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EL/WG APR 2009

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ACC. 1998/0278

RECEIVED
13 APR 1996
OFFICE OF THE SRSG
UNAMIR

CNR 78 P 1/13

UNAMIR
1996 APR 13 A 7:33

OUTGOING CODE CABLE

TO: KHAN, UNAMIR, KIGALI
FROM: GOULDING, UNATIONS, NEW YORK
DATE: 12 APRIL 1996
NUMBER: 1072
SUBJECT: **Secretary-General's report to the Security Council**

Copy
ED
AFC
CAO

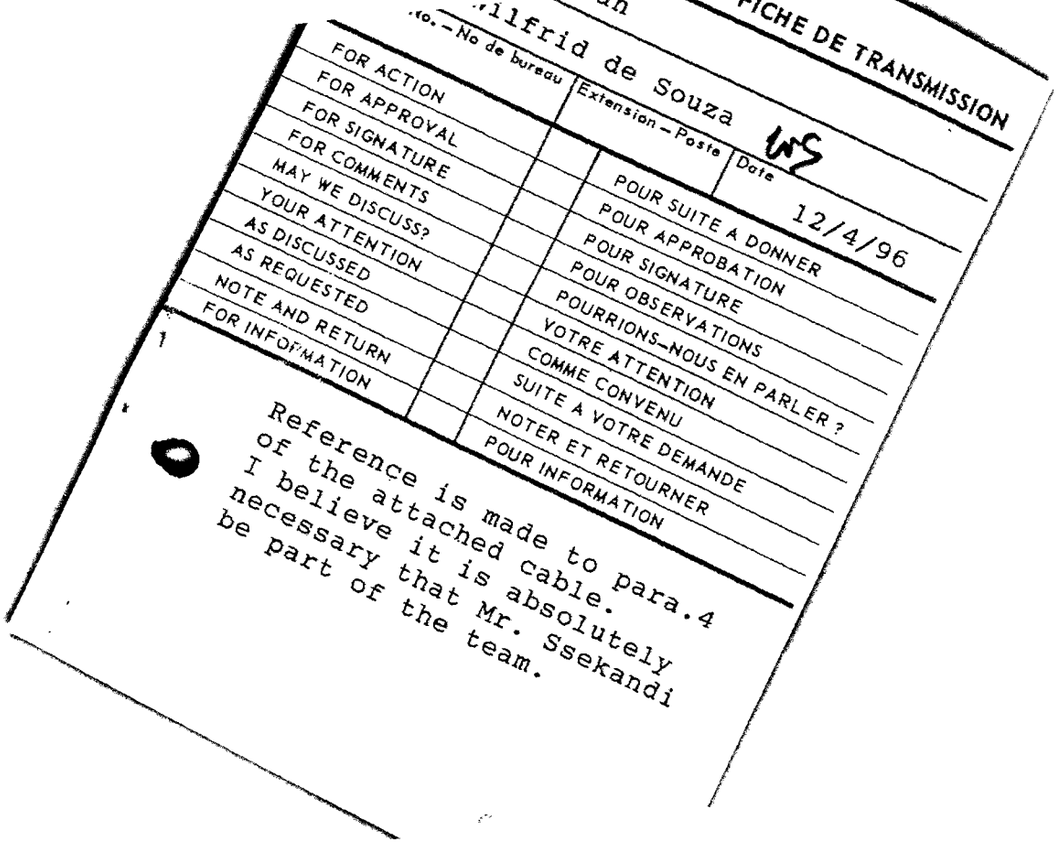
13.4.96

The draft of the above report you saw earlier has been updated to take account of certain recent developments. It was submitted to the Secretary-General today and is attached for your information. Because of the financial crisis it cannot be processed over the weekend and will therefore probably not appear until Tuesday or Wednesday of next week.

Best regards. Much look forward to seeing you next week.

This is a good report.
Sah.
12-4.

ED.



FICHE DE TRANSMISSION

Wilfrid de Souza

No. – No de bureau

Extension – Poste

WS

Date

12/4/96

FOR ACTION		POUR SUITE A DONNER
FOR APPROVAL		POUR APPROBATION
FOR SIGNATURE		POUR SIGNATURE
FOR COMMENTS		POUR OBSERVATIONS
MAY WE DISCUSS?		POURRIONS-NOUS EN PARLER ?
YOUR ATTENTION		VOTRE ATTENTION
AS DISCUSSED		COMME CONVENU
AS REQUESTED		SUITE A VOTRE DEMANDE
NOTE AND RETURN		NOTER ET RETOURNER
FOR INFORMATION		POUR INFORMATION

Reference is made to para.4 of the attached cable. I believe it is absolutely necessary that Mr. Ssekandi be part of the team.

OUTGOING CODE CABLE

IMMEDIATE
UNAMIR

1996 APR 12 A 7:35

TO: KHAN, UNAMIR, KIGALI

FROM: GOULDING, UNATIONS, NEW YORK

DATE: 11 APRIL 1996

NUMBER: 1051

SUBJECT: My Visit

RECEIVED
12 APR 1996
OFFICE OF THE SRSG
UNAMIR

UNITED NATIONS
OPERATIONS
96 APR 11 P 8:35

1. Many thanks for the great flexibility you displayed in our telephone conversation earlier today.

2. There are still some problems but I hope to arrive in Nairobi by LH 580 at 19.50 hours on Thursday, 18 April. I understood you to say that you could arrange a UN flight to take me from Nairobi to Kigali first thing the following morning but perhaps you could confirm this. (The only commercial flight that day is Kenya Airways arriving at 14.30 hours).

3. Thank you also for your MIR-798 which preceded our conversation. Aimé has asked me to let you know that the Secretary-General will be in Nairobi for less than 48 hours and will spend the whole time in the ACC, except for one brief meeting with the Kenyan authorities. He does not think that the Secretary-General would be able to fit you in and suggests that you should either come here before he leaves (which I recognize may be difficult) or after he gets back, which is likely to be about 4 May. You may wish to discuss with Annan the best timing for your de-briefing visit in these circumstances.

4. I have not yet had time to think about who might accompany me. But FALD have suggested that Ssekandi should come, given the likelihood that the Rwandese will keep taxation in the negotiating pot and may also throw in the new SOMA. I should be grateful for your views.

Best regards.

Reçu le 12 AVR. 1996

CNR 76 P 1/1

OUTGOING CODE CABLE

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 11 April 1996
NUMBER: **1054**

UNAMIR 1996 APR 12 A 7:35

RECEIVED
12 APR 1996
OFFICE OF THE SRSG
UNAMIR

SUBJECT: **Your 10 April meeting with Dusaid**

1. We have taken note of the comments in paras. 2, 3, 4 and 5 of your MIR-799 of today.

2. Concerning paras. 6 and 7, we are very pleased about the outcome of the discussions concerning the Amahoro Hotel and Trafipro. As for your recommendation to extend the lease of Trafipro for a period of one month, this will present no problem. In this connection, we wish to remind you that the time limit of 19 April only applies to the troop withdrawal. Following the departure of a peace-keeping operation, it has always been the practice to leave behind a skeleton staff to clear up outstanding administrative issues and ensure that the closing down of the mission is completed in an orderly manner.

3. Concerning para. 10, we agree to the extension of contracts of the local staff employed by the radio unit until the end of the month, pending finalization of discussions on UNOR mandate and budget approval. This should minimize disruption and facilitate an early resumption of broadcasting.

Best regards.

Good. Pl. note for action. Vu 12.4.96 WS

copy: ED CAO

12-4-96

ED CAO

RECEIVED
- 3 APR 1996
OUTGOING CODE CABLE
OFFICE OF THE SRSG
UNAMIR

UNITED NATIONS
SPACE OPERATIONS
96 APR -2 P 9:11

IMMEDIATE

Reply prepared today 3-4-96 WS

1996 APR -3 A 7:39 UNAMIR

TO: KHAN, UNAMIR, KIGALI
FROM: GOULDING, UNATIONS, NEW YORK
DATE: 2 APRIL 1996
NUMBER: 980

SUBJECT: **SOMA for the new UN Office in Rwanda (UNOR)**

1. Thank you for your MIR 622 of of 25 March 1996 containing proposals for an agreement between the United Nations and the Government of Rwanda on the status of the new UN Office in Rwanda (UNOR).

