, and Ehlers' payments in turn to the Seychelles Central Bank for the weapons.

-
- A vertical black arrow pointing downwards, with horizontal bars at the top, middle, and bottom, indicating the progression of time.
- 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.⁶⁵
 - 16 June 1994:** \$734 099 was deposited from the BNR account at BNP (Paris) to Ehlers' Swiss UBP account.⁶⁶
 - 17 June 1994:** \$149 982,50 was paid from Ehlers' Swiss UBP account to the Seychelles Central Bank in New York.⁶⁷

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.⁶⁸ 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.⁶⁹ The complaint centres on the payments made to Ehlers that facilitated the shipment of weapons described earlier. Sherpa and the other complainants 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.'⁷⁰

In their complaint, the NGOs claim the following:

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.⁷¹

Sherpa go on to 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.⁷² 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 would go on to approve. Additionally, the director of the foreign department at BCR confirmed that BNP was the only institution that agreed to transfer assets on behalf of BNR.⁷³ The complicity of BNP in the arming of a genocidal regime is, yet again, evidence of its willingness not only to flout

international sanctions but also to prioritise its own profit over the lives and human rights of individuals.

After Sherpa and the others had 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.⁷⁴ The probe opened on 22 August 2017 and is led by three investigating magistrates.⁷⁵ All sources seem to emphasise that despite the opening of a full-scale inquiry, there is no implication of guilt or promise of a trial, but rather that the information from the complaint and initial inquiries merit further investigation.

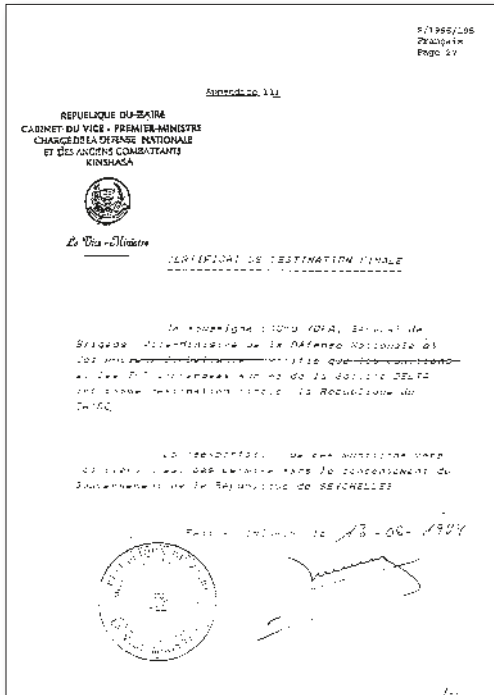
The focus of these organisations is important: they are seeking to hold a hugely influential economic actor to account. Headquartered in Paris, BNP Paribas is the largest bank in France, the second largest bank in Europe,⁷⁶ and the ninth largest bank in the world by total assets.⁷⁷ According to S&P Global, BNP Paribas' total assets in 2020 were valued at €2,429 billion (about R4.5 trillion).⁷⁸

EHLERS KNEW ...

So just how much could Ehlers have known about the final destination of the arms?

Ehlers would have been well aware of the role of Zaire as an issuer of end-user certificates for the apartheid government. The Zaire–South Africa relationship was cemented in the mid-1980s, with the appointment of Honoré Ngbanda as head of intelligence in Zaire in 1985. In 1986, Ngbanda visited South Africa and met PW Botha and his minister of defence, Magnus Malan, and had lunch with members of the state security council. At the end of the meeting, which discussed collaboration and international terror threats, Ngbanda was presented with a Krugerrand by Botha. The visit was important to the South African Defence Force (SADF), as discussions focused on ensuring the continued supply of EUCs from Zaire and on deepening existing intelligence contacts.⁷⁹ As secretary to Botha, Ehlers would have no doubt been privy to the extensive and illicit transactional relationship between South Africa and Zaire.

Alfred Kalisa, a man who describes himself as Ehlers' 'friend', was apprehended before the deal was carried out, which means



Left: Caption for end-user certificate et doluptium quis expelibus, ommollendis at vit la sint, volore quia duciandustis est opta cus, ommolor epeliquo tem. Inctia plandis sam inctumqui idelliquae aut ut illabo.

that Ehlers' payment was put in jeopardy. Kalisa had Bagosora's identity confirmed to him by police and a call he subsequently made to Bagosora to inform him of the failed transaction. This led Bagosora to make alternate plans for the payment to proceed. It is highly unlikely that this would have been missed by Ehlers: he was with Bagosora in the Seychelles, he was a 'friend' of Kalisa's, and he would have noticed that the payment arrangements changed. In particular, he would have noticed that he was now no longer being paid in traveller's cheques but by a bank transfer from the BNP account of the Rwandan government. That was, and should have been, enough confirmation for Ehlers that he was in fact doing business with the Rwandan government.

Beyond this, Ehlers was procuring the arms from government officials, like Colonel Payet in the Seychelles, who would have also been duty-bound to verify the identity of the end-user. They either flagrantly abandoned this duty or willingly assisted the purchase. This is evidenced by the fact that a Seychellois newspaper later identified Bagosora as a Rwandan official and thereby prevented the transfer of a third consignment of arms that were part of this deal.⁸⁰ That knowledge of this deal—in particular Bagosora's involvement and the final destination of arms being Rwanda—came to light so quickly, makes it

almost impossible to believe that the South African parties to this deal, including Ehlers, would not have known who they were dealing with and where the arms were destined to be used.

That Bagosora was moving around the continent to procure arms, was no secret. Bagosora himself confirmed that while attempting to make arrangements for the third transfer, he was tipped off that the CIA had 'spotted' him.⁸¹ This corresponds with declassified US diplomatic cables at the time. Titled 'Seychelles Arms for Rwanda', these cables describe how the Seychellois government became concerned that it was inadvertently sending arms to Rwanda.⁸² One cable quotes the United Opposition Party describing the arrival of a Rwandan, a Zairean, and a South African into the country on 4 June 1994.

Ehlers' involvement in the covert deal to deliver weapons to Rwanda via the Seychelles was confirmed by a range of investigations in the four years after the completion of the deal. The first of these was undertaken by Human Rights Watch, and its findings published in the report *Re-arming with Impunity*. In an interview on 15 February 1995, Bagosora explained how he had been put in touch with Ehlers.⁸³ By naming Ehlers as his South African accomplice, Bagosora spurred further investigation into the affair. As well as featuring in the Human Rights Watch investigation, this arms deal also featured as a case study in a UN Commission of Inquiry into the supply of weapons to Rwandan government forces during the genocide.⁸⁴ Swiss cooperation with regard to the financial flows that made the deal possible enabled the naming of Ehlers as an end recipient of related payments.⁸⁵ In a nutshell, this transaction implicates the governments of South Africa, then Zaire, and the Seychelles, but chiefly Ehlers, who used his experience, as well as government and GMR connections, to connect Bagosora to a stockpile of weapons that would eventually be used in the final acts of genocide in Rwanda.

PAGE 01 VICTOR 00689 281052Z
ACTION AF-01

INFO	LOG-00	ACDA-17	ACDE-00	AMAD-01	CFE-00	OASY-00	DODE-00
	DOZE-00	EUR-01	H-01	TEDE-00	INR-00	IO-16	JUSE-00
	L-01	ADS-00	NRRC-00	NSCE-00	OES-09	OIC-02	OMB-01
	PA-01	PM-00	PRS-01	P-01	SNP-00	SP-00	SS-00
	TRSE-00	T-00	USIE-00	SSD-01	PMB-00	DRL-09	G-01

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 FM AMEMBASSY VICTORIA
 TO SECSTATE WASHDC IMMEDIATE 8025
 INFO DIRNSA FT GEORGE G MEADE MD
 AMEMBASSY KINSHASA
 CIA WASHDC
 AMEMBASSY BUJUMBURA
 AMEMBASSY ANTANANARIVO
 AMEMBASSY PARIS
 AMEMBASSY LONDON
 USMISSION USUN NEW YORK
 AMEMBASSY KAMPALA
 AMEMBASSY DAR ES SALAAM
 AMEMBASSY YAOUNDE

LIMITED OFFICIAL USE VICTORIA 000689

PARIS FOR PERLOW, LONDON FOR MCKINLEY

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 VICTOR 00689 281052Z

E.O. 12356: N/A
 TAGS: PREL, PARM, MOPS, SE, RW, CG, XO
 SUBJECT: SEYCHELLES ARMS FOR RWANDA

- REF: (A) STATE 166411 (NOTAL)
 - (B) VICTORIA 642 (NOTAL)
 - (C) VICTORIA 649 (NOTAL)
 - (D) STATE 146828 (NOTAL)

1. (U) THE FOLLOWING PRESS RELEASE, REPRINT ENTIRETY, IS FROM THE UNITED OPPOSITION, A

UNITED STATES DEPARTMENT OF STATE
 REVIEW AUTHORITY: HARRY R MELONE
 DATE/CASE ID: 02 NOV 2006 200103014

DECON

DECONTROLLED/UNCLASSIFIED
 REPORTING ON GOVERNMENT ACTIONS. BEGIN TEXT:

"FOLLOWING ITS PRESS RELEASE OF 20TH JUNE 1994, THE UNITED OPPOSITION HAS RECEIVED CONFIRMATION THAT:

(ONE) ON 4TH JUNE 1994 A RWANDAN, A ZAIREAN, AND A SOUTH AFRICAN ARRIVED IN SEYCHELLES FROM JOHANNESBURG AND BOOKED INTO THE BEAU VALLON BAY HOTEL;

(TWO) ON 16TH JUNE 1994 A RWANDAN CIVIL SERVANT ARRIVED IN SEYCHELLES ON BOARD THE FIRST ZAIREAN AIRCRAFT AND BOOKED INTO THE BEAU VALLON BAY HOTEL. ON 17TH JUNE 1994, HE DEPARTED ON THAT SAME AIRCRAFT CARRYING THE FIRST CONSIGNMENT OF ARMS TO GOMA;

(THREE) ON 18TH JUNE 1994 A ZAIREAN CIVIL SERVANT ARRIVED IN SEYCHELLES ON BOARD THE SECOND ZAIREAN AIRCRAFT AND BOOKED INTO THE REEF GOLF CLUB HOTEL. ON 19TH JUNE 1994, TOGETHER WITH THE RWANDAN WHO HAD LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 VICTOR 00689 281052Z
 ARRIVED IN SEYCHELLES ON THE 4TH JUNE 1994, THEY DEPARTED ON THAT SAME AIRCRAFT CARRYING THE SECOND CONSIGNMENT OF ARMS TO GOMA.

(FOUR) OFFICIALS FROM THE MINISTRY OF TOURISM AND TRANSPORT AND THE PRESIDENT'S OFFICE WERE IN CONTACT WITH THE ABOVE-MENTIONED PEOPLE.

THE UNITED OPPOSITION BELIEVE THAT THE PRESENCE OF RWANDAN GOVERNMENT OFFICIALS CLEARLY ESTABLISHES KNOWLEDGE BY THE GOVERNMENT OF SEYCHELLES THAT THE ARMS WERE DESTINED TO RWANDA.

