

UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL

S/12294
8 March 1977

ORIGINAL: ENGLISH

REPORT OF THE SECURITY COUNCIL SPECIAL MISSION
TO THE PEOPLE'S REPUBLIC OF BENIN ESTABLISHED
UNDER RESOLUTION 404 (1977)

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* The annexes are being issued separately in document S/12294/Add.1.

LETTER DATED 7 MARCH 1977 FROM THE MEMBERS OF THE SECURITY
COUNCIL SPECIAL MISSION TO THE PEOPLE'S REPUBLIC OF BENIN
ESTABLISHED UNDER RESOLUTION 404 (1977) ADDRESSED TO THE
PRESIDENT OF THE SECURITY COUNCIL

We have the honour to submit to you herewith the report of the Security Council Special Mission to the People's Republic of Benin established under resolution 404 (1977), in accordance with paragraph 2 of that resolution.

(Signed) J. E. ILLUECA, Panama (Chairman)

R. N. MULYE, India

M. R. KIKHIA, Libyan Arab Republic

I. INTRODUCTION

A. Establishment of the Special Mission

1. By a letter dated 26 January 1977 (S/12278) to the President of the Security Council, the Chargé d'affaires, a.i., of the Permanent Mission of Benin to the United Nations requested that, in accordance with Article 35 of the Charter of the United Nations, a meeting of the Security Council be convened to consider the cowardly and barbarous aggression committed by the imperialists and their mercenaries against the People's Republic of Benin in which some lives were lost and some material damage caused. The letter stated that on 16 January 1977 a commando unit of mercenaries, brought by an aircraft, had attacked Cotonou and that this aggression had created a dangerous situation for international peace and security.
2. The Chargé d'affaires, a.i., of the Permanent Mission of Guinea to the United Nations on 4 February 1977 transmitted a message (S/12281) from the President of the Republic of Guinea with regard to the convening of the Security Council to consider the complaint of the People's Republic of Benin. The Government of the Republic of Guinea requested that the President of the Security Council call an immediate meeting of that organ.
3. On 7 February 1977, the Permanent Representative of Sri Lanka, in his capacity as Chairman of the Co-ordinating Bureau of Non-Aligned Countries, transmitted a communiqué (S/12283) issued by the Co-ordinating Bureau of Non-Aligned Countries regarding the complaint by Benin. In the communiqué, the Co-ordinating Bureau expressed its grave concern over the incident of 16 January at Cotonou and the hope that the meeting of the Security Council would result in effective measures to deter and prevent such events in the future.
4. On 8 February 1977, the Chargé d'affaires, a.i., of the Permanent Mission of Jordan to the United Nations, in his capacity as Chairman of the Arab Group, transmitted a communiqué (S/12284) issued by the Arab Group expressing grave concern over the dangerous implications of the events at Cotonou on 16 January and the hope that the meeting of the Security Council on the matter would result in effective measures to deter and prevent such events in the future.
5. On 8 February 1977, the Permanent Representative of Rwanda to the United Nations, in his capacity as Chairman of the African Group for the month of February stated that the African countries had unanimously decided to support the request of the People's Republic of Benin that the Security Council should consider its complaint. The African Group regarded the incident as a very serious act of aggression against all African States and was sure that the Security Council would take strong action against the activities of international mercenaries (S/12285).
6. The Security Council considered the item entitled "Complaint by Benin" at its 1986th and 1987th meetings held on 7 and 8 February 1977, respectively. In accordance with Article 31 of the Charter of the United Nations and rule 37 of the

provisional rules of procedure of the Security Council, Algeria, Cuba, Guinea, Madagascar, Rwanda, Senegal, Somalia and Togo were invited, at their request, to participate in the discussion without the right to vote.

7. At the 1986th meeting of the Security Council, the representative of Benin outlined the events of 16 January 1977 as follows. On that date, at 7.03 a.m., local time, a DC-7 aircraft landed at the airport in Cotonou. It had on board a gang of mercenaries. As soon as they disembarked, those mercenaries attacked the airport. Then they advanced towards the city in columns. In their advance they performed a dragnet operation and then concentrated all their equipment and weapons on the Palace of the Presidency of the Republic. At the same time, in a co-ordinated manner, they attacked a military camp with mortars and rockets. The aim of the aggressors was to immobilize the People's Armed Forces and place the city of Cotonou under military occupation as a first stage. After approximately three hours of fierce fighting, the mercenaries retreated hastily, abandoning a considerable quantity of war matériel, as well as very important documents. Their aircraft had to make a very rapid take-off, leaving behind a number of mercenaries and the bodies of their dead accomplices. As a result of this attack severe material damage was inflicted upon the airport and a number of buildings in Cotonou. It cost the lives of many civilians and soldiers. There were also wounded. The People's Republic of Benin had been the victim of a carefully prepared and executed act of aggression by persons trained and equipped with ultramodern, extremely sophisticated war matériel. On the basis of the documents left behind by the mercenaries one could say that the mercenaries, for the most part whites, had been recruited and trained by the secret services of powerful financial circles; that the sophisticated military equipment had been supplied to them by those financial circles; and that the aircraft which had transported the mercenaries belonged to those circles. The incident was a case of foreign aggression, of a plan hatched by the colonialists to win back the country, of an attempt to unseat the revolutionary régime of the People's Republic of Benin. It was a plot against the progressive régimes of the third world. The people of Benin wished to have light shed on the aggression and requested that a special mission of the Security Council be dispatched to Cotonou in order to ascertain the facts, to determine who was responsible for, and who had carried out the armed aggression, and to help the People's Republic of Benin to assess the resulting damage. During the second stage, appropriate action should be considered and taken so as to repair material damage and to prevent a recurrence of such barbaric acts of aggression by mercenaries in the pay of foreign domination.

8. Also at the 1986th meeting, the representative of Mauritius introduced a draft resolution (S/12282/Rev.1) sponsored by Benin, the Libyan Arab Republic and Mauritius.

9. At its 1987th meeting on 8 February, the Security Council adopted the draft resolution by consensus as Security Council resolution 404 (1977).

10. By the operative paragraphs of resolution 404 (1977) the Security Council

"1. Affirms that the territorial integrity and political independence of the People's Republic of Benin must be respected;

"2. Decides to send a special mission composed of three members of the Security Council to the People's Republic of Benin in order to investigate the events of 16 January 1977 in Cotonou and report not later than the end of February 1977;

"3. Decides that the members of this special mission will be appointed after consultations between the President and the members of the Security Council;

"4. Requests the Secretary-General to provide the special mission with the necessary assistance;

"5. Decides to remain seized of the question."

11. On 10 February, the President of the Security Council issued a note (S/12286), in which he referred to paragraphs 2 and 3 of resolution 404 (1977) and stated that agreement had been reached through consultations that the Special Mission of the Security Council to the People's Republic of Benin would be composed of the following three members of the Security Council: India, the Libyan Arab Republic and Panama. The representative of India would be Mr. Ramesh N. Mulye, the representative of the Libyan Arab Republic would be Ambassador Mansur Rashid Kikhia, and the representative of Panama would be Ambassador Jorge Enrique Illueca, who would serve as Chairman of the Special Mission.

B. Terms of reference and procedure

12. Prior to their departure from New York, the members of the Special Mission considered its terms of reference and procedure.

13. They understood that the date for the submission of the report to the Security Council, as set forth in paragraph 2 of resolution 404 (1977), should be the date of its actual submission to the President of the Security Council, accompanied by a letter of transmittal signed by all members of the Special Mission.

14. The members of the Special Mission agreed that in discharging their duties they could be assisted by military experts from their respective countries, which would contribute to the effective implementation by the Special Mission of its mandate under Security Council resolution 404 (1977).

15. In connexion with the procedures for implementing its mandate the Special Mission decided that it would hold consultations with the Government of the People's Republic of Benin or any authorities designated to assist the Special Mission in its tasks; visit the sites where the events of 16 January 1977 had taken place; examine the material evidence presented to it; and hear testimony of witnesses or other individuals who might have relevant information on those events.

16. The Special Mission also decided that English would be its working language and that, consequently, all its proceedings would be conducted in English. The

members felt that it was necessary, in order to be able to implement their mandate effectively, for their daily proceedings to be recorded in verbatim records, drawn up only in English and made available to them regularly on the day following each meeting.

17. In accordance with the request contained in paragraph 4 of Security Council resolution 404 (1977), the Secretary-General provided the Special Mission with the necessary secretariat assistance.

18. Pursuant to the decision taken before its departure from New York, the Special Mission was assisted in the examination of the events of 16 January 1977 by a military officer from the Panamanian armed forces and by a diplomatic representative of the Libyan Arab Republic, accredited to the Government of the People's Republic of Benin, who had prior military experience.

19. In view of the extensive volume of testimony and other material evidence which had been acquired by the Special Mission in the course of its investigations of the events of 16 January 1977 in Cotonou, the Special Mission came to the conclusion that it could not terminate its work and submit its report to the Security Council by the end of February, as provided for in resolution 404 (1977).

20. Accordingly, on 21 February 1977, the Chairman of the Special Mission addressed a telegram from Cotonou to the President of the Security Council stating that the Special Mission would not be able to comply with the provision of paragraph 2 of resolution 404 (1977) which set the end of February as the deadline for the submission of the Mission's report and asked for an extension of the deadline until 8 March 1977.

21. Following receipt of that telegram, on 22 February 1977 the President of the Security Council held consultations with the members of the Council. As a result of those consultations, he stated that the members of the Council had agreed to accede to the above request. Accordingly, the date for the submission of the Special Mission's report was extended to 8 March 1977 (S/12289).

C. Schedule of activities

22. Before departure from New York, the Special Mission held a meeting at Headquarters on 11 February 1977, to discuss the issues arising from its mandate under Security Council resolution 404 (1977) and to make necessary arrangements for its journey to Benin.

23. The Special Mission left New York on 15 February and arrived at Cotonou in the afternoon of 16 February. The members of the Special Mission were welcomed at the airport by Mr. Martin Dohou-Azonhiho, Minister of the Interior, Security and National Orientation, Mr. André Atchade, Acting Minister of Foreign Affairs and Mr. Richard Rodriguez, Minister of Equipment.

24. On 17 February, H.E. Mr. Mathieu Kérékou, President and head of State and Government of the People's Republic of Benin received the members of the Special Mission.
25. Following their call on the President, the members of the Special Mission held, on 17 February, a meeting with the Committee Established by the Government of Benin for the Special Mission of the Security Council to discuss the Mission's programme of work and schedule of activities during its stay in the People's Republic of Benin. They also paid a visit to the dean of the diplomatic corps, the Ambassador of France to the People's Republic of Benin, to arrange, through him, the hearing of statements by the heads of diplomatic missions in Cotonou.
26. On 18 February, the Special Mission spent the whole day hearing the testimony from witnesses to the events of 16 January.
27. On 19 February, the Special Mission heard the testimony of a person presented as having been a member of the attacking force, taken prisoner on 16 January. Later that day, the members of the Special Mission inspected armaments, munitions and supplies which were presented as having been left behind by the attacking force on 16 January.
28. On 20 February, the Special Mission devoted the whole day to visiting sites of military action on 16 January, hearing explanations from the competent authorities, talking with witnesses and persons wounded along the route of the attackers. It also visited a morgue where there were corpses of two members of the attacking force killed on 16 January. On that same day, the military officer from the Panamanian Armed Forces and the diplomatic representative of the Libyan Arab Republic in Benin, acting in their capacity as military experts for the Special Mission, reinspected and inventoried the armaments, munitions and supplies shown to the Special Mission the previous day.
29. On 21 February, the Special Mission heard a statement by a head of one of the diplomatic missions in Cotonou. Later that same day, the members of the Special Mission continued their tour of the sites where military action had occurred on 16 January, listening to explanations of the competent authorities. Still later the same day, the members of the Special Mission held a working session with the Benin Committee for the Special Mission and began their examination of documentation presented to them as having been left behind in Cotonou by the attacking force on 16 January.
30. On 22 February, the members of the Special Mission devoted the whole day to further examination of the documentation mentioned in paragraph 29 above.
31. On 23 February, the Special Mission heard statements by several heads of diplomatic missions at Cotonou. Later that same day, they inspected damage done on 16 January by weapons fire to the residence of the Ambassador of the United States at Cotonou.