2. On the basis of your proposal, the Office of Legal Affairs (OLA) finalized a draft SOMA in the form of a letter by the Secretary-General to the Government of Rwanda, which, together with the response of the Government, will constitute the agreed legal basis for the operation of the UNOR. OLA has informed us that the agreement you had proposed, is not required for the envisaged Office, and would be more appropriate for a full-fledged, peace-keeping operation.

3. I should be greatful if you could review the enclosed draft letter and provide us with your comments. You may also wish to sound the Government on its main provisions.

Best regards.

COMMENTS BY 1300 LATEST TODAY !!

Will ED/RwNcable if you Pl. send this a quick look. Is letter anything in order, draft enclosed? Cont? carefully Best. 3.4

ED/THNK

Reçu le - 3 AVR. 1996

UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS-ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017
TELEPHONE NO: (212)-963-1234; FAX NO. (212)-963-3138

OFFICE OF LEGAL AFFAIRS

THIS IS A TELECOPIER COVER LETTER. PLEASE FORWARD THE FOLLOWING DOCUMENT TO THE PERSON INDICATED BELOW. THANK YOU.

DPA / AC II 5
Rec'd MAR 27 1996
ACTION: AA
MK
FBP
Info: DW
NAM
GK

DATE : March 27, 1996

TO : Mr. Abdelkader Abbadi
DPA

FAX #: 3-4037

ADDRESS:

FROM : LEILA BENKIRANE VB-

FAX NO. (212) 963-3386

As requested, please find attached copy of the revised version of the draft SONA for ONUR.

THERE ARE five PAGE(S) INCLUDING THIS COVER LETTER.
IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL (212) 963-5345.

DRAFT

Sir,

I have the honour to refer to operative paragraph 4 of resolution 1050 (1996) of 8 March 1996 by which the United Nations Security Council encouraged the Secretary-General, in agreement with the Government of Rwanda; to maintain in Rwanda a United Nations office to be headed by his Special Representative and include the present United Nations communications system and radio station, for the purpose of supporting the efforts of the Government of Rwanda to promote national reconciliation, strengthen the judicial system, faciliate the return of refugees and rehabilitate the country's infrastructure.

In order to facilitate the fulfillment of the purposes of the United Nations Office in Rwanda (hereinafter: "UNOR"), I propose that your Government, in implementation of its obligations under Article 105 of the Charter of the United Nations, extend to UNOR, as an organ of the United Nations, its property, funds and assets and its members the privileges and immunities provided in the Convention on the Privileges and Immunities of the United Nations to which Rwanda is a Party (the Convention).

In view of the special importance of the functions of UNOR, I propose in particular that your Government extend to:

- the Special Representative and other high ranking members of UNOR whose names shall be communicated to the Government, the privileges and immunities, exemptions and facilities which are enjoyed by diplomatic envoys in accordance with international law;

- the officials of the United Nations Secretariat assigned to serve with UNOR, the privileges and immunities to which they are entitled under Articles V and VII of the Convention;

- other persons assigned to serve with UNOR, the privileges and immunities accorded to experts performing missions for the United Nations under Article VI of the Convention.

The privileges and immunities necessary for the fulfillment of the functions of UNOR also include:

(i) unrestricted freedom of entry and exit without delay or hindrance, of personnel, property, including the United Nations communication system and the radio station, supplies, equipment and spare parts and means of transport;

(ii) unrestricted freedom of movement throughout the country of personnel, equipment and means of transport;

(iii) the exemption from all direct taxes, import and export duties, registration fees, and charges;

(iv) right to fly the United Nations flag on premises, and vehicles as well as aircraft;

(vi) acceptance of United Nations registration of means of transport on land, sea and in the air and United Nations licensing of the operators thereof;

(vii) right to operate the existing radio station to disseminate information relating to its mandate; UNOR shall also enjoy the right to unrestricted communication by radio, satellite or other forms of communication with United Nations Headquarters and between the various offices and to connect with the United Nations radio and satellite network as well as by telephone, telegraph or other means; the United Nations radio station and telecommunication services shall be operated in accordance with the International Telecommunication Convention and Regulations and the relevant

frequencies on which any such stations may be operated shall be decided upon in co-operation with the Government and shall be communicated by the United Nations to the International Frequency Registration Board; and

(viii) right to make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of UNOR. The Government shall be informed of the nature of such arrangements, and shall not interfere with or apply censorship to the mail of UNOR or its members.

It is understood that the Government of Rwanda shall provide at no cost to the United Nations, in agreement with the Special Representative, all such premises as may be required for conducting the operational and administrative activities of UNOR. All premises used by UNOR and its members shall be inviolable and subject to the exclusive control and authority of the Special Representative.

Without prejudice to the use by the United Nations of its own means of transport and communication, it is understood that your Government shall, where necessary and upon the request of UNOR, provide, at the Government's own expense, the means of transport and communication for official use of UNOR.

It is expected that the Government of Rwanda shall provide UNOR, where necessary and upon request of the Special Representative, with maps and other information which may be useful in facilitating its tasks and movements.

Furtheremore, it is also expected that your Government shall provide UNOR and its personnel with the necessary protection in order to ensure its safety and security. In this respect, I wish to recall that the United Nations Security Council reiterated under

the ultimate preambular paragraph of its resolution 1050 (1996) "the responsibility of the Government of Rwanda for the safety and security of all United Nations personnel and other international staff serving in the country".

If the above provisions meet with your approval, I would propose that this letter and your reply thereto constitute an agreement between the United Nations and Rwanda on the status of UNOR and its members with immediate effect.

Accept, Sir, the assurances of my highest consideration.

Boutros Boutros-Ghali

c:\wp51doc\...\leila\exchange.ltr

CNR 69 P 1/6

RECEIVED
30 MAR 1996
OFFICE OF THE SRSG
UNAMIR

OUTGOING CODE CABLE

RECEIVED
UNITED NATIONS
DEPT. OF PEACE-KEEPING OPERATIONS
29 MAR 96 P 3:48

TO: KHAN, UNAMIR, KIGALI
FROM: for ANNAN, UNATIONS, NEW YORK
DATE: 29 March 1996
NUMBER: 946

SUBJECT: **Letters from Ambassadors of Rwanda and Malawi**

Please find attached two self-explanatory letters from the Ambassadors of Rwanda and Malawi dated 27 and 28 March respectively. Regards.

Rwanda's letter is very sharply angled against Zaire/France

Sadako 30.3

[redacted]

Iqbal.

Reçu le 30 MARS 1996

TELEPHONE (212-949-0180
FAX 212-599-5021
TELEGRAMS MALAWIAN NEW YORK
TELEX 42-807

IN REPLY PLEASE QUOTE NO DIP 3/4

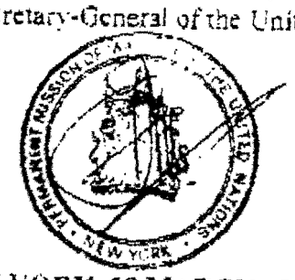
2/6

PERMANENT MISSION OF THE REPUBLIC
OF MALAWI TO THE UNITED NATIONS
600 THIRD AVENUE
NEW YORK, NEW YORK 10016

The Permanent Mission of the Republic of Malawi to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to the latter's Note Verbale dated 8th March, 1996, and the Mission's correspondence Reference No. DIP 3/4 dated 18th March, 1996, regarding a request for the extension of service of the Malawi contingent with the United Nations Assistance Mission in Rwanda (UNAMIR) to 8th April, 1996, has the honour to report that confirmation has now been received from the Government of Malawi.

The request has therefore been formally approved.

The Permanent Mission of the Republic of Malawi to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.



NEW YORK, 28 MARCH 1996

The Secretary-General of the United Nations,
New York

Distr.
GENERAL

S/1996/222
27 March 1996

ORIGINAL: ENGLISH

LETTER DATED 27 MARCH 1996 FROM THE PERMANENT REPRESENTATIVE OF RWANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I would like to inform you that Rwanda Government welcomes the second report of the International Commission of Inquiry to investigate inter alia, reports relating to the sale or supply of arms and related materiel to former Rwandan Government forces in the Great Lakes region in violation of Security Council resolution.

This report shows three important aspects that I would like to draw to the attention of the Security Council members.

The first important aspect is the recent findings of the commission of inquiry was to confirm the previous allegations from four organisations enjoying international credibility, such as African Rights, Human Rights Watch, Amnesty International, and BBC, with regard to the rearming of former Rwandese Government forces.