THE UNITED OPPOSITION CONDEMNS THE CONTINUED REFUSAL BY THE GOVERNMENT OF SEYCHELLES TO DISCLOSE INFORMATION RELATING TO THE SALE OF THE MALO ARMS AND DEMANDS:

(ONE) AN EXPLANATION FROM THE GOVERNMENT OF SEYCHELLES AS TO WHY AMMUNITION AND WEAPONS OF WAR WERE BEING SOLD, WITH ITS KNOWLEDGE AND CONSENT, TO OFFICIALS WHO WERE CONNECTED WITH THE RWANDAN GOVERNMENT;

(TWO) DISCLOSURE BY THE GOVERNMENT OF IDENTITIES AND CAPACITIES OF THE VARIOUS INDIVIDUALS FROM

DECONTROLLED/UNCLASSIFIED

ZAIRE, AND SOUTH AFRICA;
 (THREE) ONCE AGAIN, DETAILS FROM THE GOVERNMENT OF THE QUANTITY AND NATURE OF THE ARMS WHICH HAVE TO DATE BEEN SOLD, OF THE SUM IT HAS RECEIVED FROM THE SALE OF THE ARMS AND WHETHER THE GOVERNMENT STILL INTENDS SELLING ANY MORE ARMS, AND IF SO, TO WHOM;
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PAGE 04 VICTOR 00689 281052Z
 (FOUR) AN INDEPENDENT PUBLIC INQUIRY INTO THE MATTER."
 END TEXT OF PRESS RELEASE.

2. (LOU) COMMENT: WE BELIEVE THAT THE GOVERNMENT OF SEYCHELLES IS NOT CURRENTLY SELLING ARMS TO RWANDA. NEVERTHELESS, THE ABOVE REPORTS, IF TRUE, INDICATE THAT THE GOS WAS AWARE OF WHERE THE ARMS WERE GOING WHEN THEY WERE INITIALLY SOLD. IT WOULD APPEAR THAT THE GOVERNMENT OF SEYCHELLES DECIDED TO END THE SALES WHEN IT BEGAN TO SEE THE POTENTIAL POLITICAL DOWN-SIDE. END COMMENT. MALOTT

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This spread: Declassified US diplomatic cables. Titled 'Seychelles Arms for Rwanda', these cables describe how the Seychellois government became concerned that it was inadvertently sending arms to Rwanda.

UNCLASSIFIED

RELEASED IN FULL

CONFIDENTIAL

PAGE 01
ACTION AF-01

VICTOR 00676 241120Z

INFO	LOG-00	ACDA-17	ACDE-00	AMAD-01	CIAE-00	CFE-00	OASY-00
	DODE-00	DOEE-00	EUR-01	H-01	TEDE-00	INR-00	IO-16
	JUSE-00	LAB-01	L-01	ADS-00	M-00	NEA-01	NRRC-00
	NSAE-00	NSCE-00	OES-09	OIC-02	OMB-01	PA-01	PM-00
	PRS-01	P-01	SNF-00	SP-00	SS-00	TRSE-00	T-00
	USIE-00	SSD-01	FMB-00	DRL-09	G-01	/066W	

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 FM AMEMBASSY VICTORIA
 TO SECSTATE WASHDC IMMEDIATE 8014
 INFO AMEMBASSY KINSHASA IMMEDIATE
 AMEMBASSY BUJUMBURA
 AMEMBASSY ANTANANARIVO
 AMEMBASSY CAIRO
 AMEMBASSY PARIS
 AMEMBASSY LONDON
 USMISSION USUN NEW YORK
 AMEMBASSY KAMPALA
 AMEMBASSY DAR ES SALAAM
 AMEMBASSY YAOUNDE

C O N F I D E N T I A L VICTORIA 000676

PARIS FOR PERLOW, LONDON FOR MCKINLEY

E.O. 12356: DECL: OADR
TAGS: PREL, PARM, MOPS, SE, RW, CG, XO
CONFIDENTIAL

CONFIDENTIAL

PAGE 02
SUBJECT: SEYCHELLES ARMS FOR ZAIRE

REF: (A) STATE 166411 (NOTAL)
 - (B) VICTORIA 642 (NOTAL)
 - (C) VICTORIA 649 (NOTAL)
 - (D) STATE 146828 (NOTAL)

1. CHARGE DELIVERED REF A TALKING POINTS WEDNESDAY
 JUNE 22 TO THE HIGHEST RANKING FOREIGN MINISTRY
 OFFICIAL IN COUNTRY, THE DIRECTOR-GENERAL FOR EXTERNAL
 RELATIONS CLAUDE MOREL. MOREL LISTENED WITH GREAT

UNITED STATES DEPARTMENT OF STATE
 REVIEW AUTHORITY: HARRY R MELONE
 DATE/CASE ID: 02 NOV 2006 290103014

UNCLASSIFIED

UNCLASSIFIED

ATTENTION AND PROMISED TO IMMEDIATELY CONVEY THE
MESSAGE ON TO SEYCHELLES PRESIDENT RENE.

2. MOREL REPORTED BACK ON JUNE 24 THAT RENE HAD BEEN
 EXTREMELY ATTENTIVE TO THE DEMARCHE, AND SAID THAT THE
 PRESIDENT WAS VERY CONCERNED ABOUT THE POSSIBILITY THAT
 SEYCHELLES WAS SUPPLYING ARMS TO RWANDA.

3. COMMENT: EMBASSY CONTACTS IN THE GOVERNMENT HAVE
 BEEN VERY PRE-OCCUPIED WITH THE POSSIBILITY THAT THE
 GOS IS INADVERTENTLY SELLING ARMS TO RWANDA. THE ISSUE
 HAS ALSO BECOME A DOMESTIC POLITICAL ONE, AS NEWS
 COVERAGE OF THE RWANDAN ATROCITIES HAS BEEN EXTENSIVE
 ON SEYCHELLES TELEVISION. THE OPPOSITION IS NOW
 CHARGING THAT THE SEYCHELLES GOVERNMENT IS ADDING FUEL
 TO THE FIRE BY (ALLEGEDLY) SELLING ARMS TO RWANDA.
 EMBASSY THINKS IT LIKELY THAT SEYCHELLES WILL
 DISCONTINUE THESE ARMS SALES. NEVERTHELESS, GOS
 OFFICIALS HAVE ONCE AGAIN REITERATED THEIR REQUEST THAT
 THE USG HELP THEM DISPOSE OF THESE ARMS PROFITABLY.

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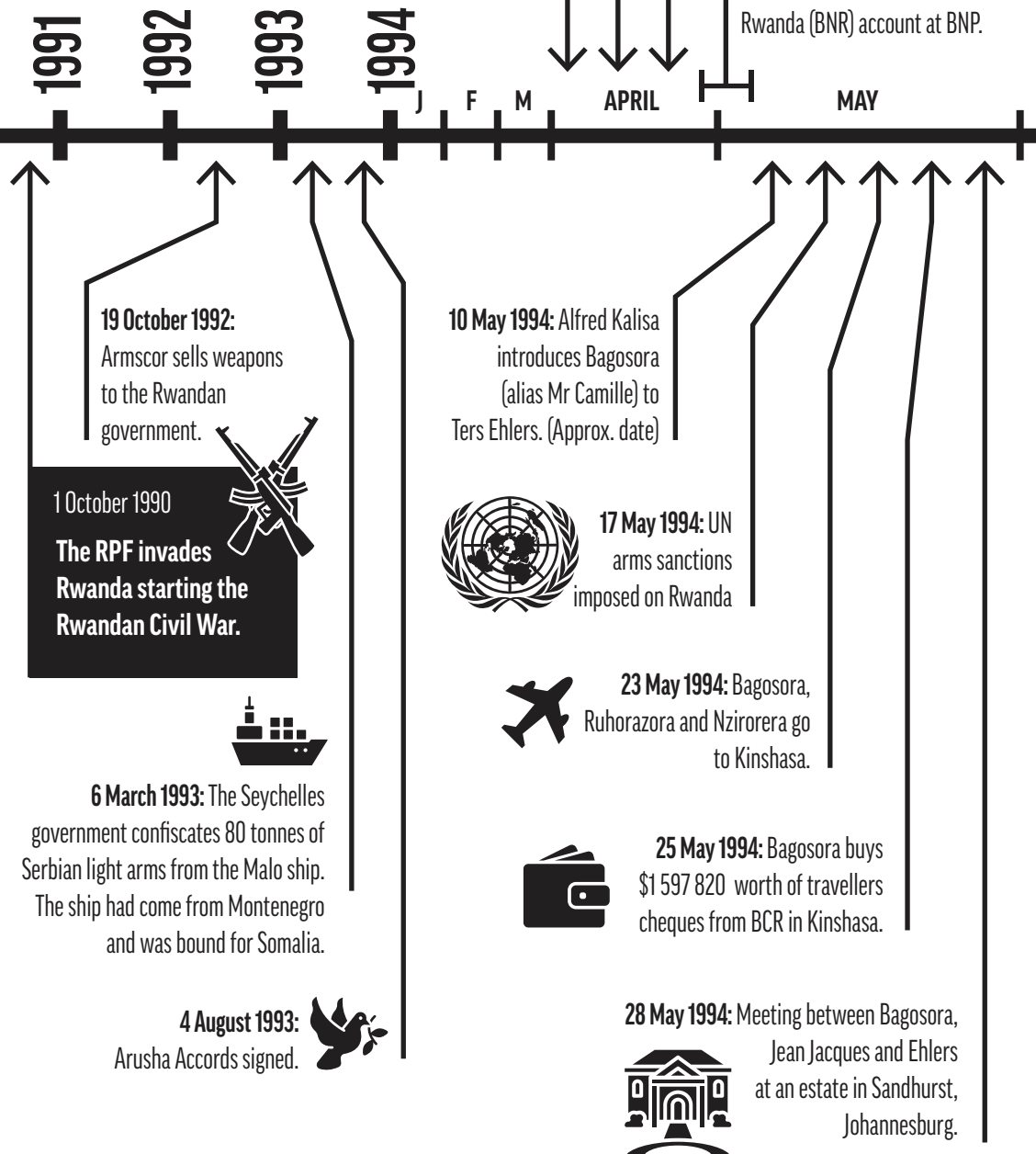
CONFIDENTIAL

PAGE 03
END COMMENT. MALOTT

CONFIDENTIAL

A TIMELINE:

RWANDAN GENOCIDE AND MALO ARMS TRANSACTION



4 June 1994: Bagosora, Ehlers arrive in Seychelles to buy the weapons.

9 June 1994:

Kalisa apprehended when attempting to deposit traveller's cheques.

Bagosora is in the Seychelles and is informed that the travellers cheques were cancelled by the issuer.