32. On 24 February, the members of the Special Mission held another working session with the Benin Committee for the Special Mission. On that same day, they again inspected the arms, munitions and supplies mentioned in paragraph 27 above. Still later that same day, they interviewed again the member of the attacking force taken prisoner on 16 January and held a final working session with the Benin Committee for the Special Mission. That evening, the members of the Special Mission attended a dinner given by H.E. Mr. Mathieu Kérékou, the President and head of State and Government of the People's Republic of Benin.

33. On 25 February, the Special Mission concluded its visit to Benin and left for New York.

34. On 7 March, the members of the Special Mission approved its report to the Security Council.

II. VISIT TO THE PEOPLE'S REPUBLIC OF BENIN

A. Call on the President and head of State and Government of the People's Republic of Benin

35. On 17 February, the morning following the arrival of the Special Mission at Cotonou, H.E. Mr. Mathieu Kérékou, President and head of State and Government of the People's Republic of Benin, received the members of the Special Mission. The President was accompanied by Mr. André Atchade, Acting Minister of Foreign Affairs, as well as Ambassador Thomas Boya, Permanent Representative of Benin to the United Nations.

36. The Chairman of the Special Mission expressed his gratitude and appreciation for the reception and hospitality shown the Special Mission by the people and Government of Benin. He continued by outlining the background of the establishment of the Special Mission and the mandate given to it by Security Council resolution 404 (1977). He noted that the Special Mission could not make pronouncements on the substance of the matter in the name of the Security Council and that that could be done by the Council itself when the Special Mission had submitted its report to it. He assured the President that the Special Mission would do its best to carry out its mandate to investigate the events of 16 January and to submit a report to the Security Council, which might be the basis for further consideration by the Council. Finally, it was stated that the Special Mission would examine all available relevant evidence and talk with government officials, witnesses or any other persons who had pertinent information.

37. In response, the President welcomed the members of the Special Mission to the People's Republic of Benin. He stressed the policy of non-alignment of Benin and its total independence. The People's Republic of Benin had never threatened the sovereignty or independence of any nation or State but had been a victim of armed criminal aggression by a horde of mercenaries on Sunday, 16 January 1977. As the Ambassador of Benin had stated under instructions in the Security Council on 7 February, the people of Benin wished a light to be shed on the armed aggression on 16 January. The people of Benin also wished that the Special Mission's on-the-spot inquiry would ascertain those responsible and their accomplices for that dastardly armed aggression of mercenaries. Equally, the people of Benin wished that the United Nations would assume all responsibility for the compensation of the damages caused by the mercenaries and, finally, that the international community would assume all responsibility for taking appropriate measures to avoid a recurrence of this act of barbaric aggression. The United Nations should consider seriously and concretely the danger represented by the use of force in general and the use of mercenaries in particular against the independence of the countries of the third world. The People's Republic of Benin would extend to the Mission complete and sincere co-operation, and all necessary instructions had been given, at every level, to assist the Special Mission to fulfil completely its task.

38. A copy of the statement by the President and head of State and Government of the People's Republic of Benin is attached as annex I (see S/12294/Add.1).

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B. Interviews with members of the diplomatic corps

39. In consultation with the Benin Committee for the Special Mission, the Special Mission decided to invite members of the diplomatic corps accredited to the People's Republic of Benin, to appear before the Special Mission and make statements with regard to the events of 16 January. That was done through the good offices of the dean of the diplomatic corps, the Ambassador of France to the People's Republic of Benin. Several diplomatic representatives accepted the invitation.

40. As the representatives appeared to make their statements, the Chairman thanked them for their co-operation, explained the background and mandate of the Special Mission and advised them that their statements would appear in the report which the Special Mission would submit to the Security Council under its resolution 404 (1977). The texts of those statements are attached to the present report as annex II (see S/12294/Add.1).

41. On 21 February, Mr. Ivan S. Ilyin, the Ambassador of the Union of Soviet Socialist Republics to the People's Republic of Benin, made his statement before the Mission. At the beginning, he assessed positively the decision of the Security Council to send its Special Mission to investigate the facts relevant to the armed aggression committed against the People's Republic of Benin on 16 January 1977 by those who could not accept an independent policy of national development pursued by Benin. He stated that a group of foreign mercenaries with sophisticated weapons had landed at Cotonou airport from abroad on 16 January. The first shooting was heard early in the morning of that day. Although both the USSR Embassy and the Ambassador's residence were located at a certain distance from the site where the events took place, nevertheless, the shooting and explosions, which had lasted for three hours, could be heard very clearly. Some of the Soviet citizens working in Cotonou and living in an apartment house across from the Presidential Palace, had been caught in the midst of the shooting and became witnesses to the attack on the Presidential Palace. They had been able to see the advance of a group of armed men, both white and black. Some of those bandits had entered apartments of the apartment house in which the Soviet citizens lived and had begun to shoot through the windows. From the Embassy itself it had been possible to see one plane take off from the airport about 10 a.m. and head off in an unknown direction.

42. On 23 February, a group of diplomatic representatives appeared together before the members of the Mission, but each made his statement individually. The first to speak was Mr. Christian Blanchard, representative of the European Economic Community. He stated that on Sunday, 16 January, he had heard explosions and automatic-weapons fire at about 7.05 a.m. Those noises seemed to come from the airport area and continued intermittently. At about 7.45 a.m., from the terrace on the upper floor of his residence, which was located on a road leading to the airport and about 800 metres from the latter, he had seen a squad of 30 to 40 men progressing on foot through a coconut grove from the airport in the direction of the city. The majority had been of the white race, had been bare-headed and had worn paratrooper camouflage-type uniforms with blue scarves on their epaulettes. Some black men accompanied them, dressed in khaki uniforms and wearing bush hats

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of the same colour. All had been carrying automatic weapons with cartridge belts on their shoulders or bazookas in their hands. Shooting and explosions continued intermittently but at a considerable distance from Mr. Blanchard's residence. At about 10.10 a.m., Mr. Blanchard had heard a plane taking off, and shortly thereafter the firing had stopped.

43. The next to testify was Mr. Kwadwo Kwakye, Chargé d'affaires, a.i., of Ghana to the People's Republic of Benin. He stated that at about 6.45 a.m. on 16 January, he had heard the sounds of heavy gun-fire coming from the direction of the airport. At about 7.15 a.m., he had seen from his balcony a band of soldiers, both black and white, carrying arms and moving under the coconut palms at the beach in the direction of the Ministry of External Affairs and the Treasury buildings. The sound of shooting had continued for some time in the direction of the Presidential Palace in which the soldiers were moving. The gun-fire had intensified around the Presidential Palace. Some time later, at a few minutes before 10 a.m., he had seen a fairly large military plane painted dark green take off from the airport. On the afternoon of 19 January, the heads of diplomatic missions and international organizations had been summoned to the Presidential Palace by the President to witness the damage caused to the Palace and to view the cache of weapons seized from the invading mercenary forces.

44. Mr. Muabi Kumuamba, Ambassador of the Republic of Zaire to the People's Republic of Benin, spoke next. He stated that on 16 January, he had awakened to the sound of shooting - an unusual occurrence in Cotonou. Since his residence was located about 2 kilometres from the scene of the action, it had been impossible for him to see the action itself and its participants, although the sound of firing had come from the site of the Presidential Palace. On Monday, 17 January, the guard who had been on duty at the Chancery of the Embassy of Zaire had told him that armed white men had attacked and damaged the Embassy.

45. The next to speak was Mr. Jean Meadmore, Ambassador of France. He noted that his Embassy was located on the far side of the Presidential Palace from the airport. Consequently, he was unable to offer eye-witness testimony. He had been awakened on 16 January at about 7 a.m. by the noise of violent firing, which seemed to be coming from the neighbourhood of the airport and the Presidential Palace. At about 7.30 a.m., he had received a telephone call from a member of his staff whose residence was located between the airport and the Presidential Palace. The latter had said that a squad of about 50 armed men, composed of whites and blacks in camouflage uniforms had been progressing along the road by the seashore towards the Presidential Palace. For about three hours the Ambassador had heard intense gun-fire and strong explosions. At about 10 a.m., the firing had begun to decrease in intensity, and, at about 10.30 a.m., a member of his staff had telephoned to tell him that he had seen a four-motor propeller-driven aeroplane, which was undoubtedly the aircraft which had brought the commando unit, taking off. A short while afterwards the firing had ceased. In the early afternoon, the radio had broadcast that a group of mercenaries was attempting to flee towards the west and urged the population to block their way.

46. The next speaker was Mr. Hans-Joachim Heldt, Ambassador of the Federal Republic of Germany to the People's Republic of Benin. He stated that he had not been able

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to see anything of the events of 16 January from his residence. However, at 7.30 a.m., his friends had telephoned, informing him that shooting could be heard in the residential area of the airport. He had been able himself to hear the sound of shooting, which lasted for a few hours. After 10 a.m., he heard the noise of aeroplane engines, which were not those of a jet plane.

47. The succeeding diplomatic speaker was Mr. Riad Habbashy Gattas, Ambassador of Egypt to the People's Republic of Benin. He stated that he had heard some shots on 16 January, but since he had not gone outside that day he had seen none of the attackers. However, on 19 January, he had been invited to witness the results of the aggression on the President's Palace, as well as ammunition and equipment left after the departure of the aggressors. On 1 February, he had participated in ceremonies held to commemorate the heroic defence of the six Beninese citizens who had died for their motherland.

48. Mr. W. Kenneth Thompson, Chargé d'affaires, a.i., of the United States of America to the People's Republic of Benin, was the last of the diplomatic group to make a statement. He said that he had been out of Benin on 16 January when the attack had occurred, so that he could offer no relevant personal information. However, the Ambassador's residence had sustained fairly extensive damage as the result of weapons fire. He invited members of the Special Mission to see it.

49. Some time later, after the above group of diplomats had departed, Mr. Tchoe Hyeun Il, Chargé d'affaires of the Democratic People's Republic of Korea to the People's Republic of Benin, appeared to make a statement. He said that he lived in a neighbourhood called "Cocotiers", which was next to the airport and only 20 metres from the airport road. He had been awakened at about 7 a.m. on 16 January by gun and cannon shots. At about 7.10 a.m., he had seen on the airport road and in the coconut grove a military formation heading from the airport towards the centre of the city. There had been about 20 white men, wearing caps and carrying guns and shooting as they proceeded towards the city. The noise of gun and cannon fire had continued in the area of the Conseil de l'Entente, the Ministry of Foreign Affairs and the Presidential Palace. By telephone he had reached the Conseil de l'Entente, where the delegation headed by the Deputy Prime Minister and Foreign Minister of the Democratic People's Republic of Korea, Mr. Ho Dam, who was on an official visit to Benin, was residing. Mr. Ho Dam had said that mercenaries had occupied the building and the area around it. Fortunately, the delegation had been unharmed. At about 9.50 a.m., after the shooting had lasted for about two-and-one-half hours, he had seen two squads of about 20 mercenaries returning from the town towards the airport in single file along the road. The majority of them had been white men, with one or two blacks in each squad. At about 10 a.m., he had heard a plane take off. At around noon there was still some shooting, but he could not confirm who was shooting or where the shots were coming from. At the Conseil de l'Entente the Deputy Prime Minister's car had sustained some damage. Three days after those events, he had been invited by President Mathieu Kérékou to see the damage caused by the aggression committed by foreign mercenaries and the material recovered.

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C. Hearings of testimony by witnesses

50. On 18 February, the Special Mission heard the testimony of 10 residents of Cotonou. Among them were two French nationals, one Spanish national, one Canadian national and six Beninese, who gave their accounts of the events of 16 January. These accounts in a summarized form are contained in paragraphs 51-60 below. A number of other witnesses gave their testimony in the course of the visit by the Special Mission to the sites relevant to the events of 16 January. Their testimony in a summarized form appears in paragraphs 84-109 of the present report.