The second important aspect of the finding of the commission with respect to Seychelles. These findings constitute some irrefutable proove which place two countries in a prominent position with the implication of facilitating the operation of selling arms to the former rwandese regime. First of all there is a country which government granted the transfer of arms with necessaries official documents to facilitate the operations; secondly there is an other country which had close ties with the former military rwandese regime and wich at that time was controlling and insuring the security of Goma Airport (Zaire) the last destination of the arms.

The third important aspect of the findings of the Commission is the lack of transparency and cooperation from the governments which have been accused of actively participating and facilitating the transfer of arms to the perpetrators of the genocide in Rwanda.

Most grave, the Government of Zaïre which requested the establishment of the Commission and the Government of France which needs to demonstrate that certain allegations against it where unfounded, both Governments were the first to place obstacles in its way, after having accepted the mandate of the commission.

In Iwawa island, the Rwandan Government also has provided clear evidence that former forces of the Rwandan Army are being armed and the country has been the target of infiltrations which are recognized in all the Secretary-General's reports on Rwanda;

As it was stated in my previous letter to you, the Commission cannot, and will not reach satisfactory conclusions for the following reasons:

- «The Commission has neither the legal powers ... of a police force or an established investigative agency». Clearly, a weak commission cannot investigate a situation falling under Chapter VII of the Charter of the United Nations;

The Security Council has given more weight to the so called conference on peace, Security and stability, in the Great Lakes Region. Instead had it provided adequate mandate and strength to the commission of inquiry, impose effective machinery to halt the infiltrations in Rwanda and detained the masterminders of genocide, the results would have been far more promising. So far the past United Nations wrong approaches with respect to the Great Lakes Regional problems have been inaccurate, too much focus was given to peace keeping activities, energy was wasted on a United Nations regional conference, thus counter productively boosting the morale of former genocidal regime and facilitating its rearming.

Rwanda Government would like to provide some orientation of the Security Council on the vital role that the commission of inquiry could play in ensuring peace, security and stability in the Great Lakes Region. If the commission of inquiry (concerning allegations to former Rwandese Government forces in violation of the UN arms embargo) was to be provided with adequate means, mandate and strength, then an eventual conflagration could be avoided in the Great Lakes region.

Rwanda Government would like to invite the Security Council to take this positive momentum with regard to the recent findings of the commission of inquiry, and by its moral authority and call on the international community at large to take appropriate and powerfull deterrent measures with the view to prevent further tragedies in the heart of the African continent. In this connection Rwanda Government is firmly convinced that due to the weak mandate and lack of means of the commission of inquiry, a full picture is yet to be provided with regard to the role that

some countries have played and continuing to play in the rearming of the former Rwandese armed forces during and after the genocide as well as in exile in eastern Zaire afterwards.

Rwanda Government seizes this occasion to make strong recommendations to the United Nations Security council with regard to the future of the commission of inquiry concerning allegations on the sale of arms to former Rwanda Government Forces in violation of the United Nations arms embargo.

A) Rwanda Government endorses all the recommendations made by the commission except that of (para 91 (b) of the report) of recruiting Zairean troops, to be led and paid by the international community, to monitor the Rwandan arms embargo in Zaire. It is as contrary to logic to nominating someone who is a party to a dispute as a mediator to the same dispute.

To hire the wolf for the guard chicken coop!

B) The commission should be provided with a mandate under chapter VII enabling it to carry out a thorough investigation and receive full cooperation from members of the international community implicated in alleged violations of the embargo, so as to send a strong signal to all arms dealers of the world and their governmental supporters that they cannot supply arms to a genocidal organization benefiting from the abuse of human rights with impunity.

C) The Security council should strengthen and further extend the commission's mandate in light of the incomplete nature of the commission's findings, the availability of additional evidence (given additional time and ressources) and the significance of this first international effort to control the flow of arms in the Great Lakes region, an area with the potential for further genocide. In this connection there are more than sufficient early warnings for mass slaughter to be pursued by former genocidal regime not only in Rwanda but also in the Great Lakes Region.

D) Provide more impulse and reconfirm priority importance to the work of the commission, a work that is highly more profitable to countries of the Great Lakes region than the proposed United Nations conference on Peace, Security and stability in the Great Lakes region. The region needs to be under Rule of Law rather than being submerged with international conferences.

E) Insist that Governments cooperate fully with the commission of inquiry and call on them to make public detailed of their findings into the allegations made by many highly respectable NGO's. Certain countries privileged should not be exempted from these measures, because of their membership in the Security Council, in this case no country should be above the law.

F) The United Nations Security Council should call on the Governement of Zaire to live up to the commitments that it made under the Tunis' Declaration by providing the commission of inquiry full and free access to Zaire and allowing the stationing of United Nations military observers at its airfields and border points.

G) Consider imposing diplomatic and other sanctions against Governments that fail to cooperate with the work of the commission in violation of arms embargo provisions contained in relevant Security Council resolutions 918 (1994), 997 (1995) and 1011 (1995).

H) Instruct the commission to look into recent and current allegations of arms shipment to the former Rwandan Government Forces instead of focusing only on past violations of the UN arms embargo.

I) Heed the commission's recommandation with respect to the creation of an organ fully empowered to monitor, implement and force UN arms embargo;

J) Rwanda Government recommends for further investigations to be carried out on the number of cargo flights bringing weapons into Goma, which were the transferred to the Rwandan Government Forces;

K) Rwanda Government also strongly recommends for the Security Council to envisage ways and means to carry out more in depth investigation on the role of Zaire in providing shelter and protection to the Rwandese Army Forces and rebel militias in eastern Zaire, and permitting these forces to carry out military training activities and military raids in Rwanda and other neibouring countries.

Rwanda Government would like to invite the Security Council to encourage countries such as Cameroon, Seychelles and Zambia for their determination to implement the relevant Security Council of resolutions.

I would be grateful if this letter can circulate as an official document.

Please accept, Excellency, the assurances of my highest consideration.

Signed

Manzi BAKURAMUTSA
Ambassador
Permanent Representative of
Rwanda to the United Nations

RECEIVED
29 MAR 1996
OFFICE OF THE SRSG
UNAMIR

CNR 67 P 1/8

OUTGOING CODE CABLE

IMMEDIATE

TO: KHAN, UNAMIR, KIGALI
FROM: for ANNAN, UNATIONS, NEW YORK
DATE: 28 March 1996
NUMBER: 909

SUBJECT: **Report of the Secretary-General**

UNITED NATIONS DEPARTMENT OF PEACEKEEPING OPERATIONS
MAR 28 21 C 82

1. Please find attached the draft of the 5 April report to the Security Council as it now stands.

2. We understand that Judge Goldstone and Mr. Adede are either in, or about to visit, Kigali. We would very much appreciate receiving their comments on the section concerning security arrangements for the Tribunal which has been prepared here, in consultation with the Office of the Security Coordinator.

3. We would be grateful for your own comments/input, if possible, by noon our time tomorrow Friday 29 March.

Many thanks and regards.

Draft: 28 March 1996 1000

Security Council

Distr.
GENERAL

S/1996/
5 April 1996

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE IMPLEMENTATION OF RESOLUTION 1050 (1996)

I. INTRODUCTION

1. By paragraph 8 of its resolution 1050 (1996) of 8 March 1996, the Security Council requested me, inter alia, to report to the Council by 5 April 1996 on what arrangements had been agreed with the Government of Rwanda for the protection of the personnel and premises of the International Tribunal for Rwanda after the withdrawal of UNAMIR and on the arrangements he has made pursuant to paragraph 4 of the resolution.

2. By paragraph 4 of the resolution, the Council encouraged me, in agreement with the Government of Rwanda, to maintain in Rwanda a United Nations office, to be headed by my Special Representative and to include the present United Nations communications system and radio station, for the purpose of supporting the efforts of the Government of Rwanda to promote national reconciliation, strengthen the judicial system, facilitate the return of refugees and rehabilitate the country's infrastructure, and of coordinating the United Nations efforts to that end.

3. In addition to providing the information requested above, the present report also describes the arrangements made for and the progress of the withdrawal of UNAMIR in pursuance of Security Council resolutions 1029 (1995) of 12 December 1995 and 1050

(1996) of 8 March 1996.

II. WITHDRAWAL OF UNAMIR

4. By its resolution 1029 (1995), the Security Council decided to reduce the size of the UNAMIR force level to 1,200 troops and 200 military observers, headquarters and other military support staff. By paragraph 5 of that resolution, the Council requested the Secretary-General to initiate planning for the complete withdrawal of UNAMIR, that withdrawal to take place within a period of six weeks after the expiry of the mandate, which terminated on 8 March 1996.