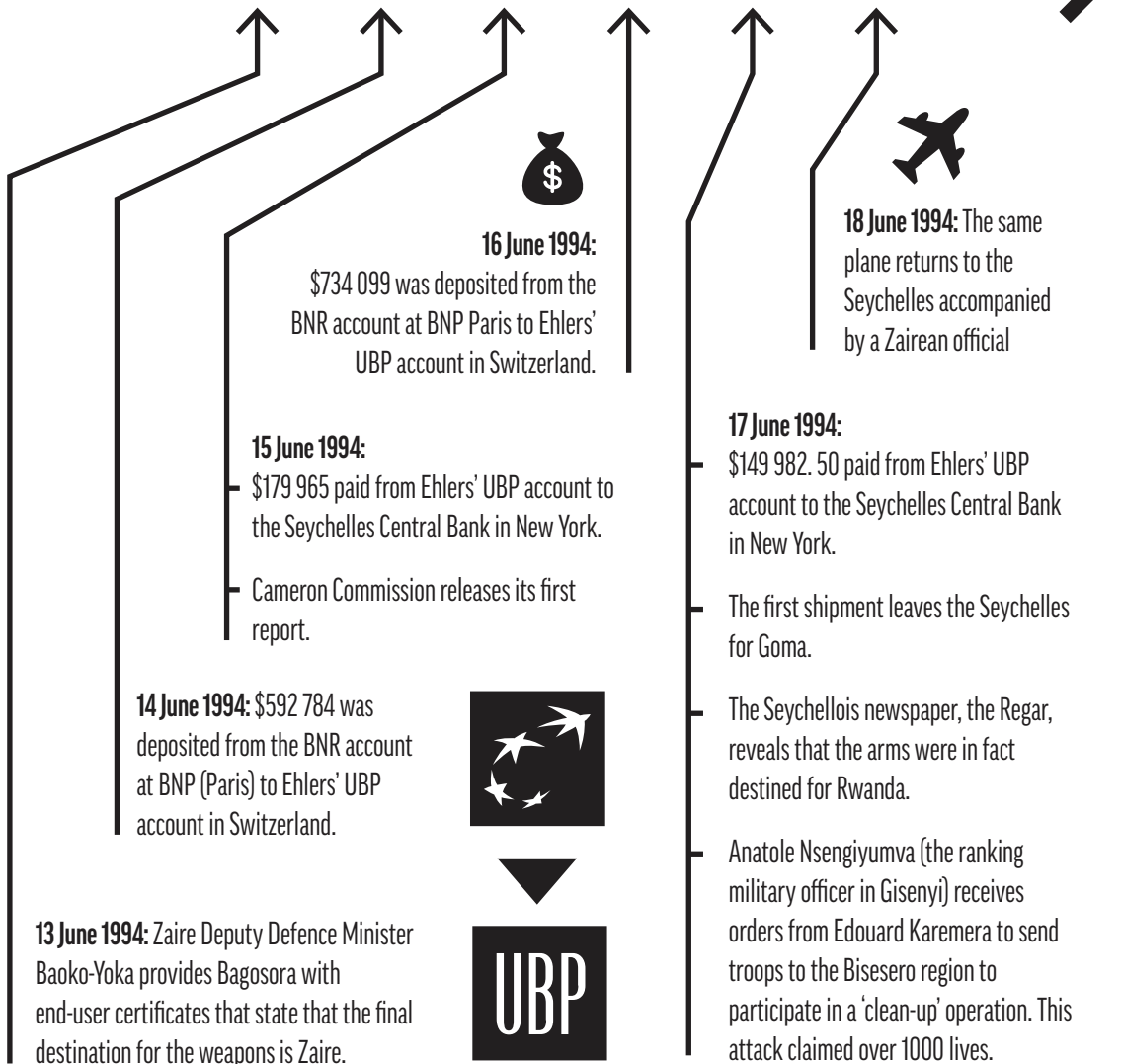
Nzirorera then contacts the governor of BNR (Denis Ntirugirimbazi) to make the payment for the weapons using the BNP account.

On the 4th of June 1994, Théoneste Bagosora Ters Ehlers arrived in Seychelles to buy weapons.

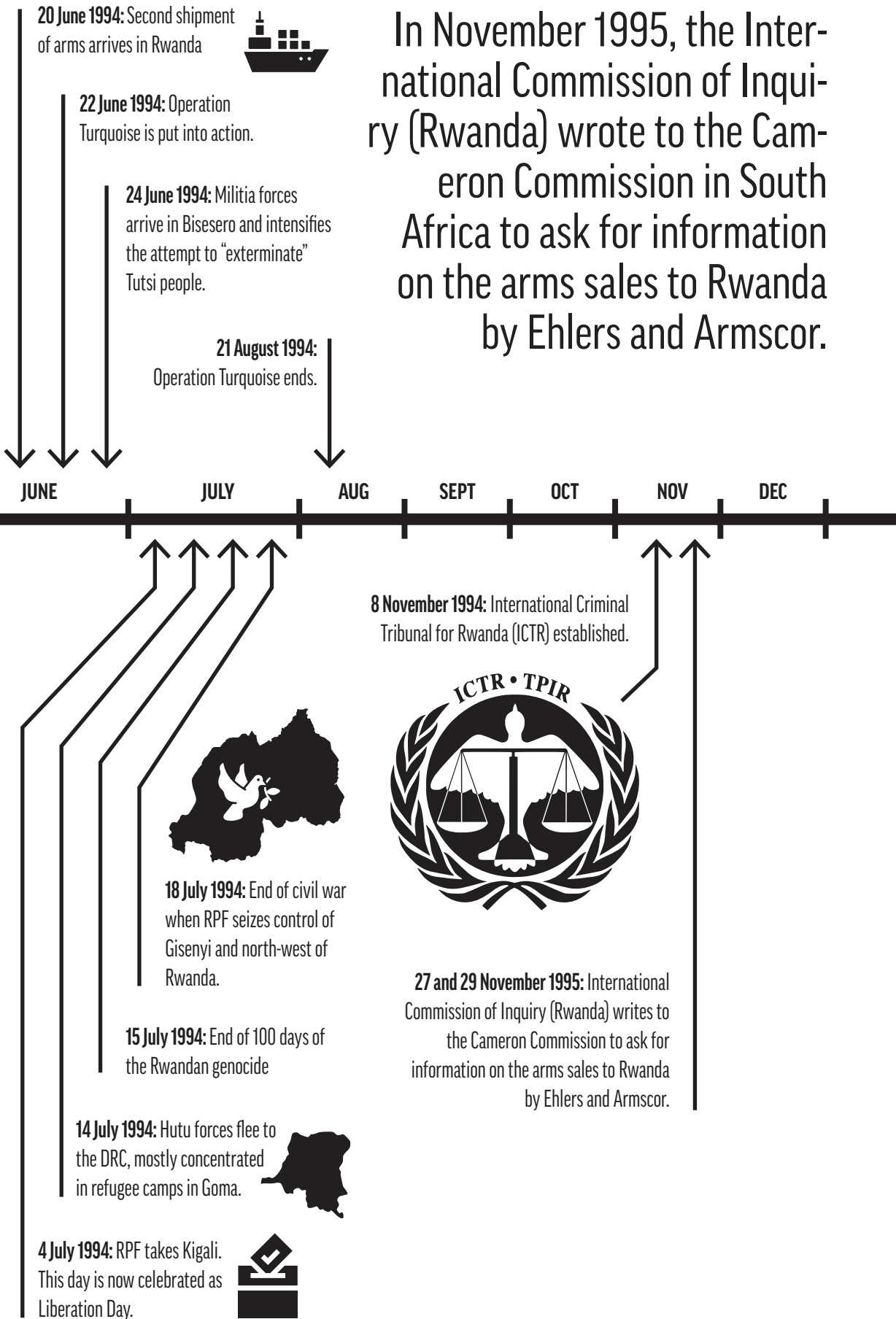
19 June 1994: The plane leaves the Seychelles for the second time with the second shipment of weapons accompanied by Bagosora



JUNE



In November 1995, the International Commission of Inquiry (Rwanda) wrote to the Cameron Commission in South Africa to ask for information on the arms sales to Rwanda by Ehlers and Armscor.

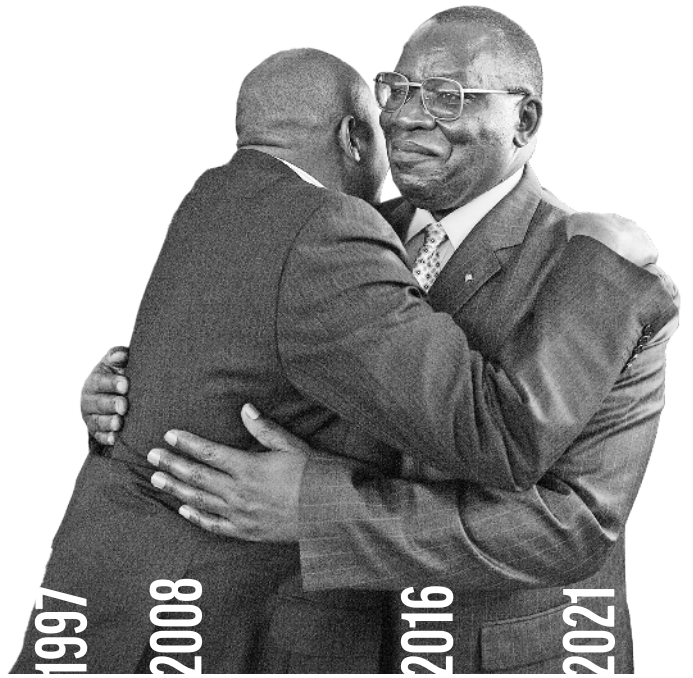




11 March 1996:
Bagosora apprehended.

20 February 1996:

Alfred Nzo writes to the International Commission of Inquiry (Rwanda) stating that Ehlers 'could have brokered the arms transaction in question in June 1994.'



1995

1996

1997

2008

2016

2021



24 October 1996 - 17 May 1997:
First Congo War begins when Uganda and Rwanda invade the DRC (then Zaire).



31 December 2016:
ICTR dissolved



25 September 2021:
Bagosora dies.

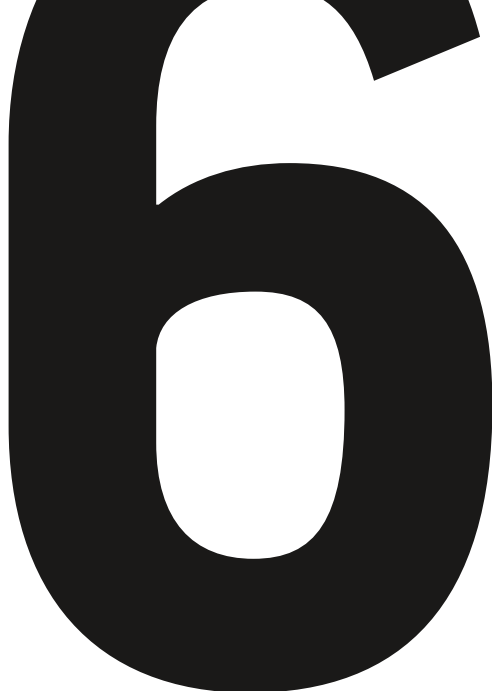
Below: A view of a courtroom on December 18, 2008 during a Rwanda International Criminal Tribunal, ICTR session at the Arusha International Conference Centre where Former Rwanda army's Col. Theoneste Bagosora, Lt. Col. Anatole Nsengiyumva and Maj. Aloys Ntabakuze were sentenced to life in prison on charges of genocide.

18 December 2008: Bagosora, Ntabakuze and Nsengiyumva are found guilty of genocide, crimes against humanity and war crimes by the ICTR.



“The attackers would come to kill during the day and at night they would go off to eat and drink”

~ Human Rights Watch



ARMS DEALERS AND THE KILL- ING FIELDS OF BISESERO

The influx of automatic rifles, grenades, and mortars into northwestern Rwanda in mid-June 1994 had a significant effect on violence in the surrounding region. The weapons Théoneste Bagosora purchased from Willem ‘Ters’ Ehlers arrived just before troops and civilian militia departed by bus for Bisesero, a site of significant violence that occurred towards the end of the 100-day genocide. Here, we present evidence that the weapons supplied by Ehlers were used to carry out acts of genocide.