51. Mr. Jean Jacques Georges Mischel, a French national, born on 31 March 1949, employed by the State University of Benin as an assistant in the field of economic science, stated that he lived in a building called "Quarante Logements" located in front of the Presidential Palace. On that day, he was in his apartment, when he heard shots in the early morning. From his window, he observed a contingent of military men, stationed below the building, with most of the soldiers shooting in the direction of the Palace. He noticed that those soldiers were blacks and whites, dressed in the uniform of Beninese soldiers. He could hear one European man, speaking in French as spoken by a person from France, Switzerland, Belgium or Luxembourg, directing all of the operation around the building, which lasted for about half an hour. He also heard other members of the attacking force speaking French slang common to either soldiers or legionnaires. Half an hour after the shooting, Mr. Mischel heard an aircraft taking off, and 15 minutes later a contingent of Beninese soldiers, who arrived in the area, took up position in the building, where they searched the premises and interrogated its tenants. In replying to questions asked by members of the Special Mission, Mr. Mischel testified that the shooting had started between 6.30 and 7.30 a.m. and that he had heard the plane taking off around 10-10.30 a.m. In estimating the number of alleged mercenaries, he said that he had actually seen three or four soldiers but that from what he had overheard he could estimate the number to have been between 40 and 60 people. Concerning the proportion of whites and blacks among the contingent, he said that there had been many more white soldiers in it because he had never heard them speaking French with a black accent.

52. Mr. Guy Pognon, a Beninese national born on 3 November 1935, the National Director of the Central Bank of the six West African States, stated that on 16 January, he had been awakened at 7.15 a.m. by the noise of shooting. From a window of his house he had seen a "V"-shaped military column of about 15 white men in the uniform of paratrooper commando soldiers moving and shooting in the direction of the Presidential Palace. The men in uniforms had behaved as if they were in conquered territory. Around 9 a.m., the shooting had been directed towards his house, which was caught between two columns of the attackers. The shooting had lasted until 10.15 a.m. and caused considerable material damage to his home. He had seen a uniformed white soldier killed, shot in the forehead. In answering questions, Mr. Pognon said that the contingent of the attackers had withdrawn at about 10 a.m., that he could not affirm that all the members of the "V"-shaped column had been whites but that five to six of them who had approached his house had been white.

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53. Mr. Eugene Acrombessi, a Beninese national born in 1929, employed as a control-tower operator at the airport at Cotonou, stated that on 16 January, although he was supposed to be on duty at 6.30 a.m., he had arrived at the airport for work at 7.03 a.m. On his arrival, he had observed an aircraft landing on runway number 06. He had gone directly to the control tower and seen that plane make a sharp turn and had gone quickly to the parking lot, ignoring orders given by the firemen. The door of the plane had been open and two ropes had been hanging down. Soldiers, both Africans and whites, had been coming down those ropes, carrying their weapons in the armpit. Once landed they had fired a shot in the air. After seeing more than 20 soldiers disembark and noticing them head in the direction of the control tower with military equipment and rifles, Mr. Acrombessi had left, together with his colleagues from the control tower, and taken shelter outside the airport. After hearing the plane take off about three-and-a-half hours later, he had returned to his duty at the control tower, where he saw war matériel on the ground, a pane of glass that had been completely broken and others that had been perforated, and discovered that binoculars and other items had disappeared. In replying to questions addressed to him, Mr. Acrombessi stated that he had seen about eight black soldiers coming down from the aircraft first, followed by whites. With regard to air traffic control on Sundays, he stated that there was no controller on duty from 2300 GMT Saturday to 6.30 a.m., local time on Sundays. On 16 January, no arrivals had been scheduled until 11.15 a.m. He indicated that there was no radar equipment at the Cotonou airport. As to the type of the aircraft, Mr. Acrombessi stated that it must have been a military plane, type CL-44, with four propeller engines. It was a dirty beige colour, with no inscription or identification. To the best of his knowledge it was a Canadian model.

54. Mr. Sylvain Lahami, a Beninese national born on 19 February 1938, an instructor in physical education, stated that in the morning on 16 January, upon hearing a communiqué broadcast by radio calling on all Beninese to go to the airport to resist an attack by mercenaries, he had arrived at the airport by his motor scooter. There he had observed a plane with an open door that was facing the terrace of the airport building and through that door he had seen two white men and one black in civilian dress. After that Mr. Lahami had returned to the city. During his second visit to the airport the same morning, he had been fired upon by one of the attackers and wounded. In replying to questions addressed to him, Mr. Lahami stated that he had heard the communiqué broadcast over the radio between 7.30 a.m. and 8.30 a.m. As to the number of the attackers, he said that he had seen a group of about 90 persons, the majority of them white, and that the other two groups that he had seen were of about 20 and 10 people, respectively. In describing the aircraft, Mr. Lahami stated that it was a commercial aircraft of dirty grey colour with no identification sign on it.

55. Mr. Christian Lecadre, a French national born on 19 January 1931, employed by the Société Brosette et Valor Company, which is in charge of an irrigation project in Ouidah Nord, stated that on the morning of 16 January on his way to his work he and his friend, driving separate cars, in order to post a letter to France had arrived at the airport of Cotonou. At the parking lot there, they had been forced to abandon their cars by two armed men speaking French. For about one-and-a-half hours they had hidden in a near-by ditch. After the shooting had stopped, Mr. Lecadre and his friend had returned to Cotonou on foot via the beach. In

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replying to questions, Mr. Lecadre stated that he had recovered his car on 27 January and that he had been informed that when the car was found at the airport, it had been covered with blood. He himself had found evidence of this. The uniform worn by those who had forced him out of the car was khaki, with one yellow and one green ribbon on the epaulettes.

56. Mr. Emile Badou, a Beninese national born on 12 September 1931, an assistant meteorologist at Cotonou airport, stated that on 16 January at 7.03 a.m., when he assumed his normal duties, going to the first floor balcony to make his meteorological observations, had been surprised to see a plane that was landing without runway lighting and without authorization of the control tower. After landing, the aircraft had taken a sharp turn and come to the parking site, stopping in front of the meteorological block. The door of the plane had opened and, pulling on ropes, four armed men had come down and soon begun shooting in the air and moving in different directions. After noting that three attackers, all Europeans, were already up in the control tower, he and his three colleagues had taken shelter in the toilet. From its window they were able to watch the attackers progressing towards the Presidential Palace. Later, Mr. Badou and his colleagues had been forced to help in the unloading of the equipment and ammunition from the plane. Mr. Badou had noticed in the plane two Beninese, Chief Sergeant Jean Favi and a police officer, who stated they had been taken hostage. After finishing the unloading Mr. Badou and his colleagues had been lined up against the wall of the hangar of Air Afrique - a building just across from the aircraft - and guarded by four African mercenaries. In front of them had been a group of officers with red, blue and green stripes on their epaulettes. Mr. Badou continued by stating that there was an exchange of fire between the attackers and an armed tank which lasted for 10 to 15 minutes. After that, an order was given to the mercenaries to retreat and embark. After the plane had taken off, Mr. Badou had noticed several civilian cars covered with blood. On the terrace of the tower building there were rockets, mortars and boxes of ammunition. In replying to questions, Mr. Badou stated that the plane had been of black colour camouflaged dark green and resembled a French military cargo plane with four propellers but had borne no inscription or identification on it and had had no seats inside. Concerning the number of the attackers, he stated that he had seen between 80 and 100 men, most of whom were whites. As to their uniform, Mr. Badou stated that some of them had been wearing paratrooper jackets with grey trousers, others had been wearing a camouflage uniform. All of them had had transmitters on their backs.

57. Mr. Abou Samari, a Beninese national born in 1954, a soldier assigned to the airport brigade, stated that on that day, he had gone to the airport to start his duty. There he had been stopped by a group of attackers, both whites and blacks who had taken him to the plane to help unload it. Mr. Samari continued by stating that the aircraft was a cargo plane with only two seats for the pilot and co-pilot and contained weapons, ammunition and some apparatus which he and his friends and others had helped to unload. Among the attackers there had been one Beninese, former Master Sergeant Soglo. After that he and his captive colleagues had been ordered to go to the meteorological site to clean up the place and make room for a two-way radio. When he came down to the grounds of the airport he had observed a tank of the Beninese army coming from the city; an exchange of fire between it and the mercenaries had followed and the tank had been destroyed. Soon, in panic, the attackers

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had boarded the plane. Among them was one civilian who had come with them from the city. After taking off, the aircraft turned to the sea and went eastward. In replying to questions, Mr. Samari stated that the African attackers had been speaking in the Fon and Dendi languages, which are spoken exclusively in Benin, while all the leaders had spoken in French. The attackers that he had observed were very well-trained soldiers; they wore either yellow or green stripes hanging down from their epaulettes. In describing the aircraft, he stated that it had been a cargo plane with four propeller engines, grey in colour, with a green-grey stripe all around the fusilage. As to the weapons that he had helped to unload, he said that they were called 12.7 weapons, mortars and ammunition cases.

58. Mr. Juan Blanch-Soler, a Spanish national, 43 years old, the resident representative of the United Nations Development Programme in Benin, stated that he did not have first-hand information because he lived about 1 kilometre from the point where the mercenaries were stopped by the Benin army. However, on that day at about 6.45 a.m., he began hearing the noise of all types of automatic arms which had lasted for a long time. The fire had been directed indiscriminately towards public buildings and private residences of Beninese and foreigners. Several of the UNDP experts were living in a building called the Social Security building, which was fired upon by the mercenaries. One of the experts, Mr. Lam, a Vietnamese, was wounded in the head by a bullet. Mr. Lam had left for New York for treatment, not only because of the wound but because he had had a very severe nervous breakdown. Another expert, a Canadian, who was living in the same building, was also wounded by a bullet in his arm and another in his kidney and a lot of impact in his chest. He had also been repatriated. Mr. Soler added that later on he had the opportunity of talking with the United Nations experts who were near the place where the events of 16 January took place and they had confirmed the arrival of the mercenaries and the fighting. They saw the attackers and said that most of them were whites and very few blacks, all armed with very powerful weapons. Mr. Soler added that he had no doubt that the People's Republic of Benin had been the victim of aggression by mercenaries whose objective was to overthrow the legal Government of the country. The mercenaries left because they were beaten by the Benin army. He attributed this to the following reasons: (a) the quality and quantity of the arms abandoned by the mercenaries were not the type that would be utilized just for a come-and-go operation for a few hours; (b) the intensity of the firing during the several hours that the fighting took place; (c) the radio of Benin from the beginning continuously requested the army and the people to go to the airport and fight the invasion of the mercenaries; and (d) the bodies of Benin soldiers killed were proof of the reality of the fighting. In reply to questions, Mr. Soler stated that he had not reported to United Nations Headquarters concerning the statements made by the experts. His only report to Headquarters was to explain that Mr. Lam was wounded.

59. Mr. Oscar Lalou, a Beninese national born in 1930, an official of the National Institute of Labour and Work Force, stated that on 16 January, at 7 a.m., he drove along the road to the airport of Cotonou. On his way past the coconut grove, he saw white and African people marching in formation. This appeared strange to him. When Mr. Lalou arrived at the airport, he heard shooting and with it came a warning for him to stop. He was taken out of the car and dragged to a trench in the airport area. From that trench he observed that the attackers were firing rockets.

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Mr. Lalou stated that one of the attackers had told him that they were planning to impose a curfew for three days in Cotonou; on another occasion he had said that they were going to make a million on that job. Later on, Mr. Lalou was able to go back home. In replying to questions, Mr. Lalou stated that the soldiers he saw were marching in columns, one behind the other, and many of them were white soldiers. Concerning his purpose for going to the airport on 16 January, he said that he had a post office box there and he would usually go on Sunday mornings to pick up the mail. He said that the soldier that was guarding him while in the ditch was a white man and spoke to him in French. Although he was not able to identify the nationality of the European attackers, they definitely spoke with a French accent. Mr. Lalou added that he overheard the soldier, who was about 40 years old, saying that the whole affair reminded him of the Viet Nam war.