5. Detailed plans for the withdrawal of the UNAMIR military personnel have been drawn up and are being implemented. As at 31 March 1996, a total of **xx** men, comprising **vv** military observers, **yy** troops and **zz** headquarters staff remained in Rwanda **[EXACT FIGURES TO BE SUPPLIED]**. It is expected that their withdrawal will be completed between 11 and 19 April (see Annex).

6. By paragraph 7 of the resolution, the Council also requested me to examine, in the context of existing United Nations regulations, the feasibility of transferring UNAMIR non-lethal equipment, as elements of UNAMIR withdraw, for use in Rwanda. In a letter dated 13 February 1996, the President of the Security Council urged me, in light of the unique circumstances and recent history of Rwanda, to employ flexibility, while staying within the bounds of the regulations established by the General Assembly, in resolving the question of the disposition of UNAMIR's equipment.

7. On 25 March 1996, I submitted a report to the General Assembly on the disposition of UNAMIR assets (A/50/712/Add.2), in which I indicated that the estimated inventory value of the Assistance Mission's assets as at 19 October 1995 amounted to

approximately $62.5 million. I also stated in the report that non-lethal assets valued at approximately $9.2 million were earmarked for donation to the Government of Rwanda. In addition, assets considered beyond economic repair or removal, valued at approximately $6.1 million, will be made available to the Government. This includes assets that have been written off as a result of accidents and damage caused by natural elements and acts of war, abandonment due to the past security situation in Rwanda and lost owing to theft.

III. ESTABLISHMENT OF THE UNITED NATIONS OFFICE IN RWANDA (UNOR)

[To be drafted by DPA]

IV. COMMUNICATIONS SYSTEM AND RADIO STATION

8. Following the departure of UNAMIR, the International Criminal Tribunal for Rwanda (ICTR) will become the largest United Nations operation in Rwanda and, subject to the agreement of the Government, is expected to take over the current UNAMIR headquarters. Consequently, ICTR will also be taking over responsibility for the operation and maintenance of the UNAMIR communications system and will provide the communications needs of all other United Nations agencies in Rwanda which formerly relied on UNAMIR for this purpose. ICTR will therefore be assuming control of the communications assets located in the UNAMIR headquarters.

9. The communications equipment and the radio station will be maintained by a combination of local technical staff and Field

Service radio technicians. The final number and distribution of these staff will be determined in the context of the decisions to be taken concerning the size of the United Nations Office in Rwanda.

10. Subject to the availability of the necessary resources, the radio station is expected to continue to broadcast as part of the operations of the United Nations Office in Rwanda (UNOR). Immediately upon the termination of the UNAMIR mandate on 8 March 1996, however, broadcasting was temporarily suspended pending authorization from the Government of Rwanda for the station to continue broadcasting under the name of "Radio United Nations Rwanda", since the name "Radio UNAMIR" could no longer be used after that date. Authorization to resume broadcasting has not yet been received from the Government of Rwanda.

V. SECURITY ARRANGEMENTS FOR THE PERSONNEL AND PREMISES OF THE INTERNATIONAL TRIBUNAL FOR RWANDA

11. By paragraph 2 of resolution 1050 (1996), the Security Council authorized elements of UNAMIR remaining in Rwanda prior to their final withdrawal to contribute, with the agreement of the Government of Rwanda, to the protection of the personnel and premises of the International Tribunal for Rwanda. Accordingly, following consultations, the Malawi infantry company of UNAMIR has been retained in Kigali to assist in protecting the Tribunal until 8 April.

12. Long-term measures for the protection of the International Tribunal have also been put in place on the assumption that the primary responsibility for the security and protection of the Tribunal, its personnel, premises and investigation teams, rests with the Government of Rwanda, have also been put in place.

13. Pursuant to discussions with the Vice-President of Rwanda,

Major-General Paul Kagame, an understanding has been reached on the concept of security proposed by the United Nations Security Coordinator in November 1995. ~~The senior officials of the Tribunal have expressed satisfaction with~~ this understanding, ~~which~~ would authorize the United Nations Security Officers to bring the required arms and ammunition into Rwanda and to import other security equipment such as ballistic vests, binoculars and training ammunition necessary for their work. The Government of Rwanda has also appointed a senior-level liaison officer to discuss the implementation of these security arrangements with the Tribunal, and consultations with him have already begun. In addition, the Government has agreed to provide a rapid reaction force to assist the Tribunal in the event of an emergency beyond the capacity of the Tribunal's security to resolve and has pledged the assistance of local authorities in providing security for the Tribunal's investigation teams.

14. In accordance with the understanding, the United Nations Security Officers will be responsible for security within the Tribunal's premises and for accompanying investigation teams. The original United Nations proposal for external security was to contract a local company to provide guards. ~~The Tribunal has~~, however, ~~received a proposal from~~ Vice-President Kagame to make available Rwandan gendarmes whom the ICTR would recruit on an individual basis and pay. The Tribunal will ~~seek further clarification of~~ this proposal ~~from~~ the Government ~~to determine if it is appropriate and feasible.~~

15. It is expected that, following further discussions with the Government of Rwanda on the practical modalities of the security arrangements, a written agreement will be reached, perhaps on the basis of an exchange of letters between the International Tribunal and the Government.

16. In the meantime, the recruitment of a Chief Security Officer

(CSO) and Security Officers (SO) has gone forward, with the CSO having reported ~~to~~ and visited Kigali on 16 March 1996. A proposal calling for the recruitment of a Deputy CSO at the Professional level, 18 international United Nations Security Officers and a locally-contracted guard force to meet the Tribunal's basic security requirements is now being considered by the appropriate legislative bodies. The recruitment of the personnel is also under way and it is expected that at least 12 Security Officers will be in place by early April.

VI. HUMAN RIGHTS

17. By paragraph 7 of its resolution 1050 (1996), the Security Council called upon States to contribute urgently to the costs of the Human Rights Field Operation in Rwanda (HRFOR), and encouraged me to consider what steps might be taken to place the Operation on a more secure financial basis. It should be recalled in this context that in a report submitted to the General Assembly on 13 November 1995 (A/50/743), the High Commissioner for Human Rights had proposed that the Operation be funded from the regular budget. However, the proposal was not approved.

18. The High Commissioner has advised me that, in the absence of sufficient financial resources, it has not been possible to recruit the required number of staff. He considers that 120 human rights field officers constitute the minimum presence necessary for a professionally sound human rights field operation in Rwanda. However, by mid-March the number of staff on the ground had been reduced from a peak of 120 to 95, of whom only 78 were human rights monitors.

19. The presence of human rights monitors in the field is particularly crucial, especially at a time when the refugees are being encouraged to return and when the Rwandan justice system is not yet functioning adequately. The Government of Rwanda has

consistently supported the presence of HRFOR and expressed the wish that the Operation be maintained after the departure of UNAMIR. In the Declaration adopted at the Tunis Summit of the Heads of State of the Great Lakes region on 18 March 1996 reaffirmed that Rwanda would welcome the deployment of an expanded number of human rights monitors throughout the country and was prepared to permit the number to rise to 300. The Declaration also stressed, however, that the necessary resources should be made available.

VII. OBSERVATIONS

20. The proposals I have made in this report for a continuation of the United Nations presence in Rwanda following the departure of UNAMIR are modest and less than what might have been hoped or required. Nevertheless, it will not be possible to implement them without the necessary additional resources. I therefore intend to submit a preliminary cost statement as an addendum to the present report.

21. Lastly, I would express the hope that, as called for by the Security Council in paragraph 3 of resolution 1050 (1996), the Government of Rwanda will take all necessary steps to ensure that UNAMIR personnel and equipment can be withdrawn without impediment and in an orderly and safe manner.

5aprrep1

CNR-66 P1/2

UNITED NATIONS
CABLE OPERATIONS
96 MAR 25 A 9:54

OUTGOING CODE CABLE

UNAMIR
1996 MAR 25 P 4:57

TO: KHAN, UNAMIR, KIGALI

INFO: KITTANI, DPKO, NEW YORK
GHAREKHAN, EOSG, NEW YORK
GOULDING, DPA, NEW YORK

FROM: fw ANNAN, DPKO, NEW YORK Signed Copy CAO 26-3-96

DATE: 21 MARCH 1996

NO.: 856

NO. OF PAGES: 2

RECEIVED
OFFICE OF THE SRSG
-UNAMIR

Please put up copy of Belly cables when maintenance

1. I refer to your code cables number 608 of 18 March and 626 of 21 March 1996 relating to the disposal of UNAMIR assets.