THE KILLING FIELDS OF BISESERO

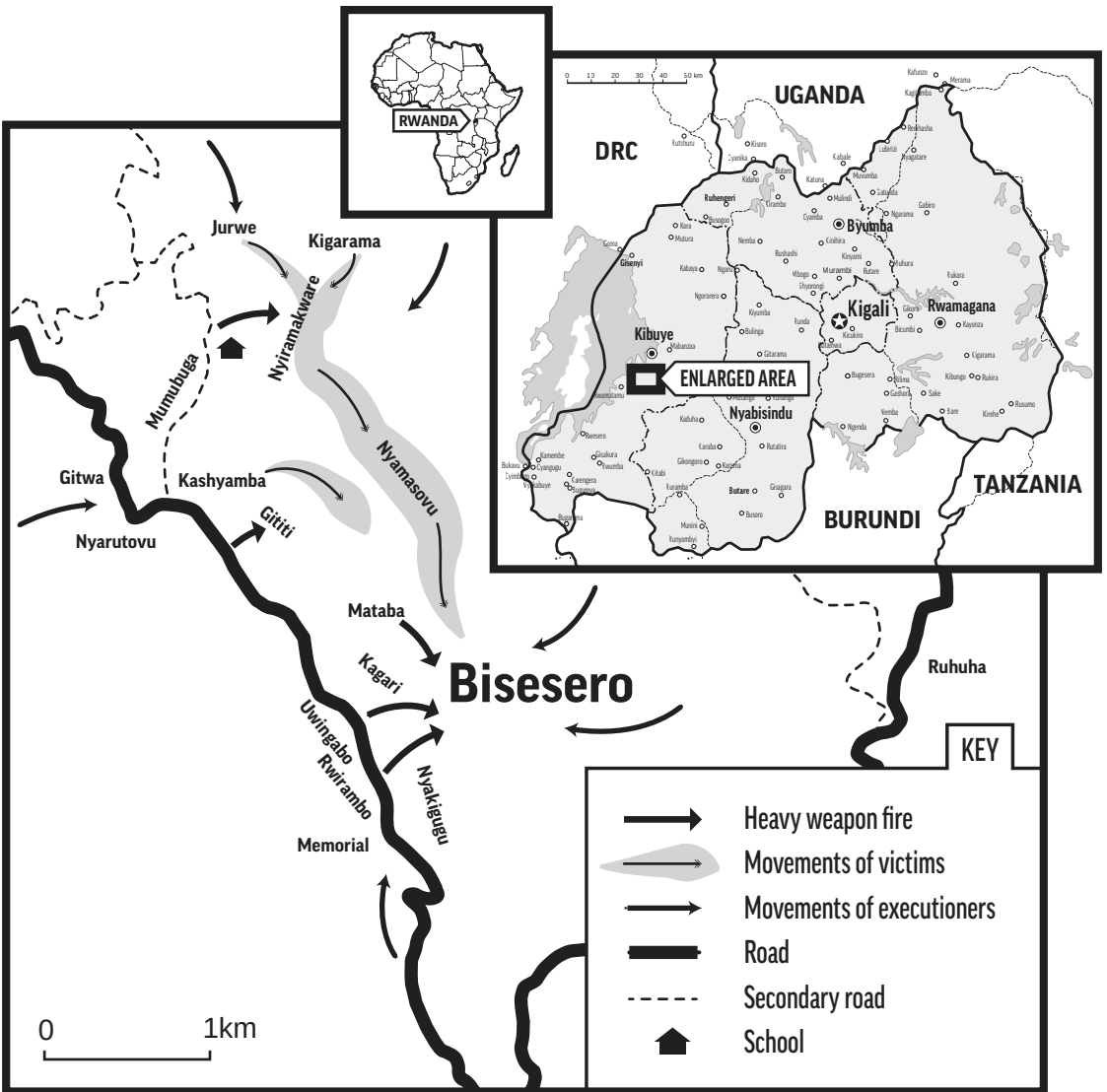
The arrival of the weapons in Rwanda in mid-June 1994 coincided with intensified genocidal rhetoric. Government forces were becoming desperate in their losing fight against the Rwandan Patriotic Front. Having retreated to Gisenyi, the FAR was wary of losing control of the capital Kigali to the RPF and of possible French intervention. This resulted in an increased level of coordination for the genocide of the Tutsi.¹ While much of the violence in the early period of the genocide was perpetrated by one neighbour against another, this later period was characterised by organised slaughter, as the FAR, its allied militias, and loyal civilians systematically hunted down remaining Tutsis. Historian and ICTR expert witness Alison Des Forges, in her report for Human Rights

Watch, *Leave None to Tell the Story: Genocide in Rwanda*, wrote that in June, Valérie Bemmerki—a radio presenter, later convicted of genocide in a Gacaca court—pushed killers to complete the elimination of Tutsi, ‘their total extermination, putting them all to death, their total extinction.’²

Bisesero is a range of hills in western Rwanda. It is about a three-hour drive from Gisenyi, where FAR troops were based at the time, and was one of the main sites that refugees fled to during the genocide.³ As such, it became the objective of several coordinated assaults targeting the mainly Tutsi refugees, a majority of whom were likely women and children.⁴ At Bagosora’s trial, Des Forges described the FAR as having been ‘determined to eliminate the surviving refugees on Bisesero hill.’⁵ While killings had been taking place in this region from the outset of the genocide, the region fell victim to a sustained and

coordinated attack planned by high-ranking members of the Rwandan government and military in June 1994, the same month as the weapons arrived. By the time of this final assault in late June, the FAR was more coordinated and the refugees had faced months of malnutrition surrounded by the bodies of people who had been murdered.⁶

Accounts of life in the Bisesero hills and the nearby town of Kibuye reveal how attacks on refugees had become routine. Interviews conducted by Human Rights Watch tell of how ‘people living in the town of Kibuye became used to the sound of the vehicles rolling by en route to Bisesero with their loads of assailants. ... The attackers would come to kill during the day and at night they would go off to eat and drink.’⁷ Other accounts reveal how the frequency of these routine attacks would increase: the attackers were divided into two teams, those who assaulted the hill during





Above: Uwiyisenga Ester a survivor of one of the worst killing fields in Rwanda's 1994 genocide stands, 16 January 2004 in front of a row skulls of people who died during the genocide in Bisesero, Rwanda.

the day and those 'who went around at night trying to find where people were hiding by smelling or seeing their cooking fires.'⁸

Accounts of refugees hiding in Bisesero also describe an increasing desperation to escape the violence.

A young man from Bisesero first fled south with a group heading for Burundi, but they were caught in the Nyungwe forest by the Presidential Guard. They escaped and made their way back to Bisesero. He tried again, heading southeast, planning to circle through the northern part of Gikongoro to reach the RPF zone. Forced to retreat again to Bisesero, he started out a third time to the northeast, through Birambo but once more was driven back to the hilltop.⁹



Witness testimony

Standing in contrast to these accounts of desperation are the accounts of increasingly brazen attacks by the emboldened genocidaires.

One survivor declares that Dr. Gerard Ntakirutimana, son of Pastor Elizaphan Ntakirutimana, who headed the Adventist church, came to the hill often, 'wearing white pants and a white and red sweater and carrying a R4 rifle.' The witness thought that Dr. Ntakirutimana would help him because their fathers had exchanged cattle, a sign of a close and enduring bond. He says, 'So I fled to Ntakirutimana for protection, but instead he shot at me.' The burgomaster, Charles Sikubwabo, a former soldier, helped organize the repeated assaults on the hill. From time to time, Alfred Musema, head of a nearby tea factory, came to observe.¹⁰



Witness testimony

These accounts from survivors of the Bisesero hills, which tell a tale of horrendous violence and misery, are important for understanding the context in which the weapons would have arrived. The stories of the desperation of victims and the emboldened behaviour of those attackers carrying firearms are instructive in helping assess the potential impact of a new shipment of arms.

The final attack on Bisesero was one of the FAR's last desperate acts before many of its leaders fled the country. Preparation for the attack took place in early June 1994, at a meeting in a hotel in Gisenyi, near the FAR base.¹¹ On 17 June, a day after the first arms transfer, Anatole Nsengiyumva (the ranking military officer in Gisenyi) received orders from Edouard Karemera (who was accused of orchestrating an earlier large-scale assault in the Bisesero hills in mid-May 1994)¹² to send troops to the Bisesero region to participate in a 'clean-up' operation.¹³ Orders were given for the slaughter to commence no later than 20 June,¹⁴ presumably to get as much killing done before the anticipated French intervention.

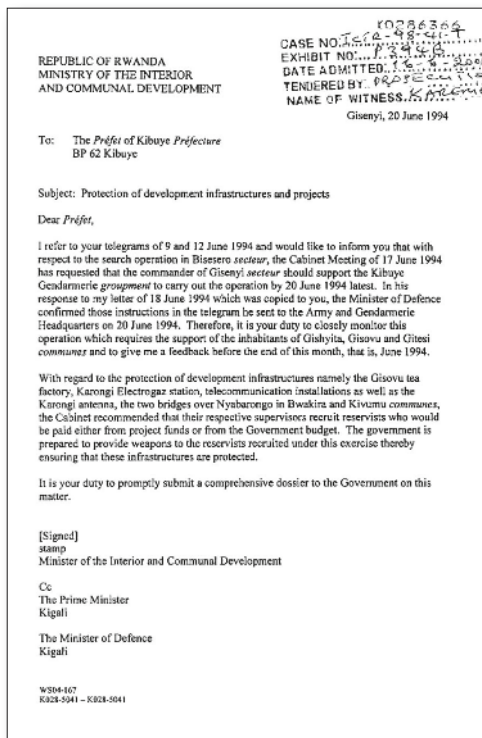
The result of this coordinated and premeditated assault was devastating and claimed well over 1,000 lives. Those who took part in these murders included the military, militia, and civilians.¹⁵ Other estimates have placed the number of people slain in the Bisesero hills as high as 50,000 over the entire period of the genocide.¹⁶ French soldiers have been said to have been complicit in this as the murders occurred after 27 June, when they had been deployed as a humanitarian force—Operation Turquoise—which was mandated to prevent such continued acts of violence.

ARMING THE BISESERO ATTACKERS

The arrival of the arms into Goma airport and their subsequent transfer into Rwanda paints the French as oblivious bystanders to a steady stream of weapons entering the country at Goma.¹⁷ At the time of the second shipment's arrival in Goma on 20 June 1994, French troops were preparing for Operation Turquoise in the same location. The Seychellois newspaper that first identified Théoneste Bagosora as the previously unnamed Rwandan purchasing arms also noted that the Rwanda-bound arms would be 'transferred literally under French eyes', given the looming French presence in the Seychelles, its former colonial outpost.¹⁸ This suggests that the French military and French intelligence could have kept a watchful eye on the weapons shipment from Rwanda to Zaire and ultimately to the killing fields of Bisesero.

Witness accounts and letters indicate that weapons such as those imported by Bagosora and Ehlers were used in the June 1994 attack. The first of these accounts is in a letter from one regional leader to another, dated 24 June, that confirms the arrival of militia forces from Gisenyi.¹⁹ This letter was central to the court's decision to find Anatole Nsengiyumva guilty of dispatching troops to Bisesero. The letter states that the troops had arrived on 19 June and had begun their assault. Crucially, the letter states that several shots had been fired—indicating that firearms were used.