60. Mr. Pierre Marie Runner, a Canadian national, born on 7 May 1943, posted in Cotonou for three years as an ILO expert, stated that he lived in a building called the "Benin Office of Social Security". On 16 January, at about 7 a.m., he was awakened by a telephone call from a friend who lived near the airport, who told him that he could see from his window white soldiers advancing on the road, and that there were many explosions and a lot of shooting near the airport. Mr. Runner then saw from the window of his apartment an advancing column of white soldiers on the road from the airport. Behind that column there was a small group which was shooting in the direction of the Treasury building. The soldiers looked up at his building, telling the people, who were looking at them from the balconies, especially the children, to go inside immediately, and continued their advance along that road in the direction of the Presidential Palace. Mr. Runner said that he then went to the balcony at the rear of the building facing the road to Lomé, and there he saw another column of white soldiers with some blacks among them which was advancing alongside the old Nigerian Embassy. Mr. Runner added that he noticed, particularly, a soldier with a bazooka on his back advancing towards the building at the crossroads known as the "Quarante Logements". There was also another group of three soldiers hiding in the empty space between his building and the road. For some unknown reason, those soldiers started to fire towards Mr. Runner's building, especially towards the top floors of the building. While Mr. Runner was not harmed personally, three bullets passed near him and some of the other tenants were wounded. A young Canadian was wounded in the arm and kidney and another United Nations expert, Mr. Lam, was hit by bullets that grazed the top of his head and wounded him in the shoulder. Relief operations were then organized to aid the wounded, and Mr. Runner observed no more of what was happening outside. In replying to questions, Mr. Runner stated that he estimated the number of soldiers that he had seen in the first column to be 20 or 25 soldiers, the rearguard column to be about 9 to 10 soldiers, in addition to the three soldiers that had started the shooting at his building. Among the rearguard column, Mr. Runner had observed some black soldiers. As to the uniforms they wore, some had green uniforms similar to those used by the Beninese soldiers, while some wore a sort of camouflage uniform. In describing the soldiers of the first column, Mr. Runner remarked that he and others had observed that they had their sleeves rolled back and that their forearms were very red, as if burned by the sun, that some of them were speaking French, that they did not appear to be in any hurry, and that they acted like professional soldiers.

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D. Hearing of testimony by a member of the attacking force
taken prisoner on 16 January 1977

61. On 19 and 25 February, the members of the Special Mission heard the testimony of Ba Alpha Oumarou, a member of the attacking force of 16 January, now held in detention by the Beninese authorities. A verbatim transcript of this testimony is attached to the present report as annex III (see S/12294/Add.1).
62. The Chairman of the Special Mission opened the first interview by explaining the background and the mandate of the Mission, introducing its members and advising Ba Alpha Oumarou that he was free to answer or not answer questions and that he could refuse to make any statement which he considered might result in any consequences for him.
63. In his statement Ba Alpha Oumarou said that he was born on 23 March 1948 at Cadrine, Keolak, in the Republic of Senegal. His parents were the late Ba Abdoulaye and Djalou Mamadou Dijo. He was of the Peulh race. He was a Guinean by nationality. He left Senegal with his parents in 1954 to go to Guinea, where he completed his elementary and secondary studies. He finished school in 1964. In 1967 he returned to his parents in Senegal, where he worked at an oil refinery called SAR (Société Africaine des Raffineries). Some years later he was fired because of a strike. In 1976, in the month of November he became a member of a political movement called RGE - Regroupement des Guineens a l'Exterieur (Association of Guineans Abroad). After the detention of Diallo Telli the RGE engaged in a propaganda campaign, in connexion with accusations made with regard to the Peulh people by President Sekou Touré of Guinea, in an attempt to organize Guineans in Senegal. Military training and a military formation were necessary. One of the RGE officials, Diallo Boubacar, asked him whether he was going to volunteer to take up arms. He agreed saying that anything which concerned the Peulh race concerned himself. He was warned that he should not expect to get any salary and agreed to go abroad to receive military training. He was given the battle name of Sall Thierno by a man named "Joseph". After receiving inoculations on 29 December 1976, he was warned to be ready to travel within 24 hours on a secret trip. On 30 December he went to Yoff, the international airport of Dakar, with a group of other men. "Joseph" took care of all the paper work and formalities. The members of the group never had any documents in their possession. At 3 p.m., the group boarded a Boeing 737 of the Royal Air Maroc airline. On board the plane "Joseph" gave them their tickets, and on his ticket there was a false name - Dowgamodou Mohammed. The plane arrived at the airport of Casablanca at about 5.35 p.m., and the group was taken to a waiting car without going through the usual formalities. "Joseph" filled out some Moroccan forms, again using false names. On that form Ba Alpha Oumarou's name was Diawara Bakari. The group proceeded on the road to Marrakesh and arrived at a military base in the area at about 9 p.m., where it was received by the chief commander of the base, called Commander Mercier.
64. On 2 January 1977 he started military training. The colonel in charge of the group was a Colonel Maurin, who spoke French without an accent. Everyone was to remain incognito on the base, not revealing identity or country of origin to anyone. There were three Beninese going through the training with the Guineans. The latter,

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who were the last to arrive at the base, received altogether 10 days of military training. On 14 January two Beninese arrived at the base. One of them, according to the Colonel, was the president of the liberation movement. At about 4 p.m. that day, this man, called Mr. Oakou, inspected the group, and the Colonel told them that they were going to work for this movement. At a later meeting the Colonel raised the matter of money payments. From this, Ba Alpha Oumarou gathered that these people were doing this kind of work for money. That evening "Joseph" said that there had been a change of programme. They were to go on a mission to Benin with the Europeans who were trained at the base. There were 11 Beninese in all. His own group was made up of four Guineans, one Beninese and three Europeans, all wearing red ribbons on their shoulders.

65. At 2.30 p.m., on Saturday, 15 January, they arrived at the landing strip at the base. The plane that was going to transport them had a green strip on the side, and on the tail there was a leaf with several branches within a circle. The letters LZY were also on the plane. It took off from the base in the early afternoon and arrived at El Hadj Omar Bongo Airport in Franceville at about 9 p.m. This plane had jet engines, but a second plane waiting on the runway had propellers. Equipment was loaded on the second plane, which tried to take off at about 11 p.m. However, an engine had broken down so the plane did not take off until about 1 a.m. on 16 January. Neither of the two planes had any seats; they were cargo planes. On the second plane the men were given white pills and were told that these were intended to keep them awake.

66. As the plane approached Cotonou, all lights were turned off, and then the plane landed very abruptly. Two men, who looked like mechanics and carried machine-guns came out of the plane first. These two were speaking English between themselves and were wearing jeans and blue shirts. After disembarking the members of the group started to search the airport area. Others took cars parked at the airport, loaded them with equipment and went off towards the city. The general staff, who seemed to be commanding the operation, was composed of Colonel Maurin, Adjutant Montagne and another officer, one young Beninese named "Scorpion" and two other Beninese. The leader of his group, Adjutant Garnier, told the men to carry a heavy machine-gun up to the airport roof and then ordered them to stay on the roof in order to watch the area around the airport. When a military vehicle approached from the direction of the sea, the men started shooting at it, and the Sergeant forced him to fire three shots with his gun.

67. Although he was not certain of the time, he felt that at about 10.30 or 11 a.m., the shooting diminished. The Sergeant, whose name was Webbs, told the men on the roof that he was going to get ammunition, which was below. A little while later Ba Alpha Oumarou turned around and saw that no one remained on the roof. Then he saw the plane taking off. He came down from the roof, because he believed that the operation had failed. He decided to go and hide behind a bush in the direction of the sea. In the afternoon Beninese soldiers who were searching the area found him, and he surrendered to them. That was all he knew about the affair. He had been deceived by political men. He had a clear conscience, because he had not killed anyone. He asked the Special Mission to use its influence with the Benin authorities so that they would be lenient with him. He apologized again to the Beninese people and asked for pardon. He never had warlike intentions towards any

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African country. Anybody could be deceived, as he was. He concluded by saying, "Long live the People's Republic of Benin, so that African unity may live".

68. The members of the Special Mission began to question Ba Alpha Oumarou. In response to these questions he made the following statements.

69. He concluded that El Hadj Omar Bongo Airport in Franceville must be in Gabon. In response to a question as to whether the authorities of the countries through which Mr. Ba had passed - Senegal, Morocco and Gabon - were involved in this matter or knew about it, he answered that if the States themselves were not directly involved, some of their officials were, because they did document forging, camouflaging and so forth. Those officials of the countries concerned knew all about this matter. For instance, there were members of the Moroccan army guarding the base where they trained, and he saw a helicopter of the Moroccan army flying over the base. It would even transport the colonel of their group. There were soldiers of the Moroccan army with the arabic letters "dal" and "mim" on their uniforms. There were gendarmes of the Moroccan army. Obviously, if something happened in a country, the high authorities might not know about it, but some of their officials must obviously know. The arrangements at the Casablanca airport and the El Hadj Omar Bongo Airport were too important for the authorities not to know that they were being used for those purposes.

70. The RGE movement did not make any ethnic, racial or religious distinction. It was composed of Peulh, Malinké and Sousou. The Peulh movement was a broad movement which extended beyond Senegal; the leaders were to be found in Europe and in Africa.

71. Ba Alpha Oumarou did not have any idea of the route taken by the plane in which he flew from Morocco to Gabon. Commander Mercier and Colonel Maurin spoke correct French without an accent, but he could not confirm that they were French. They might have been French or Belgian.

72. The base in Morocco was very large. In his group were 26 Africans, and 70 Europeans, but the security of the base was maintained by Moroccan gendarmes and the base commander was Moroccan. He did not know how far from Marrakesh the base was located. It was situated in the mountains and there were no villages between the base and the mountains. The cooks at the base were also Moroccans.

73. He knew that the Beninese in the group were actually Beninese because of their scars and also because he could recognize certain Beninese words. The total number of men in the attacking group was probably not more than 100. He realized that he was dealing with mercenaries when the Colonel had told them at a meeting that payments would be made to the bank. He could not affirm that the base in Morocco had been designed only to train mercenaries or whether it was a permanent base. It was only because he had seen a road sign indicating 97 kilometres to Marrakesh that he knew the base was near that city. However, he once heard the sergeant of his group say that Marrakesh should not be very far away from the base.

74. The Beninese to whom the group had been presented on 14 January was said by the Colonel who introduced him to be President Oakou, who was going to be president of

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the liberation movement and in charge of the next mission. Mr. Oakou had worn civilian clothes when he first arrived, although his comrade was in military dress. When they arrived at Cotonou, both wore military uniforms. Mr. Oakou remained at the airport during the attack. When the plane departed, Mr. Oakou had disappeared.

75. On 25 February, the Special Mission again took testimony from Ba Alpha Oumarou, in order to verify and reconfirm certain points. The Chairman again advised Ba Alpha Oumarou of his rights.

76. The Chairman showed Ba Alpha Oumarou a series of photographs and documents, from among those presented to the Special Mission as having been left behind in Cotonou by the attacking force of 16 January. Ba Alpha Oumarou recognized some of the persons shown in the photographs. In particular, he recognized photographs on documents in the name of Gilbert Bourgeaud as being pictures of Colonel Maurin.

77. In response to a question of the Chairman, Ba Alpha Oumarou stated that usually at the military base they were given Moroccan cigarettes "Casa Sport" made in Casablanca, Morocco, and bearing the inscription "Olimpique". However, on the day before their departure, they had been ordered to throw away the Moroccan cigarettes because they would be compromising pieces of evidence. They were then given other cigarettes which were called cigarettes obtained from "smuggling". These were cigarettes like "Gitanes", "Fall Mall", "Marlboro" and "L and M". The Chairman then handed one cigarette to Ba Alpha Oumarou and asked whether he recognized it. The latter answered that this was the kind of cigarette which had been given to them at the military base. He pointed out that on the pack was written "Casa Sport". The Chairman then stated for the record that the sample cigarette shown to the witness was one of a number of cigarettes found among articles left in Cotonou by the attacking force.

78. The Chairman showed Ba Alpha Oumarou in sequence a number of other photographs on identity documents from among the documentation left in Cotonou by the attacking force, and the latter recognized many, although not all, as photographs of members of the attacking force, including a photograph of himself. He also knew the aliases of individuals which were marked on some documents. One of the photographs he recognized as that of "Joseph", was the photograph of Mr. Sy Sawané, who, he said, had brought him from Senegal to Morocco.

79. In response to a question, Ba Alpha Oumarou said that he did not know the name of the military base or military camp near Marrakesh.

80. He did not recognize the Beninese leader of the attacking force, Mr. Oakou, or his assistant in any of the photographs shown him. However, when the Chairman showed him a photograph supplied to the Mission by the Government of Benin, the witness recognized it as someone who looked like Mr. Oakou, although slimmer and wearing a moustache and a goatee. At the Chairman's request the Director of the State Police of Benin stated that the photograph was a picture of Mr. Gracien Pognon, who was the creator of the Front for the Liberation and Rehabilitation of Dahomey.