2. The report of the Secretary-General to the General Assembly on the issue of UNAMIR assets has now been finalized. You will note from paragraph 7 of the report that the Secretariat retains flexibility as regards final disposal of assets as may be dictated by evolving circumstances. Thus if it is the desire of UN Agencies, NGO's to acquire additional equipment against reimbursement they should be allowed to do so as previously indicated as long as such equipment has not been specifically earmarked for use by other missions and operations financed from assessed contributions.

3. We noted your reference to the desire of the Government to pay for some of the equipment which would not be retained for use in Rwanda. It would be much appreciated if further indications are provided as to the intention of the Government in this regard. Particularly we would need information on the categories and quantities of equipment which the Government of Rwanda desires to acquire. We will then be able to review the matter further and take it up with all offices concerned. The governing principle remains that the UN will not sell equipment which is required for other missions or operations financed from assessed contributions. If we were to sell such equipment we would have to go to

the General Assembly with supplementary submissions to purchase equipment for other operations. This is not a course of action we can justify.

Best regards.

CNZ-65 P1/1

CUTGOING CODE CABLE

TO: KHAN, KUMAR UNAMIR, KIGALI UNAMIR
FROM: /s/ ANNAN, UNATIONS, NEW YORK
DATE: 22 MARCH 1996
NUMBER: 855

1996 MAR 25 P 4:53

UNITED NATIONS
SECRETARIAT
96 MAR 22 A 4:54

SUBJECT: UNAMIR Drawdown

For inclusion in the report of the Secretary-General to the Security Council on 5 April, we would be grateful for details of the drawdown of UNAMIR contingents and MILOBS since 9 March and the timetable for their extraction until 19 April. Would appreciate receiving your report by close of business New York time Monday 25 March. Many thanks and regards.

RECEIVED
25 MAR 1996
OFFICE OF THE SRSG
UNAMIR

AFC may pl. send details - Tel receipt of SG's 25/3 25.3.

AFC -

Reçu le 2 9 MARS 1996

CAO 26/3

cc LT Co-leaders for Info

OUTGOING CODED CABLE:_____

PAGES: ONE OF THREE

DATE: 25 MARCH 96

FILE NO: 5000.26(PLANS)

TO: ANNAN / VAN KAPPEN, UNATIONS, NEW YORK

FROM: KHAN / KUMAR, UNAMIR,KIGALI, RWANDA.

SUBJECT: **UNAMIR DRAWDOWN**

UNAMIR
1995 MAR 25 P 8:14

UNAMIR
1995 MAR 25 P 8:27

1 Reference your coded cable No. 855 dated 22 March 96.

2. Following the termination of the UN mandate in Rwanda on 8th March 96, drawdown of UNAMIR was set into motion with effect the next day. The liquidation plan for the repatriation of the formed troops, MILOBS, and Staff Officers is attached as an appendix to this letter.

3 The COE is also planned to be moved out of KIGALI before the 19th of April, to the port of embarkation.

4. Best Regards.

CAO: for info pl —

Ch-085 2/3

Appendix

(Refers to para 2 of UNAMIR letter No 5000.26(PLANS) dated 25 March 96)

UNAMIR DRAWDOWN PLAN

Ser No	Contingent	Pers Departing	Date of Departure
1	MILOBS	(a) 127	From 11th March to date. Remainder between 07 April and 19 April 96
2	NICOY	(a) 129 (b) 04	15 March 96 (Main Body.) 19 March 96.
3	GHANCOY	(a) 130 (b 05	16 March 96 (Main Body.) 27 March 96 (Tentative. Dependent on Air Charter.)
4	ENGRCOY	(a) 07 (b) 97 (c) 94 (d) 04	08 March 96. 17 March 96 (Main Body.) 18 March 96 (Main Body.) 29 March 96.
5	SIGCOY	(a) 02 (b) 83 (c) 05	20 March 96. 29 March 96 (Main Body.) 14 April 96.

Ser No	Contingent	Pers Departing	Date of Departure
6	INDBATT	(a) 03	17 March 96.
		(b) 01	26 March 96
		(c) 536	11,12 &14 April 96(Main Body) (Distribution of strength based on the type of aircraft available.)
7	MALAWICOY	83	16 /18 April 96 (Tentative. Dependent on Air Charter.)
8	MP PERSONNEL	(a) 10	15 March 96.
		(b) 10	16 March 96.
		(c) 10	14 April 96.
9	STAFF OFFICERS	(a) 02	15 March 96.
		(b) 20	Between 14 April -19 April 96.
10	MOVCON PERSONNEL	15	14 April 96.

Reçu le 25 MARS 1996

Please give me your comments by 25/3

ED
BCI

DRAFT

DHA position on the post-UNAMIR structure in Rwanda

Pursuant to paragraph 4 of Security Council Resolution S/Res/1050 of 8 March 1996, the Secretary-General is reqested to maintain in Rwanda a United Nations office after UNAMIR's departure on 8 March 1996. The office should be headed by the Special Representative of the Secretary-General, for the purpose of supporting the efforts of the Government of Rwanda to promote national reconciliation, strengthen the judicial system, facilitate the return of refugees and rehabilitate the country's infrastructure, and of coordinating the United Nations efforts to that end.

According to the afore-mentioned paragraph of the resolution, the Special-Representative of the Secretary-General would be authorized to coordinate the operational activities undertaken by UN agencies at the field level. Since DHA holds the mandate for coordination of humanitarian assistance in Rwanda, and to avoid any possible overlapping of the mandate the implications that a new UN structure might have on DHA's future activities in Rwanda need to be examined. The following options might be considered:

1. To integrate the office of the Humanitarian Coordinator into the office of the Special Representative and to appoint the Humanitarian Coordinator as Deputy SRSG reporting to the SRSG. This would create a clear line of command within the UN family and present a coherent UN structure to the international community.

2. To maintain a clear division of labour and to ensure that the coordination task be carried out through the "standard United Nations arrangements", as recommended by the Special Representative in paragraph 46 of his final report on UNAMIR (S/1996/149). This would mean retaining the coordination of humanitarian assistance within the responsibility of the Humanitarian Coordinator (who reports to the Under-Secretary-General of Humanitarian Affairs).

Similar structures as outlined in option 1 have been applied in Haiti and Somalia with mixed success. The absorption of humanitarian activities by the office of the SRSG may jeopardize the impartiality of the humanitarian imperative. A tight linkage of humanitarian coordination activities with ongoing discussions at the political level might send the wrong signs to the Government of Rwanda. The productive relationship established between the Government of Rwanda and the office of the Humanitarian Coordinator, which resulted in the creation of HACU (Humanitarian Assistance Coordination Unit) within the Ministry of Rehabilitation and Social Integration, may be endangered and further viewed as being driven by a wholly political agenda.

Why?

Wholly political!

Furthermore, the fragility of the humanitarian situation in Rwanda continues to warrant a centralized coordination structure, given the outstanding challenge to be

confronted with the return and absorption of refugees.

The present authority for the coordination of humanitarian assistance rests with the United Nations Humanitarian Coordinator/Resident Coordinator. On 26 February 1996 the heads of agencies in Kigali reaffirmed the need for a Humanitarian Coordinator and agreed to further strengthen the structure of his office through agency secondments. It was recognized that the scale and dimension of the repatriation and re-settlement programme in Rwanda represents an extraordinary humanitarian problem that goes beyond the parameters of normal operational arrangements and therefore requires an efficient and experienced coordination body.

I don't understand this reasoning.

In the eventuality of an emergency situation arising as a result of mass repatriation of refugees, the too close linkage of the humanitarian and the political mandate might not be helpful in ensuring the effective delivery of humanitarian assistance, since the impartiality of the humanitarian mandate would not be accurately reflected in the recommended structure.