This important evidence was presented at Edouard Karemera's trial in late 2006,²⁰ and it reliably indicates that firearms were used in the Bisesero assault. Importantly, the judgement came two years after Bagosora's trial in



Above: Communique from the Rwandan Minister of the Interior and Communal Development about the operation in Kibuye Bisesero.



Above: FAR soldier with rifle propelled grenade launcher walking ahead of refugees heading to the security zone held by Operation Turquoise.

2004, when the court had been unable to state whether the weapons purchased from Ehlers by Bagosora were used in Bisesero.²¹ The court's reasoning at the time had been that the accounts of the Bisesero attack described traditional weapons being used.²² The fresh evidence presented at the Karemera trial in 2006 meant a judicial rethink on the matter: live ammunition was almost certainly used at Bisesero.

Other accounts of the Bisesero assault provide supporting evidence of the use of firearms and grenades. One example of such evidence comes from the accounts of multiple eyewitnesses who described an attack on a cave in which over 40 refugees were hiding. Grenades were used in an attempt to flush out and ultimately kill the civilians within. The weapons procured by Ehlers and Bagosora included both hand grenades and rifle propelled grenades. As part of the preparation for the Bisesero assault, grenades were specifically requested.²³ Owing to the

intensity of the violence and the vulnerability of the refugees in Bisesero, there are likely to have been many more events like this from which no witnesses survived. It is impossible to overstate the brutality and the scale of the events in Bisesero, which would have very likely been worsened by the arms imported by Ehlers and Bagosora.

In the week before the assault on Bisesero, explosive weaponry, ammunition, and rifles were delivered to Goma, close to Gisenyi. This strongly suggests that the arrival of these weapons coincided with an organised and premeditated military operation in Bisesero that had requested the delivery of such weaponry and deployed it against civilians. Testimony from Gisenyi-based Interahamwe leader Omar Sherushago at the ICTR revealed that meetings took place in Gisenyi in early June to arrange for weapons and fighters to be sent to Bisesero.²⁴ Nsengiyumva also testified that Gisenyi acted as a hub from which troops were armed and dispatched to other areas of the country.²⁵

In his testimony, Sherushago further stated that the early June meetings identified a need for more troops and for weapons.²⁶ Also

in June, Nsengiyumva was seen returning from Goma with two trucks full of weapons. Shortly after this, he would ask Sherushago to rally local youth groups on account of ammunition now being available.²⁷ While Nsengiyumva's testimony establishes that Gisenyi acted as a centre for weapons distribution and troop dispatch, Sherushago's testimony confirms that Gisenyi saw the distribution of what was most probably the mid-June shipment of Ehlers' Malo weapons to militia, who were then dispatched to the Bisesero hills. The arrival of the Malo weapons so close to the distribution and training centre of Umaganda Stadium in Gisenyi, combined with the beginning of Operation Turquoise later in June, makes it highly unlikely that Sherushago's testimony could be describing the arming and training of troops for dispatch to any location other than Bisesero.

These facts were confirmed in Nsengiyumva's conviction for genocide and crimes against humanity by the ICTR.

In the second half of June 1994, Nsengiyumva dispatched militiamen, whose training he had overseen, from Gisenyi prefecture to reinforce local forces in an operation in the Bisesero area of Kibuye prefecture. This followed a request by the interim government to provide this support. On arrival, the militiamen were chanting 'Let's exterminate them.' Government and local authorities sent them to kill surviving Tutsi refugees in Bisesero ... The Chamber finds that these assailants participated in the intentional killing of members of the Tutsi ethnic group. In view of the widespread killing of Tutsis throughout Rwanda as well as the chanting of 'Let's exterminate them' by the assailants, the Chamber has no doubt that they participated in the attacks with the intent to destroy, in whole or in substantial part, the Tutsi group.²⁸

Ehlers arranged for weapons to be shipped to Goma in collaboration with a senior official of the Rwandan military. In doing so, these weapons would have arrived at a time when weapons from Goma were being transferred to Gisenyi and distributed to militia by Nsengiyumva.²⁹ Such militia were then dispatched by Nsengiyumva to participate in the assault on the Bisesero hills in mid-to-late June 1994.³⁰ The testimony presented here shows that weapons such as those shipped by Ehlers and Bagosora were used by FAR militia and associated combatants in this assault in Bisesero and the murder of many civilians.

RWANDA, ZAIRE, AND OPERATION TURQUOISE: THE BEGINNINGS OF THE GREAT AFRICAN WAR

The genocide ended on 15 July 1994—100 days after Habyarimana's plane crash. Nearly one million people had died by the time the Rwandan Patriotic Front defeated the Armed Forces of Rwanda and took control of Kigali. Many genocidaires used the French humanitarian zone created in the south of Rwanda under Operation Turquoise to flee into Zaire, and in some cases, to continue the massacres.

The 1994 Rwandan genocide continues to reverberate throughout the region. The Interahamwe continue to exist today, launching insurgent attacks from Zaire into Rwanda.



The Interahamwe have been designated as a terror group by Rwanda and many other African countries along with some in the global North.³¹ Their arms emanate from the same groups who sponsored the genocide.

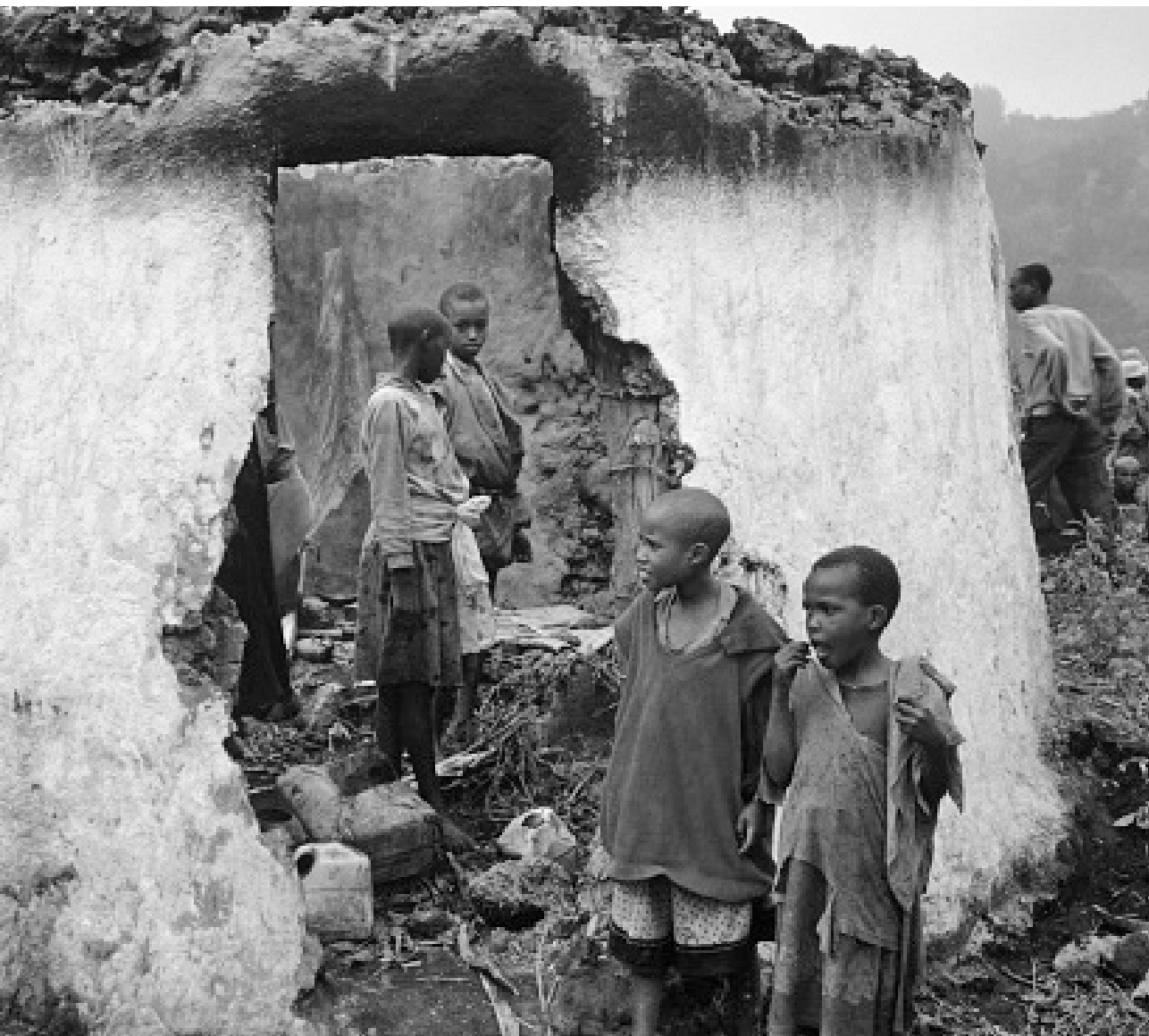
In 1996, the First Congo War began when Rwanda invaded Zaire to continue to hunt down genocidaires. France had not stopped arming the FAR, even though the UN arms embargo (under Security Council resolution 918) prohibiting sales to Rwanda was still in place. To circumvent this, arms exports were routed to Goma airport in Zaire, just as the Ehlers shipment had been.³² For the duration of Operation Turquoise, the FAR and thus its militia, the Interahamwe, continued to receive weapons inside the French-controlled zone via Goma airport.

Below: Survivors of the genocide on the hills of Biseseo, on the road to Kibuye.

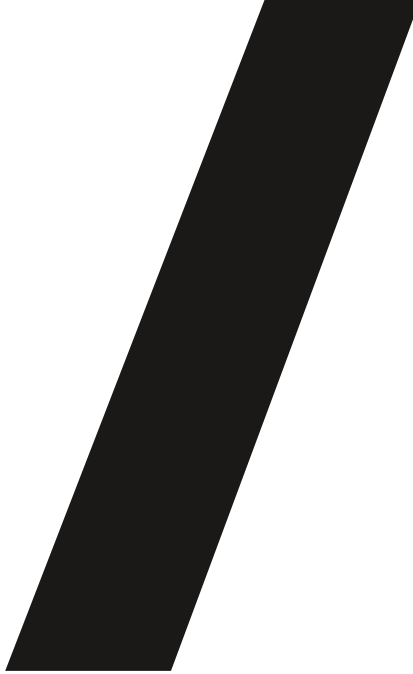
According to UN officials, between July and September 1994, the French military flew key commanders, including Théoneste Bagosora and Interahamwe militia leader Jean-Baptiste Gatete, out of Goma to unidentified destinations.³³ Human Rights Watch also learned that FAR troops and militia received military training in the Central African Republic and Cameroon.³⁴ The war in Congo continues to this day.

Evidently, Ehlers' Malo arms transaction had far-reaching consequences. In arming genocidaires for profit, Ehlers is likely to have contributed to the death of many people in Gisenyi and Biseseo, and possibly even the DRC, where the Interahamwe continued their attacks with weapons they had received from Nsengiyumva and Bagosora.

Ehlers profited from genocide—and for that he should be held accountable.







THE FRUITS OF IMPUNITY: EHLERS AND OTHER WARS

Justice for the Rwandan genocide has been a long process, with many high-level perpetrators still not having faced justice. The international arms dealers, bankers, and other enablers have largely escaped accountability. Owing to the wide-scale involvement of the people of Rwanda in the genocide, transitional justice has required a multilayered approach. Thus, the country has used both the formal justice system and traditional justice mechanisms called the Gacaca. There have also been several UN, Belgian, French, and US investigations into the genocide.