81. In response to another question Ba Alpha Oumarou stated that the Arabic letters "dal" and "mim", which he had seen on the uniforms of some Morrocans at the base in

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Morocco indicated that they were Moroccan gendarmes, because the "dal" in Arabic stood for "Darak", which meant gendarme.

82. Ba Alpha Oumarou first saw Colonel Maurin on his arrival at the military base on 2 or 3 January. He was the person of the highest rank at the base, higher than Commander Mercier. He had never heard Colonel Maurin called by any other name.

83. The movement called RGE, he said, had been started in 1972 by Siradio Diallo, after the arrest of Diallo Telli.

E. Inspection of relevant sites

84. On 20 February, the Special Mission began and devoted the whole day to visits to sites along the route which the attackers of 16 January had taken. During the visits to these sites the members of the Special Mission examined bullet holes and other damage resulting from the shooting on 16 January. They also conducted interviews with persons who lived at these sites and had been witnesses to the events of 16 January, including some who had been wounded. The Special Mission was accompanied on these visits by members of the Benin Committee for the Special Mission.

85. When conducting interviews with witnesses the Chairman invariably introduced the members of the Special Mission, explained its mandate and asked permission to use the name and testimony of the witness in the report of the Special Mission. He also thanked each witness for his co-operation. He and the other members of the Special Mission also asked questions of the witnesses.

86. The Special Mission first visited an apartment house called "Quarante Logements". This building is located within sight of, and approximately 200 metres from, the Presidential Palace. An officer of the Benin Armed Forces, who was giving explanations, stated that this building and its surroundings had been reached and occupied by one of the columns of the attacking force. In particular, he pointed to the windows of apartment No. 5 on the fourth floor facing south, whose occupant was Mr. Xavier Buisson, a French national. According to the explanation given, the attackers broke into Mr. Buisson's apartment; threw him to the floor and covered him with a blanket. From the windows of Mr. Buisson's apartment, the attackers opened machine-gun fire on the Presidential Palace.

87. The Special Mission next visited apartment No. 6, which was also on the fourth floor. The apartment was occupied on 16 January and is still occupied by Mr. Evgueni Kujouhov, Assistant Commercial Attaché of the USSR Embassy in Cotonou. In the interview that followed Mr. Kujouhov stated that in the early morning, about 8 a.m., on 16 January, members of the attacking force had entered the building and knocked at his apartment door, which he had not opened. At home with him were his wife and child. However, the attackers had entered another apartment on the same floor across the corridor from his apartment. As he was told, they had thrown the occupant of that apartment to the floor, had taken the keys for his car and had used that car. Through the window Mr. Kujouhov had seen armed men in khaki uniforms with blue ribbons on their right epaulettes. All had been Europeans and had spoken

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French without an accent. Some of the armed men had installed themselves in the building and had started to shoot towards the Presidential Palace and towards Camp Guezo, which is the central military camp of the Beninese Armed Forces. He had seen about 15 of the armed men outside the building using machine-guns and bazookas. At about 10 a.m. or 10.30 a.m., they had departed.

88. Next, the members of the Special Mission were taken to a crossroad, about 100 metres north of the "Quarante Logements" building, where they were shown a building indented with bullet holes. According to the explanation given, this damage was inflicted by the attackers who presumed that the building was occupied by Beninese soldiers. From this point, located about 300 metres from Camp Guezo, the attackers shot at the camp.

89. The next site visited was a square between the airport and Camp Guezo. According to the explanation given, that place was one of the sites of hostility on 16 January. The members of the Special Mission observed the damage caused by weapons fire to a hospital building, on the southern side of the square, which is occupied by "Polyclinique de Cotonou". They also spoke with Mr. Ali Assani, the owner of the hospital. He stated that he had been at his home, about 150 metres away from the hospital early on the morning of 16 January. He had been called from the hospital and requested to come to it immediately because it was being fired upon. He had driven his car to the hospital gate, noticing about 10 armed men not far away. The hospital was being fired upon. Shortly after he had succeeded in getting through the hospital gate by pushing it open with his car, a shell had exploded just in front of the gate. All this had occurred between 7.30 a.m., and 8 a.m. Twenty patients and two nurses had been in the hospital on the day of the incident. The members of the Special Mission inspected the marks on the outside and inside of the hospital which had been caused by weapons.

90. The Special Mission then visited an apartment house called the "Benin Office of Social Security". They observed on its façade damages resulting from weapons fire. They called first at apartment B-28, the home of Mr. Philbert Barthelemy Ritory, a Canadian citizen and professor of electrical technology at the University Polytechnical College. Mr. Ritory stated that he had been working in his apartment on the early morning of 16 January when he had heard shots outside. He had gone to his balcony and seen a group of military people advancing eastward. He had noticed two men carrying arms just beneath his building. Suddenly a fragment of shell passed near his eye, and a moment later a violent noise had occurred in his baby's bedroom, where his wife had been attending to the baby. He had discovered that the blinds had been severed and the windows totally broken. Pieces of the broken window had struck his baby and wife. He had taken them down to the third floor, to the apartment of another Canadian, for refuge. In response to questions, Mr. Ritory further stated that he had seen perhaps 20-25 armed men, including two armed white men near the apartment house. They had worn ordinary military uniforms and looked very professional.

91. Outside the same building, the members of the Special Mission spoke with several other witnesses of some of the events of 16 January. The first was Mrs. Madeline Morisette-Belisle, who stated that she was a Canadian citizen and a librarian. She stated that her family had been awakened on Sunday, 16 January, by the sound of shooting at the airport. She had seen armed men all over the area near

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the apartment house, white soldiers not black. She had seen that one of them had opened a map, and that after discussion among themselves they had begun to take up military positions. They had opened fire on the apartment house. At that moment, about 8.30 a.m., she had seen that the guards at the nearby complex of buildings called the "Conseil de l'Entente" had started to jump over the fences and run. Suddenly the windows of her apartment had been broken, and one of her sons had started to scream. He had been wounded in the back and the arm. Her other son had taken him to the apartment of other Canadians in the building for medical care. In response to questions Mrs. Morisette-Belisle further stated that the armed men she had seen had moved towards the centre of the city and later had retreated in the opposite direction. She had had the impression that they had carried a great many arms.

92. After the above, the members of the Special Mission spoke with Luc Belisle, the son of Mrs. Morisette-Belisle. He stated that he was a 19-year-old Canadian student and that he had been wounded on 16 January in the arm and back. He said that on that morning he had been awakened in his room by shots. He had heard one mercenary questioning the people in his apartment building, where the Ministry of the Interior was, in French with a French accent. A moment later he had been wounded; his older brother had picked him up and taken him to a friend's apartment for medical care.

93. The Chairman noted for the record that Mr. Luc Belisle showed evidence of wounds on the arm and back.

94. The members of the Special Mission next spoke with the brother of the above, Brunon Belisle, who stated that he was 22 years old and a student. He said that he could confirm what had been described by the preceding witnesses. In response to a question from the Chairman, he said that the soldiers had all been white and seemed to have suffered from sunburn. He had been surprised that they had all been behaving in a very relaxed and casual way.

95. Also at the same building, the members of the Special Mission interviewed Mr. Thomas Paradis, who stated that he was a Canadian and the Director of the Equipment Service of the Polytechnical College. Mr. Paradis stated that at about 6.45 a.m. or 7 a.m. on the morning of 16 January he had heard a plane land at the airport and afterwards an explosion, followed by shots which came closer and closer. From his balcony he had seen 11 white people in military uniform, all with very red faces, as if they had suffered sunburn. They had taken position, installed machine-guns and rocket launchers. A bullet had missed him by only 50 centimetres. He had helped to care for the wound of Luc Belisle and Mr. Lam, a United Nations expert, who had been wounded in the head. In response to questions, Mr. Paradis stated that he had noticed machine-guns with magazines and some sort of a tool mounted on a tripod. Later, the soldiers had retreated before the Beninese forces. Later yet, about 9.45 or 10 a.m., he had seen a plane take off from the airport. It had four propeller engines and a blue tail. It had taken off towards the north and then headed in the direction of the beach.

96. After its visit to the "Benin Office of Social Security", the Special Mission was taken to a new radio and television building which was not yet in operation. It was shown dents in the walls of the building facing west, which resulted from weapons fire.

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97. The Special Mission then proceeded to the Cotonou international airport, where it received a briefing from Lieutenant Rachilde Achirou of the Benin Army. Lieutenant Achirou stated that early on the morning of 16 January, a plane had come in from the sea against the wind, landed, and taken a short cut to the spot where he was standing /on the runway near the control tower/. He further stated that that parking site had been reserved for International Red Cross aeroplanes, which had landed there after 1969 to serve the needs of the Biafra war in Nigeria. In his opinion that fact suggested that the landing on 16 January had been carried out by technicians who knew the Cotonou airport and had been involved with the Red Cross Biafra operation. The occupants of the aircraft had disembarked, unloaded various types of weapons and matériel and established a headquarters facing the hangar of the Air Afrique airline. The company had then divided into three groups; the first had proceeded near the beach towards the Presidential Palace; the second had taken the central avenue to the "Quarante Logements" building; and, the third had had Camp Guezo as its objective.

98. In the control tower of the airport, the Special Mission interviewed Lieutenant Félicien Dos Santos, who stated that he was in charge of security at the airport. He said that the attackers had placed an automatic weapon at a window of the tower, with which they had attacked a small armoured car, called a Ferret, of the Beninese forces which was located at the end of the runway. This vehicle and a second like it had been immobilized, one of the drivers wounded and a second one killed.

99. After speaking briefly with Eugene Acrombessi, who had testified before the Special Mission on 18 February (see para. 53 above) and again with Lieutenant Félicien Dos Santos, the Special Mission was escorted to the entrance of the large airport hangar, where it interviewed Master Sergeant Jean Baptiste Favy. Sergeant Favy stated that he was a mechanic-officer, a non-commissioned officer and a transport pilot in the Cotonou airport squadron. He had been on duty the night of Saturday, 15 January to Sunday, 16 January. At about 6.45 a.m. or 6.30 a.m., he had heard a plane come in from the sea against the wind at an altitude of about 100 feet. It had landed, made a short run and returned to an area facing the civil portion of the airport. The door of the plane had opened, the first mercenaries had come down a rope and opened fire on the airport squadron; others had occupied the control tower and the airport office. Sergeant Favy had immediately attempted to call the squadron commander by telephone. Meantime, some members of the Beninese Army, who had two Ferret armoured cars and one jeep, had tried to shoot in the direction of the mercenaries. The first armoured car had been destroyed, and the cannon of the second had jammed. The soldiers had gone to hide in the bush in order to organize the resistance. As the whites approached the squadron, Sergeant Favy had locked the telephone and put the key in his pocket. The attackers had called on him in French with a Parisian accent to surrender with his men. After he had surrendered, he had been interrogated. Sergeant Favy said that he had not seen any coloured ribbons on the shoulders of the attackers; he had seen only green epaulettes. The colonel had had a portable radio transmitter on his back. A short time later, while being held as a prisoner, Sergeant Favy had recognized one of the black attackers as Marc Soglo, ex-Chief Adjutant of the Beninese Army, who had been in prison and escaped. However, Soglo had claimed not to recognize him but had said "I have come here in order to save our country". During his time as a prisoner, Sergeant Favy said, he had been forced with other prisoners to help unload equipment from the aircraft of the