In reaching a conclusion on the issue, and taking all above raised concerns into account, DHA strongly recommends the adoption of option 2.

ah/dha.pos/03/14/1996

GNR 6 →
CZY020

UNOG Telecomm. Unit
Palais des Nations

UNITED NATIONS
CABLE OPERATIONS
1996 MAR 20 P 2:35

OUTGOING CODED CABLE

TO: GOULDING, UNATIONS, NEW YORK

INFO: KHAN, UNAMIR; MARTIN, HRFOR, KIGALI

FROM: AYALA LASSO, UNHCHR, GENEVA

DATE: 20 MARCH 1996

SUBJECT: Withdrawal of EU monitors from HRFOR

RECEIVED
21 MAR 1996
OFFICE OF THE SRSG
UNAMIR

GUA2239

I refer to your coded cable 739 of 14 March addressed to Mr. Khan in Kigali. In this regard, it should be recalled that an agreement was concluded with the European Commission in March 1995, specifying the sending of up to 50 fully equipped officers to Rwanda. That agreement, which formally expired on 15 August 1995, has been provisionally renewed several times, the last time for the period of 15 January to 15 March 1996. In this context, it should also be noted that the number of monitors provided by the EU has never reached the ceiling of 50 (the maximum number of monitors deployed has been 32 for a period of three months). At the moment, only eleven officers remain from the initial contingent.

With regard to the practical aspects of the decision by the European Commission to withdraw its monitors, it should be noted that the presently deployed EU monitors were informed on 7 March that they would not have to leave their posts on 15 March. However, on 13 March, they were notified that they would have to withdraw within 48 hours, purportedly "for technical reasons resulting from internal audit problems." After EU member states made their views clear to the Commission, this decision was reversed and the contracts of EU officers were extended until 31 March.

The new agreement with the European Commission, which foresees the deployment of up to 50 fully equipped officers for a further period of 6 months is still under negotiation, the major unresolved issue being the insistence of the European Commission that, on deployment decisions, the Chief of the Operation not merely consult the EU-Coordinator, but seek his formal agreement. This demand is impossible for me to accept, as this would create a bicephalism in the Operation which should be avoided by all means. EU member states agree with me on this point. It must be recalled that the HRFOR is not a joint operation, but a UN Operation to which the EU contributes resources. On the other hand, I am prepared to go to great lengths to accommodate the wish of the European Commission for maximum visibility. I hope that this issue can be resolved to the satisfaction of all concerned. I will keep you informed of further developments in this matter.

Best regards

This is eminently reasonable
ED
21.3

M- DAO
Mr J. KHAN
Ms Rafii
WS

GUR G2
CZY020

UNHCR Telecomm. Unit
Palais des Nations (G)
96 MAR 20 18:42

OUTGOING CODED CABLE

UNITED NATIONS
CABLE OPERATIONS
1996 MAR 20 P 2:35

TO: GOULDING, UNATIONS, NEW YORK

INFO: KHAN, UNAMIR; MARTIN, HRFOR, KIGALI

FROM: AYALA LASSO, UNHCHR, GENEVA

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21 MAR 1996
OFFICE OF THE SRSG
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Best regards

This is eminently reasonable
21.3
ED

CYCY

96-03-21 05:51 5602 UNITED NATIONS HQS NEW YORK 001 P5

Recu le 21 MARS 1996

CNR-063 P1/2

Copy ED 23/3/96

OUTGOING CODE CABLE

UNITED NATIONS
PEACE OPERATIONS
96 MAR 20 P 8:44

IMMEDIATE

RECEIVED
21 MAR 1996
OFFICE OF THE SRSG
UNAMIR

TO: KHAN, UNAMIR, KIGALI

FROM: GOULDING, UNATIONS, NEW YORK

DATE: 20 MARCH 1996

NUMBER: 814

I shall reply in return. Pl. prepare draft
Sd
21.3.

SUBJECT: **IMPLEMENTATION OF SCR 1050 (1996)**

1. Many thanks for your MIR 609. We are studying it carefully and will revert as soon as possible. Perhaps you could give us advice on one immediate question: will not UNHCR be a reliable source of the kind of information described in your paragraph 3?

2. Meanwhile there has been a development at this end. The Rwandese Perm Rep asked to see me today and conveyed two messages.

3. First, he said, the Government wanted an early meeting with the Secretariat to "clarify" the mandate of the "new" United Nations office. He acknowledged that the mandate in para. 4 of SCR 1050 had been accepted by the Government and could offer no explanation of why further consultation was required. We agreed to ask you to make contact with the Government as soon as possible and urged that the meeting should be held at an early date and not be allowed to develop into a long negotiation. We drew his attention to the Secretary-General's need to report to the Council by 5 April and to the financial considerations which made it necessary for him to submit that report as soon as possible (see below). The Perm Rep agreed to convey these points to Kigali.

CNR-064 P1/3

UNITED NATIONS CABLE OPERATIONS
MAR 20 P 9 05

OUTGOING CODE CABLE

RECEIVED
21 MAR 1996
OFFICE OF THE SRSG
UNAMIR

TO: KHAN, UNAMIR, KIGALI
FROM: for ANNAN, UNATIONS, NEW YORK
DATE: 20 March 1996
NUMBER: **817**

SUBJECT: **Extension of service**

Please find attached copy of the note verbale which we addressed to the Mission of Malawi on 8 March as well as a copy of their reply to us dated 18 March. Both are self-explanatory. Best regards.

Vu
WZ

ED
AFC
23/3/96

Malawi's no objection

SG

ED
AFC

CNR-064 P2/3

UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS — ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017
CABLE ADDRESS — ADRESSE TELEGRAPHIQUE: UNATIONS NEWYORK

REFERENCE:

The Secretary-General of the United Nations presents his compliments to the Permanent Representative of Malawi to the United Nations and has the honour to refer to the phasing down of the United Nations Assistance Mission in Rwanda (UNAMIR), following the expiry on 8 March 1996 of its final mandate period.

In this connection, the Secretary-General wishes to inquire whether the Government of Malawi would be prepared to consider extending the service of its contingent with UNAMIR for one month until 8 April 1996, provided this arrangement is authorized by the Security Council, for the purpose of ensuring the protection of personnel and premises of the International Tribunal. It should be noted that the Government of Rwanda has signified its consent to the proposed extension.

In view of the time factor, the Secretary-General would appreciate it if the Government of Malawi would give this matter its urgent attention.

The Secretary-General avails himself of this opportunity to express to the Permanent Representative of Malawi the assurances of his highest consideration.

8 March 1996

TELEPHONE 212-949-0180
FAX 212-599-5021
TELEGRAMS MALAWIAN, NEW YORK
TELEX 421807

PERMANENT MISSION OF THE REPUBLIC
OF MALAWI TO THE UNITED NATIONS
600 THIRD AVENUE
NEW YORK, NEW YORK 10016

The Permanent Mission of the Republic of Malawi to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to the latter's Note Verbale dated 8th March, 1996 regarding a request for the extension of service of the Malawi contingent with the United Nations Assistance Mission in Rwanda (UNAMIR) to 8th April, 1996, has the honour to advise that the Government of Malawi has, in principle, no objection to the proposal.

The Secretariat may therefore wish to plan ahead on this basis. The Mission will communicate confirmation from Government in due course.

The Permanent Mission of the Republic of Malawi to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

NEW YORK, 11TH MARCH 1996

The Secretary-General of the United Nations,
New York

CNR-064 P1/3

UNITED NATIONS
CABLE OPERATIONS
96 MAR 20 P 9:05

OUTGOING CODE CABLE

RECEIVED
21 MAR 1996
OFFICE OF THE SRSG
UNAMIR

TO: KHAN, UNAMIR, KIGALI
FROM: for ANNAN, UNATIONS, NEW YORK
DATE: 20 March 1996
NUMBER: 817

SUBJECT: **Extension of service**

Please find attached copy of the note verbale which we addressed to the Mission of Malawi on 8 March as well as a copy of their reply to us dated 18 March. Both are self-explanatory. Best regards.

ED
AFC
23/3/96

Malawi, no objection
Sm

ED
AFC

-410

CNR-064 P2/3

UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS — ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017
CABLE ADDRESS — ADRESSE TELEGRAPHIQUE: UNATIONS NEWYORK

REFERENCE:

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8 March 1996

TELEPHONE 212-949-0180
FAX 212-599-5021
TELEGRAMS MALAWIAN, NEW YORK
TELEX 421607

PERMANENT MISSION OF THE REPUBLIC
OF MALAWI TO THE UNITED NATIONS
600 THIRD AVENUE
NEW YORK, NEW YORK 10016

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The Secretariat may therefore wish to plan ahead on this basis. The Mission will communicate confirmation from Government in due course.