THE CAMERON COMMISSION AND THE ELUSIVE ‘ELI WAZAN’

In South Africa, the most significant impetus to clean up the South African arms export regime came about as a result of a dirty arms deal in Yemen, which coincided with the genocide in Rwanda. The Commission of Inquiry into Alleged Arms Transactions Between Armscor and one Eli Wazan and Other Related Matters—also known as the Cameron Commission—was initiated following a revelation that a large consignment of arms previously belonging to the South African Defence Force had been intended by Armscor for supply to Yemen—a deal which fell through, but nevertheless sparked outrage as Yemen was at the time involved in a civil

war.¹ The Yemen arms transfer included 'a Lebanese arms dealer with Israeli intelligence connections [Eli Wazan], acting on behalf of a Saudi Prince [Anwar al-Shalaan] and a German citizen [Joseph der Hovsepian]':²

Upon its discovery of South African weapons in Rwanda in 1994, Human Rights Watch requested the South African government to disclose the nature of its military assistance and arms transfers to the Rwandan government, including arms transactions undertaken by Armscor.³ It further requested the Cameron Commission to investigate Armscor's deals with Rwanda.⁴

The International Commission of Inquiry (Rwanda) also seemed to be under the impression that the files of the Cameron Commission would have information on Ters Ehlers and other arms of South African manufacture. In its final report, the International Commission stated that it had written to the Cameron Commission, on 27 and 29 November 1995, for a copy of the commission's report but had received no reply.⁵

On 7 February 1996, the Rwandan commission met with the South African deputy high commissioner in Nairobi.

At that meeting, the Chairman of the commission conveyed to the Deputy High Commissioner a third letter, dated 7 February 1996, to the Government of South Africa, recalling the previous two and referring to the involvement of Mr. Ehlers in an arms transaction that was under investigation by the Commission as a possible violation of the Security Council embargo. The letter again requested information as to whether the South African Government had conducted, was conducting or contemplated conducting an investigation into the possible participation of any South African nationals or companies in the sale or supply of arms and matériel to the former Rwandan government forces in violation of the United Nations embargo. The Commission also repeated its request for information as to the origin of the weapons it had inspected on Iwawa Island, Rwanda (also known as Ile Wahu), one of which appeared to be of South African manufacture.⁶

On 20 February 1996, South Africa's Minister for Foreign Affairs Alfred Nzo wrote to the chairman of the International Commission, referring to the two letters dated 27 and

29 November 1995 and the requests made therein, and replying as follows:

In respect to the involvement of South African national: in connection with the sale or supply of arms and material to the former Rwandan Government and, in particular, Mr Willem Petrus Jacobus Ehlers, the information available indicates that Mr. Ehlers, in his private capacity, could have brokered the arms transaction in question in June 1994', The Foreign Minister also stated that the rifle inspected by the International Commission on Iwawa Island, Rwanda, on November 1995 had been manufactured in 1987 and sold in May 1992 to the Government of Rwanda.⁷

The Cameron Commission ultimately focused largely on the Yemen case, on government sales rather than private arms transactions, and on general recommendations to ensure better control of arms sales by South Africa. It stressed that Armscor and other South African officials themselves showed a 'general, institutional lack of responsibility regarding the end destination of South African arms exports',⁸ but also admitted that it had exposed 'only a fraction of the underworld inhabited by South African arms manufacturers and dealers.'⁹

While the final reports of the commission make no mention of Ehlers, the similarities between the Yemen deal and that in the Rwanda case have led to allegations that the elusive 'Lebanese' arms dealer Eli Wazan of the Yemen debacle may have been Ehlers. This is a claim we have not been able to verify as there is very little information surrounding the highly elusive Wazan.

Both Eli Wazan and Marius Vermaak, the Armscor agent who was responsible for the transaction and one of the few people known to have met with Wazan on multiple occasions (as per the final report of the Cameron Commission),¹⁰ declined to testify at the Cameron Commission, further adding to the mystery of the primary actors involved. At the time of the Wazan debacle (and until 1995 when he resigned),¹¹ Vermaak was a highly successful

manager of the stock sales department at Armscor. He is noted as having prioritised clients over paperwork and process to reach sales targets.¹² Despite recommendations by the Cameron Commission for further investigation into his criminal conduct, Vermaak was not held accountable for his role in the Wazan debacle.

THE HONORARY CONSUL OF COLOMBIA

Between 1958 and 2013, Colombia was embroiled in a civil war between the government and various groups, mainly the Revolutionary Armed Forces of Colombia or FARC, which led to the death of 220,000 people.¹³ The war disrupted the lives of five million people who had to flee their homes between 1986 and 2012. Remarkably, the Colombian government appointed Ehlers—an arms dealer and former apartheid military official—as an honorary consul from at least 1995, (according to a government gazette).¹⁴ This arrangement terminated around 2015 when his name still appeared on the Department of International Relations and Cooperation's list of foreign representatives in South Africa.¹⁵ The address of the Honorary Consul also matches the Pretoria residential address given on Ehlers' business registrations and the address from which his wife, Lorraine, ran a wedding design company.¹⁶

In this capacity, Ehlers would have enjoyed diplomatic immunity as well as protected diplomatic bag facilities.¹⁷ Diplomatic bags are important as they are seldom inspected and provide a safe conduit for sharing information, and potentially, material such as clandestine equipment.

Colombia has also been a significant destination for arms exports despite widespread concern about the country's human rights violations.¹⁸ Between 1997 and 1999, South Africa exported weapons worth approximately \$30 million to Colombia.¹⁹ We do not know whether Ters Ehlers also assisted the Colombian government in obtaining these or other weapons. However, it seems inexplicable to appoint an arms dealer as an honorary consul—unless this area of expertise was being sought out.

THE CONSEQUENCES OF IMPUNITY

FUELLING THE WAR IN ANGOLA

South Africa's failure to hold Ters Ehlers accountable, despite awareness of his arms dealing among officials at the Cameron Commission, has resulted in Ehlers being able to foster misery in other parts of the world and to make millions while doing it.

Less than two years after the Rwanda arms sale, in 1996, Ehlers' name was again linked to illicit trade. This time, it involved providing fuel to the rebel UNITA movement in Angola, old allies of the apartheid regime, despite the UN fuel and arms embargo against them.²⁰ The Namibian transport ministry linked Ehlers to the grounding of a Russian-registered cargo aircraft because of failure to obtain sufficient authorisation for flights between South Africa, Namibia, and Angola.²¹ The fuel had been bought from BP in Namibia, sold to UNITA,²² and carried to Angola on cargo planes owned by Pretoria-based Russian Louri Sidirov.²³ Sidirov's company, Yurand Air, was allegedly responsible for 10 flights from Namibia to Angola, Zaire, and Botswana, all carrying fuel.²⁴ Senior Namibian officials appeared to have interceded with the ministry to get approval for the flights, but they ended up failing to file approved flight plans.²⁵

Ehlers admitted to having made the applications on behalf of the aircraft owner, who had a history of skirting the law in Mozambique and South Africa, but denied knowing anything about the cargo or the specific flights.²⁶ Organised crime researcher Mark Shaw claims that several sources have also implicated Ehlers in the supply of weapons and other supplies to UNITA, and suggests that he forged this link as liaison with UNITA under the apartheid government.²⁷

GUNBOATS FOR IRAN

In 2010, Ehlers the arms dealer was back in the headlines when it emerged that a company he co-owned—Scavenger Manufacturing²⁸—had contravened the US and British arms embargos on Iran by shipping a cutting-edge speedboat to Iran.²⁹ The superfast, super sleek boat, known as the Bradstone Challenger or Bladerunner 51, had been

developed by British firms and a US defence contractor, and although it did not strictly break UN sanctions, its provision to Iran violated US export restrictions, as the speedboat contained US dual-use components.³⁰ Dual-use items are goods and technologies that may be used for both civilian and military purposes.

Having first been used by several private individuals on the Mediterranean since 2006, the speedboat was on the market again by the beginning of 2009. The *Mail & Guardian* reported that the UK trade and industry department managed to block an Iranian attempt to buy it that year.³¹ A third party was needed to circumvent this, and so it was arranged for the boat to travel on a cargo ship (which changed its name and registration company upon docking) to Durban, after which it would be transferred to Iran.³² Catching wind of the deal at the last minute, the US commerce department tried to block the ship's departure, but the urgent fax to Durban was not picked up over the weekend, until it was too late.³³

The list of parties involved in this deal have since come under selective trade sanctions by the United States.³⁴ Established in 1996, Scavenger Manufacturing was co-owned by Ehlers and mountaineering enthusiast Ralph Brucher.³⁵ It specialises in the design and manufacture of 'textile products and accessories', including riot gear and special forces equipment, with more than half of its sales having security or military applications.³⁶ It has maintained that its involvement with the Bladerunner 51 was on the basis of it being a 'recreational craft'.³⁷

Soon after the transfer, however, a general in Iran's Revolutionary Guard's navy confirmed that the Bladerunner 51 was to be adapted to launch missiles and torpedoes, and then copied and provided in large numbers to the Iranian navy.³⁸ This was hardly an unforeseeable outcome: it was precisely the risk of the speedboat being turned into a 'fast attack craft', as had happened with similar vessels in the past, that was the basis of the US attempt to block the sale and transfer through South Africa.³⁹

ACCOUNTABILITY: IT IS NOT TOO LATE

Impunity for Willem 'Ters' Ehlers has meant that he has gone on to potentially perpetrate and profit from human rights abuses in other parts of the world, as evidenced by the examples we have discussed. It is important that he is finally held to account. To this end, Open Secrets believes the following steps are necessary to stop Ehlers and other war-profiteers like him.

1. We recommend that the South African National Prosecuting Authority (NPA) finally act on the extensive evidence of Ters Ehlers' involvement in the Rwanda Malo arms transaction detailed in this report. Ehlers was instrumental in the supply of weapons to Rwanda that were then used during the genocide. This makes Ehlers liable to face charges of aiding and abetting genocide. The fact that Ehlers has repeatedly been involved in the sale of arms to embargoed individuals and those suspected and found guilty of crimes against humanity makes this an urgent case for justice. It is vital that the NPA put an end to the impunity that Ehlers has enjoyed. In the name of the victims of the genocide in which Ehlers was complicit and in the name of South African rule of law, Open Secrets calls for justice in the case of Ehlers' arms deal.
2. We call on French prosecutors to act on the material handed to them by Sherpa, Ibuka, and CPRC and to act to prosecute BNP Paribas for facilitating transactions on behalf of the genocidal Rwandan state and for making the payment to Ters Ehlers for the arms transaction detailed in this report.
3. Ters Ehlers should pay reparations to Rwandan civilians equivalent to the harm caused in Bisesero and Gisenyi. It would be an important step towards centring the victims and survivors of the Rwandan genocide. We recommend that this be in the form of a reparations trust to be managed either by the South African government or by elected Rwandan civil society groups in South Africa.

It is vital that the NPA put an end to the impunity that Ehlers has enjoyed. In the name of the victims of the genocide in which Ehlers was complicit and in the name of South African rule of law, Open Secrets calls for justice in the case of Ehlers' arms deal.