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attackers. Aboard the plane, he had seen several black people who were speaking the Fon language, as well as Bariba and Dendi - languages spoken in Benin. They had all been dressed in the same uniform, and Sergeant Favy had recognized some of them as former Beninese soldiers, although he did not know their names. He had also noticed two white civilians wearing blue jeans and short-sleeved shirts and speaking English. Other black people had spoken neither French nor one of the Beninese national languages. The members of the crew had been armed and had worn the uniform of the French army. As the resistance of the Beninese military to the attackers had started around the Presidential Palace, the first wounded attackers started returning to the airport. As more wounded kept arriving and loaded aboard the plane, the returning attackers had started to criticize one another, saying that the officers in charge had not been leading their men well. Although Sergeant Favy had heard one of the mercenaries say, at about 9.30 a.m., "We only have to wait about three more hours", and soon the last of the attackers arrived from the city and boarded the plane. After the plane had taken off, it had stayed at a very low altitude, overflown the field, headed toward the Presidential Palace and then out to sea in the direction of Gabon. In response to questions, Sergeant Favy stated that the plane was a DC-6 with piston engines. The attackers had had 12.7 machine-guns, grenades, explosives, bazookas and rockets. He had noted that some of their cigarettes were marked "not to be sold". When the Chairman asked Sergeant Favy whether any of the Benin nationals he had recognized on the plane had belonged to any particular political organizations, the Sergeant replied that they were military men who did not belong to political parties but were malcontents who had been in prison and had fled. For example, Marc Soglo had participated in the abortive coup of 28 February 1973. The aeroplane had departed at 10 a.m. He estimated the number of wounded to be about 40 and he had not seen any dead. The whole group had numbered about 100, of whom most had been white, with only about 20 blacks. All of the attackers criticizing the operation had been white people speaking French. The attacking soldiers had carried individual radio equipment with which they communicated among themselves, but it had not been clear whether the operator of the main transmitter at the temporary headquarters on the airfield had been able to communicate outside the country. He had not seen any medical or first-aid facilities with the attackers. Of the approximately 20 Africans in the attacking group, perhaps 15 had been Beninese; he had heard 12 who spoke Fon and 3 who spoke Dendi. The other Africans had spoken neither French nor any Beninese national language, but they had had the features of a Sahelian race. The attackers' aircraft had been fitted to carry cargo, with absolutely no seats; it might have been capable of carrying between 100 to 120 persons. In response to further questions, Master Sergeant Favy said that the Fon and Dendi languages were spoken in Benin, while Dendi was also spoken in Nigeria near the northern Benin border. The majority of the Benin population spoke Fon; the other languages of the country were Dendi, Bariba and Yoruba. Sergeant Favy had been able to tell that some of the attackers had been people of the Sahel, because it was easy to distinguish between people of southern Togo, Nigeria or Benin and people from the area of the Sahel merely by their physical features. His statement that there had been 15 Beninese in the attacking group had been an estimate; the others had been from the Sahelian States like Upper Volta, Mali or Senegal. He had not heard them speak any language.

100. As the final question of the day, the Chairman asked Lieutenant Achirou whether any members of the attacking force had made telephone calls to local residents of Cotonou. The Lieutenant responded that they had not been able to use the locked

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phone at the airport but that he did not know whether they had contacted or tried to recruit any residents of Cotonou while they were advancing on the city.

101. The following day, 21 February, the Special Mission continued its examination of sites along the route which the attackers of 16 January had taken. As during the previous day, they took note of the physical damage to buildings and conducted interviews with persons who had been witnesses to the attack and with other individuals who possessed relevant information for the purposes of the Special Mission's investigation. The Special Mission continued to be conducted on these visits by members of the Benin Committee for the Special Mission of the Security Council. The Chairman also continued his practice of explaining the mandate of the Special Mission, asking permission to use the testimony of the witnesses and thanking each witness for his co-operation.

102. The Special Mission first visited "Nigeria House", the new and as yet unoccupied embassy complex of Nigeria, where its members saw the damage inflicted on the building by rifle bullets or other projectiles.

103. Next the Special Mission visited the home of Mr. Guy Pognon, who had testified before the Special Mission on 18 February (see para. 52 above), where they saw evidence of the damage done to it as a result of fire from rifles or other armaments.

104. Subsequently, the members of the Special Mission visited the Chancery building of the Embassy of Zaire, where they were shown by the Ambassador personally the effects on the building of shots against it on 16 January, including bullet holes near the Ambassador's desk.

105. The members of the Special Mission then examined the area around the building of the Benin Ministry of Foreign Affairs, where they were shown damage done to the building and the spot nearby where one of the white attackers was stated to have been killed. The Benin Government officials who were conducting this tour said that the corpse had been removed to the morgue, where the Special Mission members had seen it earlier (see sect. II G below).

106. The members of the Special Mission next visited the complex of buildings of the "Conseil de l'Entente", the headquarters of an Association of six French-speaking West African States. Adjudant Christophe Agossa of the Benin Army testified that on 16 January the Deputy Prime Minister of the Democratic People's Republic of Korea had been lodged in one of the buildings. The attackers had seen the flags of the Democratic People's Republic of Korea, and had entered the building in an effort to find the Deputy Prime Minister. They had not succeeded but had shot at the Deputy Prime Minister's chauffeur, who was washing the car. They had entered other buildings in the complex, while the driver and other employees had fled out of the rear of the complex.

107. Mr. Christophe Biaou, maitre d'hotel, stated that on the morning of 16 January he had gone to get breakfast for the Deputy Prime Minister of the Democratic People's Republic of Korea. On his return he had been threatened by an armed white man wearing a paratrooper jacket and military trousers. However, he had succeeded in escaping on his motor cycle.

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108. The members of the Special Mission then proceeded to the grounds of the Croix du Sud Hotel, where they were shown a ruined bungalow, which was stated to have been destroyed by an incendiary grenade of the attacking force. The hotel is located immediately east of the Conseil de l'Entente building complex in the direction of the Presidential Palace. The last building between the Croix du Sud Hotel and the Presidential Palace is the Benin Congress Hall, which is separated from the Presidential Palace only by a large open square. In the Congress Hall, the members of the Special Mission were shown considerable damage said to have been caused by defensive fire from the Presidential Palace against attackers who were firing on the Palace from the Congress Hall. It was indicated that locations in and around the Congress Hall were the closest points which the attackers had reached in their advance on the Presidential Palace.

109. The Special Mission was then conducted to an examination of damaged sites within the Presidential Palace itself. The members of the Special Mission were conducted through the Palace by Lieutenant Soule Moussa, who stated that he was the officer responsible for the security of the Palace. He showed the members of the Mission numerous places where damage had been inflicted on various areas of the Palace complex by the weapons of the attacking force. For example, he pointed out several craters caused by mortar shells, two of which had gone through the ceiling of the presidential bedroom itself. There were also traces of bullet impacts on the wall of the adjoining bathroom. The Chairman asked Lieutenant Moussa whether the President had been in the Palace at the time of the attack, and Lieutenant Moussa replied that the President had not been in the Palace at the time. The members of the Special Mission continued to tour the Presidential Palace, seeing much additional evidence of damage inflicted by the attacking force. Lieutenant Moussa said that much of the damage on the northern side of the Palace had been inflicted by the fire of the attackers from the "Quarante Logements" building. In response to questions from members of the Special Mission Lieutenant Moussa stated that some Beninese soldiers had been wounded at the Palace, but none had been killed, and that one white mercenary had been killed between the Congress Hall and the Palace, although his body, as well as the other dead and wounded of the attacking force, had been carried away by the attackers. He further stated that the shooting between the Palace and the attackers had lasted for about two hours, that there had been four armed groups of attackers, totalling about 40 men, that the attackers had begun to retreat when Beninese reinforcements for the Palace defenders had begun to arrive from Camp Guezo and that he estimated the losses to the attacking force at about 10 dead.

110. The members of the Special Mission made their final visit of the day to the Ministry of the Interior, which is located near the "Quarante Logements" building, and, like the latter, has an open view of the Palace. Mr. Pierre Badet, a senior official of the Ministry, showed holes in the walls caused by weapons fire.

111. On 23 February, the members of the Special Mission visited the residence of the Ambassador of the United States. They were shown through the building by Mr. W. Kenneth Thompson, Chargé d'affaires, a.i., of the United States, who pointed out the damage which had been inflicted on the building during the attack of 16 January. Inside the building, he showed holes and craters in the walls and broken windows caused by weapons fire. The damage caused by these impacts of projectiles could be seen in almost every room of the building. Similarly, the outside of the building was scarred on all four sides by the impacts of bullets. The residence is located immediately to the south of "Nigeria House", mentioned above, and less than 200 metres from the Ministry of Foreign Affairs.

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F. Examination of material evidence

(a) Examination of corpses

112. On Sunday, 20 February, the members of the Special Mission visited the morgue at the Centre National Hospitalier et Universitaire in Cotonou and saw the nude bodies of one white and one black man who were stated to have been members of the attacking force of 16 January. Both had apparently died of wounds inflicted by fire-arms.

113. Later, the Benin Committee for the Special Mission, upon request, provided the Mission with official copies of two death certificates, which were said to be those of the two corpses. Each certificate was dated 17 February 1977, was signed and sealed by the Director of the Health Service of the People's Armed Forces of Benin and stated that the individual had been killed by fire-arms. The first certificate gave the name of the deceased as Michael LOURDAIS of the white race. The second certificate gave the name of the deceased as Alimiyahou SALIFOU-BOGOU of the black race.

114. The Benin Committee for the Special Mission supplied deposition No. 30, dated 24 February 1977, and signed by E. ZODEHOUGAN, Chairman, I. S. OGOUMA, Vice-Chairman, and M. ELEGBEDE, member of the International Inquiry Commission, which was relevant to the identity of the above-mentioned members of the attacking force killed on 16 January.

115. Photocopies of both the death certificates and the deposition are attached to the report as annex IV.

(b) Examination of armaments, munitions and supplies

116. On 19 February, the Special Mission visited Camp Guezo, a military base of the Armed Forces of the People's Republic of Benin, in Cotonou, where it was shown the collection of weapons, equipment, munitions and other supplies gathered after the departure of the attacking force of 16 January.

117. Captain Gaston Coovi and other members of the Beninese Armed Forces gave explanation of the different types of weapons, which included mortars, anti-tank weapons, heavy and light machine-guns, submachine-guns, automatic rifles, pistols and grenades, as well as ammunition of many types, maintenance equipment, radio communications equipment and many other incidental items of a military and non-military nature, a list of which had been drawn up by the Benin authorities.

118. On 20 February, a military officer of the Panamanian Armed Forces, Major Marcos Justines and a special envoy of the Libyan Arab Republic to the People's Republic of Benin, Mr. Saleh Senussi, a former Colonel in the Libyan Armed Forces, acting in their capacity as military experts for the Special Mission, revisited the display and inventoried the armaments, munitions and supplies shown to the Special Mission on the previous day, using as a basis for this work the list prepared by the Benin authorities.

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119. The inventory of armaments, munitions and supplies as drawn up by the military experts is attached to the report as annex V.

G. Examination of documentation left behind in Cotonou by the attacking force

120. On 21 February, in the course of its meeting with the Benin Committee for the Security Council Special Mission, the Mission was presented with a considerable amount of documentation which, as was stated by the Vice-Chairman of the Committee, Mr. Simon I. Ogoouma, had been seized by the Benin Armed Forces after the attackers had been forced to flee. Mr. Ogoouma also stated that the documentation in question was "the basis, the foundation, the plan and the planning of the whole operation".

121. According to the explanation received by the Special Mission on the circumstances of the seizure of the documentation, the documentation was contained in a regular ammunition case which was left behind by the attackers at the airport of Cotonou, together with various armaments and ammunition.

122. The inscriptions on the case were as follows: "10 SMOKE GRENADES", "CB 16-W 550-A", "81-mm MORTARS", "55 kg.", "volume: 0,077m³". On the top of the case there was an inscription "COLONEL MAURIM".

123. During the working sessions with the Benin Committee for the Security Council Special Mission, held on 21 and 22 February, the members of the Special Mission examined all the documentation contained in the ammunition case. They also checked the photocopies handed over to them by the Benin Committee against the original documents presented.

124. The documentation examined by the Special Mission comprised various typed or hand-written notes, memoranda, diagrams, charts and sketches which by the nature of their contents appeared directly related to the events of 16 January in Cotonou. It also comprised numerous identity cards, registration cards, laissez-passers, photographs, health certificates, airline tickets, drivers' licences, cheque-books, salary slips, private letters etc., with indications of names, addresses and other information concerning the bearers of those documents. Except for several papers in Arabic, all the other documents were in French. The airline tickets were in a black briefcase bearing the inscription "A.B-B".

125. Upon examination of the documentation presented by the Beninese authorities, the members of the Special Mission were of the opinion that that documentation was relevant to the Mission's work and that the more important among it should be annexed to the report of the Special Mission to be submitted under resolution 404 (1977). For ease of reference the documents have been classified under different headings.

126. Following is a list of the documents with a concise description of their contents, which are included in annex VI to the present report.