The Permanent Mission of the Republic of Malawi to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

NEW YORK, 11 MARCH 1996

The Secretary-General of the United Nations,
New York

Reçu le 21 MARS 1996

CNR-60 P1/10

RECEIVED
21 MAR 1996
OFFICE OF THE SRSG
UNAMIR

OUTGOING CODE CABLE

MOST IMMEDIATE

MAR 20 P 12:58
UNITED NATIONS
OPPBA/FALD/CMS

TO: KHAN, UNAMIR, KIGALI
FROM: for ANNAN, UNATIONS, NEW YORK
DATE: 20 March 1996
NUMBER: 804

SUBJECT: **Secretary-General's report on disposal of UNAMIR's assets**

1. Please find attached the draft preliminary report of the Secretary-General on the disposal of UNAMIR's assets, prepared by OPPBA in consultation with FALD.

2. Most grateful for your comments by 9 a.m. tomorrow 21 March, bearing in mind that the report will most likely be forwarded to ACABQ on 22 March. Many thanks and best regards.

Copy ED
CAO
AFC
21/3/96

02

UNITED NATIONS **DRAFT**

General Assembly
Fiftieth session
Agenda item 135

Distr:
GENERAL
A/50/712/Add.2
19 March 1996

ORIGINAL: ENGLISH

Financing of the United Nations Assistance Mission for Rwanda

Report of the Secretary-General

Addendum

Executive summary

The present report contains the preliminary report on the disposition of UNAMIR's assets. The estimated inventory value of the Assistance Mission's assets as at 19 October 1995 amounted to approximately $62.5million as summarized in annex I. The principles guiding the disposal of the Mission's assets are consistent with General Assembly resolution 49/233 A of 23 December 1994 while taking into account the unique circumstances and recent history of Rwanda The actions to be taken by the General Assembly, as set out in paragraph 12 below, include a decision to take note of the preliminary report on the disposition of the Assistance Mission's assets and approve the donation of non-lethal equipment to the Government of Rwanda.

/...

03

Contents

		Paragraphs	*Page*
I.	Introduction		
II.	Political mandate		
III.	Preliminary report on the disposition of the assets of the United Nations Assistance Mission for Rwanda		
IV.	Action to be taken by the General Assembly at its fiftieth session		

Annexes

I. Disposition of assets: preliminary summary statement

I. Introduction

1. The Security Council in its resolution 1029 (1995) of 12 December 1995 adjusted UNAMIR's mandate and extended the Assistance Mission for a final period until 8 March 1996. By the same resolution, the Security Council also requested the Secretary-General to initiate planning for the complete withdrawal of UNAMIR within a period of six weeks after the expiry of its mandate and to examine, in the context of existing United Nations regulations, the feasibility of transferring UNAMIR's non-lethal equipment, as elements of UNAMIR withdraw, for use in Rwanda.

2. In a letter dated 13 February 1996 from the President of the Security Council (S/1996/103), the members of the Security Council urged the Secretary-General, in light of the unique circumstances and recent history of Rwanda, to employ flexibility, while staying within the bounds of the regulations established by the General Assembly, in resolving the question of the disposition of UNAMIR's equipment.

3. It will be recalled that the disposition of peace-keeping operations' assets is guided by the proposals of the Secretary-General contained in paragraph 110 of his report of 25 May 1994 (A/48/945 and Corr.1) and the recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph 116 of its report of 18

November 1994 (A/49/664), which were endorsed by the General Assembly in its resolution 49/233 A of 23 December 1994. These principles are as follows:

(a) Equipment in good condition that conforms to established standardization or is considered compatible with existing equipment will be redeployed to other United Nations operations elsewhere in the world or will be placed in reserve to form the start-up kits for use by future missions;

(b) Equipment not required by other peace-keeping missions but which may be useful for operations of other United Nations agencies, international organizations or non-governmental organizations and which it is not feasible to keep in reserve, will be sold to relevant agencies or organizations;

(c) Any equipment or property not required or which it is not feasible to dispose of in the above manner or which is in poor condition will be subject to commercial disposal within the country, following standard United Nations regulations and procedures;

(d) Any surplus mission assets remaining after disposition under the terms referred to under paragraphs (a) to (c) above, and/or any assets which, if dismantled, would in fact set back the rehabilitation process of the country, will be contributed to the duly recognized Government of the respective country. This refers in particular to airfield installations and equipment, bridges and mine-clearing equipment.

4. The Advisory Committee, while reviewing the above listed proposals of the Secretary-General, recommended that the following be taken into account in respect of paragraph (d):

(a) all efforts should be made to obtain from the Government its agreement to compensate the United Nations in a mutually acceptable form (contributions, services, tax exemption, etc.) for the residual value of any surplus mission assets installed in the country which could not be otherwise disposed of; and (b) the General Assembly should, as a matter of principle, be requested to approve any such disposition of mission assets which would provide for free-of-charge contribution to the Government.

II. Political mandate

5. In its resolution 1050 (1996) of 8 March 1996, the Security Council, inter alia, stressed its concern that the United Nations should continue to play an active role in assisting the Government of Rwanda in promoting the return of refugees, in consolidating a climate of confidence and stability and in promoting the rehabilitation and reconstruction of Rwanda. The Council also encouraged the Secretary-General, in agreement with the Government of Rwanda, to maintain in Rwanda a United Nations office, to be headed by his Special Representative and to include the present United Nations communications system and radio station, for the purpose of supporting the efforts of the Government of Rwanda to promote national reconciliation, strengthen the judicial system, facilitate the return of refugees and rehabilitate the country's infrastructure, and of coordinating the United Nations efforts to that

end.

III. Preliminary report on the disposition of the assets of the United Nations Assistance Mission for Rwanda

6. Based on a preliminary review of all assets held by UNAMIR, as at 19 October 1995 the total original value of assets was estimated at approximately $62.5 million, exclusive of transportation and installation costs. All UNAMIR assets have been grouped into nine general categories as follows: accomodation, air transport, communications, de-mining, electronic data-processing, office, vehicular and other equipment, and generators.

7. UNAMIR assets have been classified into four groups as summarized in annex I, based on the cost-effectiveness of their transportation and in accordance with the principles set out in paragraph 3 above. The proposed distribution of assets is provisional and subject to change.

8. Group I comprises assets with an inventory value of approximately $41.0 million (65.6 per cent of the total), that have been earmarked for the transfer at no cost to peace-keeping operations (UNAVEM, UNCRO, UNIFIL, UNMIH, UNOMIL, UNIKOM) and United Nations offices (United Nations headquarters, MINUGUA, International Tribunal for Rwanda, United Nations Office in Burundi, International Commission of Inquiry in Burundi), or to the United Nations Logistics Base at Brindisi for temporary storage and future use.

This group also includes communications equipment and radio station which will remain in Rwanda pursuant to Security Council resolution 1050 (1996). Assets valued at $19.8 million out of this group (48.3 per cent of the group total) have already been transferred as indicated above.

9. Group II consists of assets with an inventory value of approximately $6.2 million (10 per cent of the total) that are not required by other peace-keeping missions and have been earmarked for transfer at cost to the United Nations offices/programmes and agencies operating in Rwanda (UNEP, UNESCO, UNDP, UNHCR, Human Rights Field Operations in Rwanda and Burundi, Emergency Response and Humanitarian Assistance Unit). Assets valued at $1.8 million out of this group (29 per cent of the group total) have already been transferred as indicated above.

10. Group III comprises non-lethal assets valued at approximately 9.2 million (14.7 per cent of the total) earmarked for donation to the Government of Rwanda. Assets valued at $0.5 million out of this group (5.4 per cent of the group total) have already been donated to the Government of Rwanda and non-governmental organizations operating in the country.

11. Group IV lists assets valued at approximately $6.1 million and includes assets with no remaining useful life and residual value, which will be made available to the Government of

Rwanda. This group also includes assets that have been written off owing to wear and tear beyond economical repair, accidents and damages caused by natural elements and acts of war, were abandoned owing to the security situation in Rwanda or were lost owing to theft.