TERS EHLERS RESPONDS

Open Secrets sent Ters Ehlers 14 detailed questions, in August 2022, providing him a right to respond to the critical issues raised in this report. Ehlers asked to speak with Open Secrets via phone and was at pains to suggest that his role in the arms shipment destined for Rwanda had been misunderstood. He declined the request to respond in writing, preferring to instead meet with Open Secrets investigators. What follows below are key issues highlighted by Ehlers in his right to response during a lengthy meeting. The response by Ehlers should be read alongside the contents of this report to allow the reader an opportunity to form their own opinion.

MEETING AN ARMS DEALER AT THE INTERCONTINENTAL

The secretary strode into the Intercontinental Hotel at OR Tambo Airport; a tall man, with a broad smile, in a relaxed shirt, crisp blue jeans, and sensible sneakers. No stuffy suit or military fatigues for him. He came armed only with an ostrich skin, combination briefcase, which has a strong whiff of 1980s business deals.

Willem Petrus Jacobus Ehlers is one of three members of his family who share the same name. He is also the third son, raised on South Africa's West Coast. His mother he explains, fatigued by the many men with the same name in their family, decided to call him Ters from the Latin Tertius, meaning the third.

IN THE NAVY

Ters Ehlers enlisted in the navy after completing his studies at Stellenbosch and compulsory military service. The young man impressed his superiors, and by 1970, he was sent to France to receive training at various French submarine bases—and learn French. Ehlers' ear for French would also prove helpful in later years as the scope of his political and business connections grew in countries such as the Seychelles, Zaire, and Rwanda.

THE BIG CROCODILE'S RIGHT-HAND MAN

After returning to South Africa onboard a French-constructed submarine, Ehlers served in the navy until 1978, when PW Botha, then defence minister, appointed him as his secretary. When Botha was appointed prime minister six months later, Ehlers followed him to the Union Buildings. In 1983, when Botha was appointed executive state president, the loyal Ehlers continued in his role of secretary.

Ehlers maintains he was never a member of a political party; neither the then ruling National Party nor the secretive Broederbond. His responsibility was to manage Botha's office and all official correspondence: 'I am not interested in politics'—a curious statement given that he occupied the antechamber to the most powerful political office in South Africa for a dozen years.

Like a good secretary, he claims to have seen and heard no evil. He was merely a diligent bureaucrat who engaged in the pleasantries of welcoming guests to Botha's office, and in none of the substance of the actual meetings—this included the 10 minutes he spent with a nervous Nelson Mandela before his meeting with Botha in 1988. However, he was more than just a butler offering guests cream and sugar with their coffee. In sharp contrast to his claim are the anecdotes he offered,

observing that as he spoke ‘reasonably good French ... it stood me in good stead when I in most cases would act as translator when the President of Gabon or Ivory Coast would come and visit’. He went on to add, ‘I never realised the mileage speaking French would stand me in later life.’

TALKING ITALIAN— EHLERS MEETS GIOVANNI MARIO RICCI

According to Ehlers, he first encountered Giovanni Mario Ricci, an eccentric-looking man at a dinner Botha hosted for the local Italian community, in the early 1980s. Given that Ricci spoke no English, they conversed in the Romance languages—French and Italian. Ricci claimed to be a good friend of President France-Albert René of the Seychelles and suggested that he could be the intermediary between South Africa and the Seychelles. Relations between the ruling elites in the two countries were strained at the time and rebuilding these would be key for South Africa’s global sanctions-busting network.

On the long Easter weekend in 1985, Ehlers and his wife set off on a short holiday to the Seychelles—one sanctioned by his boss, at which he would mix business with pleasure and meet President René. Safari suits were swapped for business wear, and he negotiated landing rights for South African cargo planes travelling to East Asia. He also discussed the release of a South African intelligence official who had been sentenced to death in the Seychelles for his involvement in a failed coup. As the Truth and Reconciliation Commission’s records show, Botha’s government sweetened the prisoner’s release with a payment of \$3 million. The mix of cash and goodwill paved the way for South African investment in orchard farms in the Seychelles and ultimately entrenched Ehlers’ relationship with René. The perchance meeting with Ricci over supper not only shifted relations between two countries but was, by Ehlers’ account, also the catalyst for his working relationship with Ricci and his sanctions-busting outfit—GMR.

Ehlers is dismissive of suggestions that he met with Craig Williamson, who preceded

him in running the GMR operation: ‘I met Craig Williamson once in my life; this was when he had to do a presentation to the State Security [Council].’

‘OPEN FOR THE MARKET’

Following PW Botha’s resignation as state president in 1989, Ehlers stayed on to assist FW de Klerk with his transition—but he was done with bureaucratic chores and wanted to find something to do that would not mean occupying himself with ‘menial things’.

Ehlers contacted Ricci and offered his services: he was ‘open for the market’—as a French speaker whose network included African leaders whom he had met while they were ‘dealing with apartheid South Africa under the table’. These included Félix Houphouët-Boigny (Ivory Coast), Mobutu Sese Seko (Zaire), Kenneth Kaunda (Zambia), and Hastings Banda (Malawi). He also claims to have ‘became a good friend’ of President Yoweri Museveni of Uganda.

As for Rwanda, Ehlers claims that he had no contacts with the government and never visited the country and that he ‘only spoke [for] three minutes to that Bagosora guy’.

Most of the work he undertook for GMR involved working his contacts on the African continent: ‘To do business in Africa back then, you had to know the boss and know who the minister of finance is.’ Working with a group of Italian South Africans from Johannesburg, Ehlers would liaise with the GMR office in Italy. From his account, they were a regular ‘import-export’ type company arranging for the supply of products, ranging from medicine, canned food, and heavy locomotives to Bohemian glass from Czechoslovakia.

Ehlers is emphatic that he and GMR were not involved in the arms trade, nor in sanctions-busting, while he was working for them. It was a trading company, albeit with curious clients, like the Zairean police force who needed batons. Intermediaries like him were necessary to facilitate trade, especially because business with African countries was difficult. He had a knack for this business because he understood one fundamental thing: ‘When you sell goods in Africa, you have to secure the payment first.’

A FREE AGENT

In early 1992, Ehlers, by then managing director of GMR, decided to go it alone and start his own 'consultancy'. This was essentially facilitation work—he opened the door for Foreign Affairs Minister Pik Botha to meet President René in the Seychelles and 'took a lot of businesspeople through Africa'. He either charged an hourly rate or took a percentage of the profits from the deals that resulted from these contacts.

Then president FW de Klerk, who learnt that Ehlers was good friends with Ugandan President Yoweri Museveni, asked Ehlers to deliver a letter to Museveni. In short, the South African government wanted to do business in Uganda and provide aid, but the quid pro quo was that ANC military training camps should be closed. Museveni got back to say that all ANC combatants would be moved to Tanzania within a month—even if he would not close the actual camps.

THE MALO ARMS DEAL

In March or April 1994, President René called Ehlers to say that the Seychelles had intercepted a shipment of arms [the Malo] and with this request: 'If you can find a buyer, please help me get rid of this stuff. Ehlers explains the Seychelles had no armoury, which meant the arms could not be safely stored and posed a security risk given the Seychelles' history of attempted coups.

Per chance, in May 1994, Ehlers says he received a call from an unnamed 'guy from the military in Zaire'—who he recalled as Hunda—who were 'looking for 10,000 AK47 rifles and two million rounds of ammunition'. He says he told the Zaireans that he did not have the contacts with such a quantity of weapons to sell, but that he could offer a small inventory from the Seychelles that included 1,000 AK47 rifles, some ammunition, and big calibre 23mm anti-aircraft ammunition. Ehlers claims he never saw the actual inventory, though.

According to Ehlers, he then worked as the intermediary between the Seychelles, which needed to get rid of the arms, and Zaire, which needed them. So he met with Zairean government officials 'somewhere in Johannesburg'. He claims that they introduced themselves as Zairean government

officials, brandishing letters on the official Zairean government letterhead.

Ehlers says that two or three weeks later, the Zaireans got back to him and confirmed they wished to buy the weapons. Hunda paid for his ticket to the Seychelles and mentioned that they were to be accompanied by a technical expert. 'I met him at the airport', Ehlers told us, alluding to Bagosora, but stated that he was referred to as 'colonel something'. He further stated that he believes the individuals he met were Zairean officials because they had Zairean passports.

Ehlers is adamant that he told the Zairean buyers he did not want the arms to 'end up in Rwanda and I don't want you to send this to UNITA'; and that the officials assured him the arms would be used for fighting in Burundi, in order to avoid the conflict spilling over into the eastern DRC.

According to Ehlers, it was the Seychelles government that came up with the amount of \$330,000 for the weapons. Ehlers then returned to South Africa, and two weeks later, he was contacted and informed that the deal was on. The Seychellois authorities, in turn, required the cash in their bank accounts and the authenticated end-user certificate.

Ehlers says they had to use his Swiss bank account for the payment. Ehlers was unable to recall the name of his Swiss bank, which the records show was UBP. He told us that the account was one he rarely used, that it was set up for him by GMR, and that before the Malo Arms transaction, it only had \$10,000 in it from another deal.

According to Ehlers, the Seychelles government banked at the same Swiss bank. Thus, he would receive the payment in two parts and pay it on to the Seychellois. Again, he emphasises they insisted 'that the EUC be kosher and accompany the last collection [of weapons by aeroplane]'. He states that the collection was broken up into consignments because the Air Zaire plane that the 'Zaireans' wanted to use was a 'dilapidated' DC8 aeroplane that could not carry more than 20 tonnes at a time. The plane returned a week later to collect the second consignment.

In Ehlers' estimation, the arms reached Rwanda when the 'fight was already over'.

We asked about the identity of the Jean Jacques named in ICTR documents and he stated that Jean Jacques was a Zairean official. When we asked how he knew Alfred Kalisa and why Kalisa stated in his affidavit

that he introduced Ehlers, his friend, to the 'Zaireans', Ehlers only said that he remembers Kalisa, though not his nationality, and described him as quite articulate and as a man who 'spoke good English'. According to Ehlers, the only business that he conducted with Kalisa was for the sale of a container of wine.

It is important to note that evidence by Belgian police detective Olivier Bogaert (cited in this report) and Kalisa's own affidavit to the South African police contradict this account. So does the investigation conducted by Thomas Cook into the attempt to use their traveller's cheques to buy arms for Rwanda.

THE BOMB BURSTS

Ehlers says that after the second plane left, the 'bomb burst' and the news that he was selling arms to Rwanda broke. Apparently, on the same day, South Africa's National Intelligence agency came to 'raid' his home. According to Ehlers, they seized all his documentation and never returned it: 'I was worried that I was just going to [be] left in my underpants.' Ehlers suggests he 'felt like Mr Trump' following the 2022 raid by US authorities at Trump's Mar-a-Lago resort to search for evidence of a crime.

Because he was being monitored by Intelligence, he says that he could not 'even call the president of the Seychelles to apologise.' He says that in contrast to the South African spooks though, the UN International Commission of Inquiry on Rwanda 'did a good job' of covering his involvement in the deal. Ehlers provided Open Secrets with the third report of the commission—which covers the Malo arms deal. Curiously the content of this report deal does little to exonerate Ehlers.