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(a) Documentation concerning the planning and carrying out of the attack on 16 January 1977

(1) A document representing the hand-written operation order of the chief of the commando.

(2) A document which begins with the title "General Situation", containing an assessment of the situation in Benin and outlining the objectives for the military intervention. It gives alternative plans for military intervention: one is a plan of action by day, and another by night; action that is to be taken either by sea or by air. In analysing the advantages which could result from using the airport of Cotonou as the place of arrival of the "invasion force", the document mentions, among other things, 6 a.m. as the time of landing, the possibility of using airport cars and a period of five minutes for reaching the Presidential Palace and the military camp.

(3) A document dealing with the tasks of the invading force and containing a description of the means at its disposal. It also gives a detailed plan of operation for the mission "Omega".

(4) A document entitled "Order of the Command of G.E.I." using code names for African States, such as, "Banalia (RDPB)", "Zangaro" and "Moana", and dealing with various aspects of the actual conduct of military action against "Banalia". It mentions that "Banalia" and "Zangaro" are neighbouring States, while "Moana" has no common border with either of them. It also mentions that after a discreet meeting between the heads of State of "Moana" and "Zangaro" on 2 January 1977, the principle of a preventive action was adopted. The Commandant of G.E.I., invited by the two presidents, proposed simultaneous action in two parts: (i) to attack and destroy the "EM" of "RDPB" at Koumea from the territory of "Moana"; and (ii) to brutally penetrate the territory of "RDPB" from "Zangaro" in order to engage the maximum enemy force there and to save the element of intervention in Koumea. It further goes on to say that the first part of this action was given to C.D.O. (ourselves). The second part was given to the second combat company, reinforced by the Zangaroian battalion which it had reorganized.

(5) A document entitled "Proclamation", containing a declaration to be made in case the operation succeeds and a new régime is installed in Benin. It provides for the installation into power of the directing committee of the Front for the Liberation and Rehabilitation of Dahomey (F.L.E.R.D.), and the dissolution and prohibition of the present institutions of the Government of the People's Republic of Benin. It mentions that Mr. Gratien Pognon be named President of the Republic, head of the State and head of the Government. Attached to this declaration is an instruction concerning the first transmission of this declaration.

(6) A document containing the text of an unsigned copy of a contract dated 5 November 1976, by the terms of which Mr. Gilbert Bourgeaud undertook to recruit 90 technicians - 60 Europeans and 30 Africans - for the Front for the Liberation and Rehabilitation of Dahomey, which would serve as the basic element for the overthrow of the present régime. The document mentions sums of money which would

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be received by Mr. Bourgeaud at different stages of the planning and execution of the operation: \$US 475,000 in the pre-operational phase and \$US 530,000 in the post-operational phase.

(7) A document - two pages of which bear the inscription at the top "Additional information from UTA, A.C.O.-A.C.E - A.F.A", dated "20.07.76" - which gives a description of airport conditions in various places in Africa, beginning with Cotonou and giving information on the runway of the Cotonou airport.

(8) A document entitled "List of the material concerning an air transport operation", mentioning a DC-7 with a capacity of 14 tons as the means of transport. It gives a list of arms, munitions, radio and other equipment.

(9) A document whose letterhead bears the inscriptions "Groupement étranger d'intervention" and "Le colonel", containing a preparatory order for operations dated 13 January 1977. It begins with stating that the group was to be transferred by air to another base on Saturday, 15 January at 1200 hours. It gives names of military personnel with their ranks and indicates specific assignments in the course of operations.

(10) A document whose letterhead bears the inscriptions "Groupement étranger d'intervention", "Base de Benguerir" and "Le colonel", containing an order for operations dated 13 January 1977 at 1800 hours. It gives a breakdown of the unit, such as the general staff, with Colonel Maurin at the head, his code name "Soleil", the supporting and covering group, the carriers and others. It states the intention of the commandant of "Force Omega" to concentrate all its means on the capital Cotonou in order to neutralize the present authorities and to install a new team. It further states his decision to take by surprise the international airport of Cotonou, then to proceed eastward to attack and occupy predetermined objectives and, finally, to take measures aimed at establishing the control over the whole territory of the country.

(11) A document representing a detailed plan of operation. It lists the reasons for overthrowing the Government of Benin, defines the action to be taken to this end, mentions the objectives to be attained by a force of intervention. It defines the composition of "Force Omega" as having 60 Europeans with experience in the field of arms and extremely knowledgeable in the conduct of warfare and 30 Africans for the purpose of "Africanizing" the operation. This document divides the plan of operation into three phases: the pre-operational phase, the operation itself and the post-operational phase. In the part dealing with the pre-operational phase, a base in Morocco is mentioned as a place for the termination of regrouping. The document concludes with a statement that as soon as the operation is deemed desirable, the political will exists and the necessary means are available, it may be considered that there is every chance of success.

(12) A document entitled "Benin". It traces the political evolution of Benin between 1960 and 1974. It then deals with the coming into power of President Kérékou and the year of 1975. After that, it concerns the present situation under subtitles "external politics", "economic situation" and "external

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relations". It has an annex entitled "The armed forces", which is subdivided into parts dealing with value, political attitude and composition. Then follows a map of Benin. The next annex is entitled "Dahomey" and gives all the characteristics of the country similar to those found in books giving short descriptions of countries in a region. The last annex is a short bio-data of President Kérékou.

(13) A document entitled "Notes" and marked "confidential", beginning by stating that in order to have the assurance that the DC-7 is ready and is air-worthy following its being put in place mentioned as the "transfer point", and to speed up phase B, radio contact could be arranged. It then gives the details of that radio contact. It then gives details of the three phases - A, B and C - but not in that order. Phase C appears first. The flight is supposed to be between point of transfer and the objective. It specifies arrival at the objective at 0600 hours local time. The plane mentioned is a DC-7-F. Next is phase A. The flight is for transport of commercial material from Libreville to Base Maroc. The transport aircraft is described as a DC-8-F-55. In phase B the flight is between Base Maroc to point of transfer. It is mentioned that the plane to be used is the same as in phase A.

(14) A document representing a detailed commentary on certain specific phases of the actual conduct of operations. It gives details on co-ordination, timing, conduct, the place of the chief etc. It also mentions the phase of initial approach and the phase of final approach.

(15) A document entitled "Convention" providing for an engagement [on the part] of Mr. Gilbert Bourgeaud to recruit within a period of two to three weeks 90 technicians - 30 Africans and 60 Europeans - in the context of the agreements concluded with the authority of the country which assures the remuneration, equipment and subsistence of this personnel. It further enumerates certain conditions to be fulfilled in connexion with that engagement.

(16) A document appearing to be a daily programme. It begins at 0630 and ends at 2000 hours. On the second page it mentions programmes for 5, 6 and 7 January.

(17) A document dealing with budget questions. It lists as pre-operation budget \$US 475,000, and as post-operational budget \$US 575,000, thus making a total of \$US 1,050,000. It specifies that this budget does not include equipment, arms and subsistence, which would be the charge of the employer on the spot. It goes on to give the breakdown of these figures, including plane tickets, guaranteed salaries for three months, return plane tickets etc. It also has estimates on which the budget seems to be based.

(18) A document entitled "Report". Written on its first page are the words in pencil "Sep. Oct." and "Agent Europ". Its first part is called "Presentation". It contains sections entitled "Cotonou", "The Coast", "The Port", "The Lagoon", "The Road to Ouidah", "Airport" and "The Railway lines". The second part is entitled "Means of communication". The third part relates to "The town". The first section of this part deals with the general life style, when the day begins and when it terminates in Cotonou. The next section is entitled "The Objectives".

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The first among these is the Presidential Palace. It gives a description of the defences of the Presidential Palace and contains a hand-drawn map. The next objective is the house of President Kérékou. Then it refers as its next objective to the house of Azonhiho, the radio station, the Commissariat of Police and the military camp. The next part is entitled "The Personalities and the Population". Its first section concerns the white population and its way of life. The second section is about the blacks and their way of life. The third section is about la soldatesque, apparently a derogatory term for soldiers. The last section is entitled "The President - the Minister of Defence". It makes a reference to the escort that the President has. The last part of the report deals with conclusions. It mentions points against and points for.

(19) A document containing a detailed list of armaments, optical ammunition and communications.

(b) Documentation concerning personnel of the attacking force

(20) A document entitled "List of transfers" containing 61 names. The names given are accompanied by addresses or references to their bank accounts. The list also shows the amount that is transferred to each person. At the end of the list, in hand-written form, the following appear: (i) "Decembre '76 340.620"; (ii) "Janvier '77 466.000"; (iii) "Février '77 466.000"; (iv) "avion 180.000". This document indicates the amount received by each of 61 persons. It has relevance on the subject of the transfer of money covered in subsection (e) below.

(21) A document representing a chart of two sheets. It contains the names of 80 persons, with information concerning, in particular, age, physical state, active service, participation in campaigns, time since each became a civilian, military grade, last position held, education and languages. Against many of the persons listed are references to their military experiences in such places as Chad, Madagascar, Lebanon, Algeria, Spanish Sahara, the Comoros, Indo-China, the Congo, Burundi, Yemen and the Pacific. Against several names, the inscription in capital letters "AFN" or "TFAI" appears.

(22) A document giving names and military ranks of personnel and their numbers. There are three columns against the name of each person. The first column has serial numbers. The second column is entitled "FAL" or "FUSIL" and contains numbers. The third column is entitled "PA" and also contains numbers. There are 62 names in all, and it appears to be a list of people to whom arms were issued. The names are subdivided under categories, such as General Staff, First Section, Second Section, Third Section and Fourth Section.

(23) A document containing the text of a letter dated 30 September 1971. It is from Colonel Louis Martin, Commandant par interim of the Presidential Guard, addressed to the Minister of the Interior. The letter-head contains the words "Republique Gabonaise, Présidence de la République, Garde Présidentielle, boîte postale 546, Libreville, Gabon". The subject of the letter is an authorization request for the purchase of hunting weapons by the following instructors of the Presidential Guard: Jean Louis Domange, Pierr Evrard, Gilbert Bourgeaud and Max Richard.

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(24) A document representing a hand-written receipt made out in Libreville on 29 December 1976 and signed by Simon Henri. It certifies the receipt from General Louis Martin the amount of 200,000 CFA francs.

(25) A document containing a list of 42 names, some of them repeated. Against some of these names are type-written words "PRI/DKR/ABJ/PRI Vol du 29/12", "Vol AT 984 du 30/12 DKR/CASA Retour Open", "PRI/DKR/ABJ/PRI".

(26) A national identification card, French Republic No. 3448473 in the name of Sy Sawané.

(27) Membership card No. 000006 of the Association of Guineans Abroad in the name of Sy Sawané.

(28) The document entitled "Questionnaire" containing 12 questions relating to recruitment.

(29) Three certificates of vaccination issued in the Ivory Coast.

(30) Twelve certificates of vaccination issued in Senegal.

(31) Two laissez-passers Nos. 00589/MISON and 00621/MISON of the People's Republic of Benin.

(c) Documentation concerning the member of the attacking force taken prisoner on 16 January 1977

(32) Membership card No. 001998 of the Association of Guineans Abroad in the name of Ba Alpha Oumarou.

(33) Primary school certificate issued in the Republic of Guinea on 26 June 1961 to Ba Alpha Oumarou.

(34) Income tax form of the Republic of Senegal filled out in the name of Ba Alpha Oumarou.

(35) Two letters of the chief of the Personnel Services of the "Société Africaine de Raffinage" dated 6 June and 30 July 1969, respectively, addressed to Ba Alpha Oumarou.

(d) Documentation concerning Mr. Gilbert Bourgeaud

(36) National identification card, French Republic No. 2048716, issued on 8 July 1968 in the name of Gilbert Bourgeaud.

(37) A driver's licence of the French Republic No. 75-14896, issued on 14 February 1955 in the name of Gilbert Bourgeaud.

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(38) A laissez-passer identification card 253/69, issued on 24 March 1969 in Libreville, Gabon, in the name of Gilbert Bourgeaud.

(39) A laissez-passer 318/71, issued on 27 March 1971 in Libreville, Gabon, in the name of Gilbert Bourgeaud.