When we asked Ehlers about the formation of his company, Delta Aero, and what that entailed, as well as how it came to be involved in this arms transaction, he stated that his consultancy work was not a part of Delta Aero. He said that it really only ever existed for him to export goods from Czechoslovakia. According to Ehlers, the story about the Rwandan arms deal had several factual errors, this being one of them. He states that the source of these errors, or smears, is a family member—Elmie Eksteen.

BLAME IT ON THE IN-LAW

According to Ters Ehlers, the source of much of the material concerning his involvement in the Malo weapons shipment to Rwanda was his sister-in-law, Elmie Eksteen. Ehlers dolefully dishes out a tale of family betrayal, involving the murder of his parents-in-law in 1990 and Eksteen's alleged role in manipulating the estate, which derived its profits from a family mine. According to Ehlers a warrant was eventually issued for Eksteen's arrest, and he claims that detectives found a storage unit belonging to her, which contained an apple crate filled with documents and tapes, which the police handed over to Ehlers. Ehlers ran his hand over some of these tapes in his briefcase but showed no interest in sharing these. Ehlers feels maligned by Eksteen because she was feeding journalists with a particular narrative of 'Ehlers, the Arms Dealer', who fuelled the genocide in Rwanda. He also claims it was Eksteen who spread a falsehood that he is a family member of former apartheid spy chief Niël Barnard. Ehlers paints a picture of an individual who led a campaign to turn public opinion against him: 'she fooled all'. This was all as an act of vengeance for the role of Ehlers and his wife in removing her as an executor of his parents-in-law's estate and the money she wished to access.

As Elmie Eksteen passed away more than a decade or more ago, we were unable to pursue any questions with her—but Ehlers' explanation that he was the victim of a jealous sister-in-law does not sit well with the volume of evidence linking him to the Rwandan genocide. His conversation with us was peppered with commentary about Eksteen's mental well-being and alleged romantic relationship with an SABC journalist who reported on the matter in the 1990s.

He stated, 'Obviously, I feel very bitter. Inside my heart cries. Inside I know that I am not that person. I thought that I was doing a favour for the President of the Seychelles ... what more proof can you get than EUCs and official passports?' He carried on, 'I couldn't go sit in the church. That's how badly I felt. I now carry the label. It is painful, very painful.'

While Ehlers had brought a briefcase, supposedly containing some of the documents and tapes from Eksteen's apple crate, with him, we were unable to verify his claims about Eksteen as he declined to show us all the documents. Rather, he hand-picked a few, many of which already exist in the public domain and are cited in our investigative report.

SCAVENGER MANUFACTURING

Given the fallout from the Rwanda deal, Ehlers decided to drop his consulting work. In the late 1990s / early 2000s, Ehlers started to assist the UN with developing a demining suit for its work across the continent. Ehlers then went about finding a company that manufactured mining harnesses, to make and design the equipment. This is how he came upon Scavenger Manufacturing. He had so much faith in this company and their design that he eventually bought shares in the company.

The demining suit took six months to develop, and Scavenger Manufacturing eventually received the UN tender for the creation of these suits for demining. Ehlers stated, 'At least I can say that I was instrumental to save many a life that way'.

At this point, we pressed Ehlers again about the other arms sales he is alleged to have been a part of, such as the gunboats for Iran—to which he responded that Eksteen pushed this agenda. He emphatically stated: 'I can categorically state that I sold two years before the Seychelles transaction; I sold a small amount of ammunition to the Zaire police', which was all above board. Ehlers implied that his work was otherwise mostly benign import-export activity.

COLOMBIAN CONNECTIONS

Among the documents Ehlers showed us, there was one he said he is very proud of—it is his certificate, signed by President Nelson Mandela, appointing him as honorary consul of Colombia.

He says that this was the result of work he conducted for the Colombians at the behest of a good friend who held an ambassadorial post at the UN in Geneva. This friend told him that Colombia was 'struggling with Armscor'. While Armscor and Colombia had a relatively good relationship and Colombia already bought lots of ammunition from Armscor, the South African state-owned arms company was reluctant to sell a Mirage aircraft part that it had developed, which cost half of what it did in France and lasted five times longer.



To assist the Colombians, Ehlers called the chairman of Armscor. Later, in 1995, 'the friend in Geneva' called to say that the Colombians had managed to secure the deal with his help. Two months later, the Colombian ministry of foreign affairs offered Ehlers an honorary consul position in South Africa, as Colombia did not have an embassy in South Africa at the time.

When asked how he would characterise his work, Ehlers summed up his business model, which he denies is arms dealing: 'My business is contacts. If you have contacts, you can move'.



Above: A general view of the Bisesero Genocide Memorial, in Bisesero, Rwanda. An estimated 40 000 - 50 000 people were murdered in the Bisesero Hills during the Genocide.



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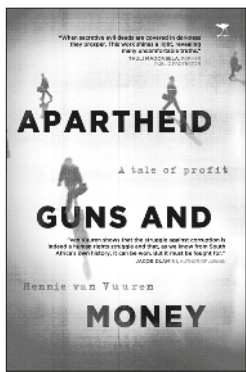
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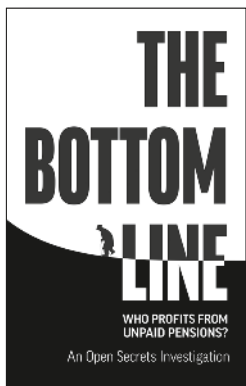


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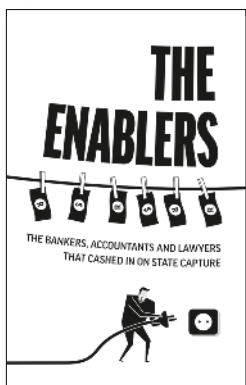
APARTHEID GUNS AND MONEY: A TALE OF PROFIT

Published in 2017, this exposé draws on extensive archival research and interviews to reveal the global covert network of corporations, spies, banks, and politicians in nearly 50 countries that operated in secret to counter sanctions against the apartheid regime, and profit in return.



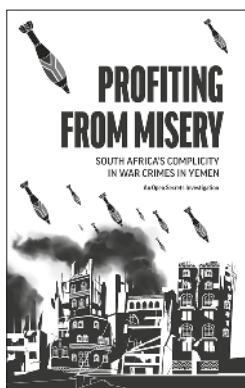
THE BOTTOM LINE : WHO PROFITS FROM UNPAID PENSIONS?

This investigative report is the culmination of a year-long investigation by Open Secrets into the role of corporations in the erroneous cancellation of pension funds between 2007 and 2013. The Bottom Line focusses on the role played by the big corporations who administer these funds, such as Liberty Corporate and Alexander Forbes. The report also looks into the role of the regulator in creating an enabling environment for the 'Cancellations Project'.



THE ENABLERS: THE BANKERS, ACCOUNTANTS AND LAWYERS THAT CASHED IN ON STATE CAPTURE

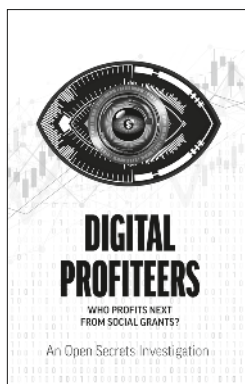
This investigative report focuses on the role of banks, accounting firms, consultants, and lawyers in facilitating criminal conduct that formed part of the state capture enterprise. The report shows that the systems that enable grand corruption and state capture are global in nature, and that private sector elites are central to the problem. It was intended to provide evidence and analysis to assist Justice Zondo and the State Capture Inquiry with their pressing task in 2020.



PROFITING FROM MISERY:

SOUTH AFRICA'S COMPLICITY IN WAR CRIMES IN YEMEN

This investigative report reveals the South African arms companies that have cashed in on the sale of weapons to Saudi Arabia and the United Arab Emirates (UAE), two central parties to the Yemeni conflict.



DIGITAL PROFITEERS:

WHO PROFITS NEXT FROM SOCIAL GRANTS

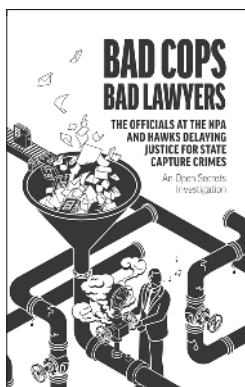
This investigative report focuses on how the digitalisation of state services offers opportunities for corporations to generate excessive profits from digital systems that can harm vulnerable people.



WANTED:

THE STATE CAPTURE CONSPIRATORS

This investigative report traces the networks of capture and corruption at the Passenger Rail Agency of SA, SA Airways, Denel and the SA Revenue Service, and identifies the looters, fixers and politicians who should now be held to account.

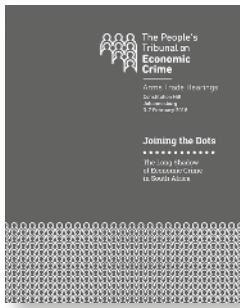


BAD COPS, BAD LAWYERS:

THE OFFICIALS AT THE NPA AND HAWKS DELAYING JUSTICE FOR STATE CAPTURE CRIMES

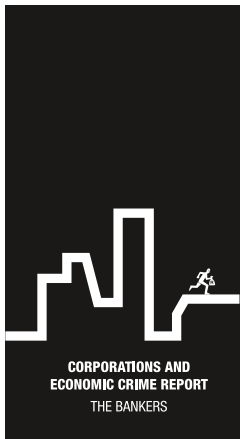
Bad Cops, Bad Lawyers – uses evidence submitted to the Zondo Commission, NPA documents, court judgements, and investigative reports to document how the Hawks and the NPA have failed to take on state capture cases. It also recommends that true reform in these agencies will not be possible unless they hold their own to account.

OUR REPORTS:



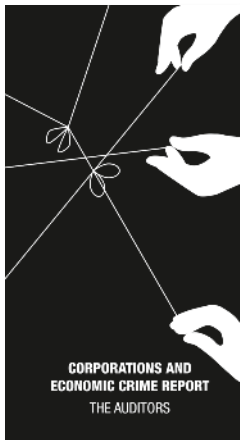
JOINING THE DOTS: THE LONG SHADOW OF ECONOMIC CRIME IN SOUTH AFRICA

Prepared for the first People's Tribunal on Economic Crime, this report examined continuities in economic crime and corruption in South Africa related to the arms trade, from apartheid to contemporary state capture. In doing so it highlighted the powerful deep state networks that have facilitated these crimes.



CORPORATIONS AND ECONOMIC CRIME REPORT (VOLUME 1)

The Corporations and Economic Crime Reports (CECR) explores the most egregious cases of economic crimes and corruption by private financial institutions, from apartheid to the present day. In doing so, we aim to highlight the key themes that link corporate criminality across these periods of time, focusing on the role of the private sector, a critical blind spot in the discourse around economic crime. This first volume of the series focuses on the role of banks and other financial sector actors in corporate criminality.



CORPORATIONS AND ECONOMIC CRIME REPORT (VOLUME 2)

This second volume in our Corporations and Economic Crime Reports (CECR) series focusses on the big four auditing firms- PWC, KPMG, Deloitte and EY and their role in some of the most egregious examples of economic crime



JOINT SUBMISSION TO THE ZONDO COMMISSION: AN AGENDA FOR ACTION

This Agenda for Action is based on detailed submissions made to the Zondo Commission by organisations of the Civil Society Working Group on State Capture (CSWG) covering the widespread impact of state capture on lives of people in South Africa. Open Secrets acts as the secretariat of the CSWG. Editors: Naushina Rahim, Zen Mathe and Hennie van Vuuren.



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