(40) A document bearing the signature of the President of the Republic of Gabon, setting out a decision dated 3 August 1976 for recruitment of Gilbert Bourgeaud in the civil service for an undetermined period of time as an adviser to the President of Gabon at a monthly salary of 500,000 francs.

(41) A document representing a cheque-book cover bearing the name of the Bank of Gabon and Luxembourg, with account number 35-025-020 T. The cheque-book contains a cancelled cheque made out to UTA, Libreville, dated 9 November 1976 in the amount of 32,700 francs.

(42) A document representing a salary slip from the Republic of Gabon for Gilbert Bourgeaud dated November 1976. It mentions 500.000 as his total salary, and 1.000.000 as his opening balance. Net amount payable amounts to 381.660.

(43) A document representing a certificate of loss issued by the Ministry of the Interior of the Republic of the Ivory Coast on 2 September 1970. It concerns the loss by Gilbert Bourgeaud of his driver's licence, which was issued in Morocco.

(44) A document representing a registration card issued on 25 January 1972 by the Ministry of Transportation and Civil Aviation of the Republic of Gabon. It certifies that a driver's licence of Gilbert Bourgeaud has been registered.

(45) A picture of Albert Bernard BONGO, President of the Republic of Gabon, made from a photo-plate which was found among Gilbert Bourgeaud's belongings.

(e) Documentation concerning the transfer of money

(46) A document representing an unsigned letter dated 8 January 1977 for the attention of Mr. Krier. The letter is a request to effect the transfers enclosed at the earliest possible date. It states, in particular, that "With regard to the account openings at SIBA, please let me know the numbers that you have assigned to each person concerned". It further states that "Before going to Gabon I would request you to address me in the next days at post office box 4725, Libreville". /The enclosure is missing./

(47) A document representing a debit memo from Société Intercontinentale de Banques, S.A., R.C. Luxembourg B-11436, telephone 45993, 22-24 Boulevard Royal, Luxembourg. It is dated 28 December 1976. The account number mentioned is 22100/517/20. It informs the client that 17 different transfers of money have been made, the details of which are given on the attached telex. The amount in question is 95,570 French francs. The receipt is signed for the bank by F. A. Krier. Stapled to it is a telex, dated 24 December 1976, from the Société Intercontinentale de Banques, S.A., to Crédit Commercial de France, S.A., Paris, giving the names of the persons in whose favour the monetary transfers have been

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made and their account numbers in various banks, whose addresses are also given. Each name appearing in the telex had been underlined, and against the details of transfer for each person a hand-written name in capital letters is written.

(48) A document consisting of three debit memos from the bank referred to in paragraph 43 above, all dated 29 December 1976 and signed by F. A. Krier. The account number on each one is 22100/517/20. The first one advises the client that 23 transfers have been effected according to the annex. The amount is 134,700 French francs. The second informs the client that 14 transfers in favour of various clients have been effected following his instructions received on 23 December 1976. The amount in question is 82,850 French francs. The third memo informs the client that four transfers, in non-French currencies, as given in the annex, have been effected. The amount in question is 27,500 French francs.
/The annex mentioned was missing./

(49) A document consisting of two credit notes from the Banque du Gabon et du Luxembourg, Libreville, in favour of Gilbert Bourgeaud dated 25 November and 24 December 1976, respectively. The first credit note mentioning the amount of 381.660, and the second 615.570. In both cases it is mentioned that the money in favour of the client has come from "Tresor".

(50) A document consisting of three papers from the Banque du Gabon et du Luxembourg, Libreville. They are statements for the account of Bourgeaud, Gilbert, B.P. 4725, Libreville. They are dated 11, 17 and 25 November 1976, respectively.

(51) The document listed in subparagraph 20 above also has relevance under subheading (e) entitled "Documentation concerning the transfer of money".

(f) Documentation concerning airline tickets

(52) The list of airline tickets drawn on the basis of original airline tickets issued by Air France (90 tickets), UTA (1 ticket) and Royal Air Maroc (12 tickets). It lists 103 tickets filled out in various names. The names of Gilbert Bourgeaud and Sy Sawané appear several times. According to their route, 48 tickets refer to "Paris-Casablanca-Paris", 22 - "Paris-Rabat-Paris", 1 - "Paris-Rabat-Casablanca-Paris", 2 - "Paris-Dakar-Abidjan", 12 - "Abidjan-Casablanca", 15 - "Dakar-Casablanca-Dakar", 1 - "Abidjan-Dakar-Paris", 1 - "Paris-Libreville-Paris", and 1 - "Paris-Marrakesh-Paris". The total fare paid equals 175.670 FFR and 1.123.200 CFAF.

127. In addition, the Benin Committee for the Special Mission presented the latter with documentation which, according to the explanation given by a member of that Committee, had been found under the seat of a car which reportedly was commandeered by the attackers in Cotonou on 16 January. The documentation was then examined by the Special Mission. It contained, in particular, the following documents in English.

(1) An identity card of the International Committee of the Red Cross No. 2103, issued in Geneva on 22 January 1969 by the Administrative Division of

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the Red Cross in the name of Mr. Isberg Bjorg Leo, a national of Sweden, born on 6 May 1941 in Helsingfors.

(2) An identity card of the Swedish Red Cross No. 303, issued on 12 December 1968 by the Central Committee of the Swedish Red Cross in the name of Mr. Isberg Bjorg Leo, born on 6 May 1941 in Helsingfors.

(3) A card issued on "2/68" bearing the signature "Director of Training". It states that "the Flight Propulsion Division Service Training School certifies that Mr. Isberg has satisfactorily completed a period of study in Cj805-23 construction and maintenance fundamentals". The card does not mention where the training school is located.

H. Evaluation of damage resulting from the attack

128. The damage caused by the attack of 16 January included both human casualties and material damage. The Special Mission inspected the evidence of material damage and received official certificates and lists of the human casualties.

129. The human casualties included dead and wounded. The number of the dead was six, of whom five were military men and one was a civilian. The Benin Committee for the Special Mission supplied medical certificates for all of these. Fifty-one persons were wounded as a result of the attack. Thirty of these were military men, and the rest were civilians. The Special Mission received a detailed list of the wounded and official medical certificates covering 40 of the 51. One civilian was missing after the attack and had not yet been found. A medical certificate was supplied by the Benin Committee for the Special Mission to show that the missing person had been in good psychological condition before the attack.

130. The material damage consisted primarily of holes, scars and broken glass caused by fire-arms. The greatest damage was done to the Presidential Palace. Several mortar shells had exploded in or on various parts of the Palace. The damage to windows, walls, roof and the interior was extensive. A number of public buildings in Cotonou sustained considerable visible damage. Several embassies and ambassadorial residences also sustained damage from projectiles, including the embassies of Nigeria and Zaire and the residence of the United States Ambassador. In addition, several apartment buildings suffered visible internal and external damage, primarily in the form of projectile marks on walls.

131. Although it is difficult to place a value on the human lives of the dead and the missing, there is no doubt that they constitute considerable moral and material loss to Benin. One indicator of the cost to Beninese society is the fact that the dead and the missing left 6 wives and 32 children. Medical care for the wounded must also have resulted in considerable expense.

132. The Special Mission did not possess the technical expertise necessary to evaluate the material damage, and no data regarding repair and replacements costs were immediately available. However, the damage appeared considerable, requiring substantial sums of money for reparation.

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133. At the meeting with the Benin Committee for the Special Mission held on 25 February, the Mission was informed by Mr. Simon I. Ogouma, Vice-Chairman of that Committee that the evaluation of damage in material terms, as well as in human and other terms, had not yet been completed. He added that this evaluation would be transmitted to the Special Mission through the Permanent Representative of Benin to the United Nations.

III. CONCLUSIONS

134. In the course of its visit to the People's Republic of Benin, undertaken in accordance with its mandate to investigate the events of 16 January at Cotonou, the Special Mission heard testimony of many individuals belonging to different nationalities, inspected relevant sites and examined all evidence presented to it. It also heard statements of some members of the diplomatic corps and held discussions with Benin authorities.

135. Based on these on-the-spot investigations, the Special Mission is in a position to draw the following outline, which it believes corresponds substantially with the actual events of 16 January 1977 in Cotonou.

136. On Sunday, 16 January 1977, at about 7 a.m. (local time), a four-engine aircraft with no identification marks made an unauthorized landing at the Cotonou international airport. From this aircraft disembarked a group of about 100 persons wearing military uniforms. A large majority of this group were persons belonging to the white race. The others were black persons. They carried a large quantity of various categories of arms and ammunition with them and acted as a military unit. Their lingua franca was French.

137. After seizing the airport building and establishing control in that area immediately after disembarkation, the attacking force established a command post at the airport. The bulk of the attacking force then marched in three separate columns eastward in the direction of the city of Cotonou. It commandeered vehicles at the airport, as well as from innocent passers-by, for the purpose of carrying personnel and military and other equipment. The extreme points up to which the attackers were able to advance were an administrative building called "The Hall of Congress" and an apartment house called "Quarante Logements", about 150-200 metres from the Presidential Palace. From these two points, this force attacked the Presidential Palace with various fire-arms and projectiles. It also attacked from a third point an intersection about 100 metres north of the "Quarante Logements", a military establishment called Camp Guezo.

138. On their way to these points, the attacking force shot indiscriminately, including at civilians and non-military establishments. The Beninese armed forces returned the fire of the attackers and were eventually able to repulse the attack. After some time, the attackers retreated in the direction of the airport. The Beninese military force pursued them but were not able to prevent them from leaving Cotonou airport in the aircraft in which they had come.

139. The whole episode lasted about three hours. At least two members of the attacking force were killed during the action - one European and one African. The casualties on the Benin side were 6 dead and 51 wounded. In the fighting, a number of foreigners of different nationalities residing in Benin were also wounded. The Beninese forces were able to capture one member of the attacking force, named ba Alpha Oumarou, who is now held as a prisoner. He was born in Senegal, in 1948, of Guinean parents and is of the Moslem faith. He is a national of the Republic of Guinea, belonging to the Peulh ethnic group.

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140. In the course of fighting, during which the attacking force used such weapons as machine-guns, mortars and bazookas, substantial damage was inflicted on a number of public and private buildings, including the premises of some diplomatic missions in Cotonou and even a hospital.

141. On the basis of the testimony received and evidence examined by it, the Special Mission is in a position to conclude that the People's Republic of Benin was thus subjected to an armed attack by the armed force which arrived at Cotonou airport in the morning of 16 January 1977. The primary objective of the invading force was the overthrow of the present Government of Benin.

142. Inasmuch as the territorial integrity, independence and sovereignty of the State of Benin was violated by this invading force which came from outside the territory of that country, there can be no doubt that the State of Benin was subjected to aggression.

143. It is also clear that a majority of the attacking force, not nationals of Benin, were participating in this action for pecuniary motives and were, therefore, mercenaries.

144. From the manner in which the operation was conceived and executed, the Special Mission believes a similar operation could be conducted elsewhere against small defenceless countries for similar purposes.

145. As mentioned earlier, the Special Mission heard a comprehensive testimony of a member of the attacking force left behind and at present held prisoner in Benin. It also had an opportunity to examine the documentation left behind by the attacking force and made available to it by the Government of Benin (see paras. 120-127). According to the testimony of the prisoner and parts of this documentation, the attackers, who were recruited in Europe and Africa, came to Morocco from Paris, Dakar and Abidjan; were trained in a base called Benguerir near Marrakesh in Morocco; were transported from Morocco to Gabon on 15 January 1977; and from there, in a different aircraft, started on their mission in Benin in the night of 15/16 January 1977, arriving in Cotonou in the morning of the 16th. The same sources indicate that a Colonel Maurin was in charge of this military operation. Colonel Maurin, again according to these documents, was hired by an organization called "Front de Libération et de Réhabilitation du Dahomey" (F.L.E.R.D.) in order to overthrow the present Government in Benin and to install in its place a régime of its own choice. According to these documents, Gilbert Bourgeaud, a French national born in Caen, France, on 30 January 1929, has been employed as an adviser to the President of the Republic of Gabon since 3 August 1976. The prisoner identified the photograph of Gilbert Bourgeaud as that of Colonel Maurin. However, the Special Mission wishes to state that the terms of its mandate, as well as the time available at its disposal for its implementation, did not permit it to investigate further and verify the testimony of the prisoner pertaining to these matters. The same is true of the suggestive evidence contained in the documentation.