IV. Actions to be taken by the General Assembly at its fiftieth session

12. The actions to be taken by the General Assembly at its fiftieth session in connection with the financing of UNAMIR are as follows:

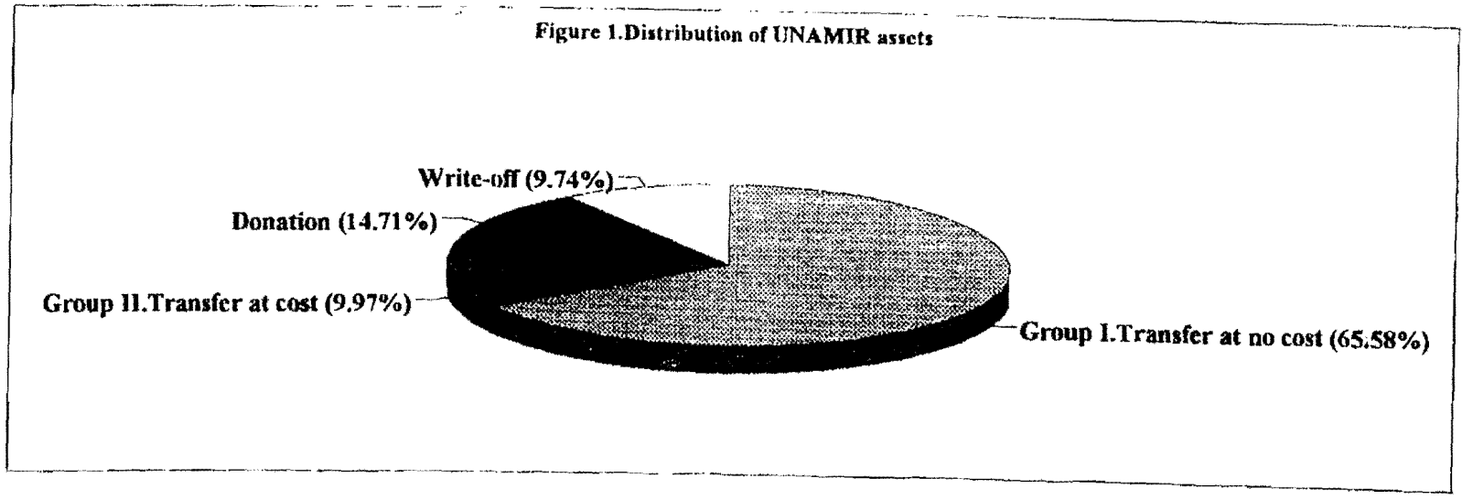
(a) A decision to take note of the preliminary report on the disposition of the assets of the United Nations Assistance Mission for Rwanda;

(b) An approval of the donation of non-lethal equipment to the Government of Rwanda.

Annex I
United Nations Assistance Mission for Rwanda (UNAMIR)
Disposition of assets: preliminary summary statement
(Thousands of United States dollars)

Category of equipment	Group I. Transfer to other peace-keeping operations/United Nations offices at no cost				Group II. Transfer to United Nations offices within Mission area at cost				Group III. Donation to Government of Rwanda				Group IV Write-off		Grand Total
	Already distributed	Proposed distribution	Subtotal	% of total	Already distributed	Proposed distribution	Subtotal	% of total	Already distributed	Proposed distribution	Subtotal	% of total		% of total	
1 Accommodation equipment	5,338.0	191.0	5,529.0	35.0	1,184.3	2,154.1	3,338.3	21.1	115.8	5,240.0	5,355.9	33.9	1,579.5	10.0	15,802.7
2. Air transport equipment	-	-	-	-	5.4	86.1	91.6	100.0	-	-	-	-	-	-	91.6
3. Communications equipment	1,510.8	6,225.1	7,735.9	91.9	259.4	31.5	290.9	3.5	49.1	124.7	173.8	2.1	220.4	2.6	8,421.0
4 De-mining equipment	-	73.6	73.6	100.0	-	-	-	-	-	-	-	-	-	-	73.6
5 Electronic data-processing equipment	48.0	973.9	1,021.9	56.3	20.4	154.9	175.3	9.7	8.7	392.6	399.3	22.0	219.7	12.1	1,816.2
6. Generators	51.3	882.6	934.0	33.1	313.8	145.5	459.3	16.3	161.7	991.1	1,152.8	40.9	273.2	9.7	2,819.2
7. Office equipment	3.2	321.5	324.7	42.6	12.7	138.8	151.5	19.9	24.7	170.9	195.6	25.6	90.9	11.9	762.7
8. Other equipment	269.9	4,909.5	5,179.3	97.6	1.0	15.0	16.0	0.3	-	54.0	54.0	1.0	59.9	1.1	5,309.2
9. Vehicular equipment	12,611.0	7,578.9	20,189.9	73.7	34.2	1,673.4	1,707.6	8.2	121.2	1,739.9	1,861.1	6.8	3,645.7	13.3	27,404.4
Subtotal	19,832.2	21,156.1	40,988.3	65.6	1,831.3	4,399.2	6,230.4	10.0	479.3	8,713.3	9,192.6	14.7	6,089.3	9.7	62,500.6

Figure 1.Distribution of UNAMIR assets



20-1996 18:20 UNITED NATIONS HQ NEWYORK 5601 P.05
1996-03-20 18:17 TOTAL P.05
PAGE = 05

Reçu le 16 MARS 1996

Copy - Benamadi Rafiq

CNR-59 P1/2

OUTGOING CODE CABLE 16-3-96

UNAMIR
1996 MAR 16 A 7:34

UNATIONS OPS
MAR 15 P 2:10

RECEIVED
16 MAR 1996
OFFICE OF THE SRSG
UNAMIR

TO: KHAN, UNAMIR, KIGALI
FROM: for ANNAN, UNATIONS, NEW YORK
DATE: 15 March 1996
NUMBER: 748

SUBJECT: **Radio UNAMIR**

1. As discussed, please find attached an excerpt from a report by the US Ambassador in Kigali regarding the suspension of Radio UNAMIR broadcasts. The US Permanent Mission here has requested clarifications. We have explained to the Permanent Mission that, following the expiration of UNAMIR's mandate on 8 March, you requested permission from the Government of Rwanda to operate the radio station as the "UN Radio", since it could no longer be called Radio UNAMIR. We pointed out that you were prepared to resume broadcasting, as soon as the Government of Rwanda provided the necessary authorization. We also suggested that the US Government may wish to approach the Rwandese authorities in this regard.

2. Having said this, kindly confirm that there are no other obstacles to resuming the broadcasts and ensure that the radio personnel concerned are advised accordingly. Many thanks and regards.

Please send a reply. We need to pressure the govt to give us the green light. Seth - 16-3

ED

SUBJECT: RADIO UNAMIR OFF THE AIR

WE HAVE BEEN SURPRISED TO LEARN THAT RADIO UNAMIR SUSPENDED BROADCASTING INDEFINITELY WITH THE EXPIRATION

OF THE MANDATE MARCH 8. RADIO STAFF HAVE BEEN INSTRUCTED THAT NO START-UP CAN TAKE PLACE BEFORE APRIL 5. STAFF WHOSE CONTRACTS EXPIRE SOON AFTER THAT HAVE BEEN TOLD TO BE PREPARED TO LEAVE RWANDA AND WAIT FOR RECALL. WE HAVE BEEN TOLD THAT THE PROBLEM LIES WITH THE ENDING OF ONE MANDATE AND THE BEGINNING OF ANOTHER; THAT LICENSES MUST BE RENEGOTIATED UNDER THE NEW MANDATE; THAT FUNDING MUST BE CLARIFIED. ALL THAT MAY BE TRUE, BUT WE ARE SURPRISED NONETHELESS THAT THE ONE PART OF UNAMIR THAT EVERYONE WANTED TO SAVE SHOULD BE THE FIRST PART OF UNAMIR TO BE SHUT DOWN. WE WOULD HAVE THOUGHT THAT WHATEVER BUDGET MECHANISM IS BEING USED TO COVER THE PHASEOUT OF THE OTHER UNAMIR OPERATIONS COULD HAVE BEEN USED TO SECURE RADIO UNAMIR TO RADIO NEW NAME WITHOUT INTERRUPTING BROADCASTING. RADIO BROADCASTS PLAY AN IMPORTANT ROLE IN ENCOURAGING REFUGEE RETURN; RADIO UNAMIR HAS A BETTER CLAIM TO IMPARTIALITY THAN THE COMPETITION.

Reçu le 16 MARS 1996

Copy - Benamadi Rafiq

CNR-59 P1/2

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Reçu le 15 MARS 1996

CNR 57 CYZ 46 P 1/1

OUTGOING CODE CABLE

IMMEDIATE

RECEIVED
15 MAR 1996
OFFICE OF THE SRSG
UNAMIR

TO: KHAN, UNAMIR, KIGALI

INFO: AYALA LASSO, UNHCHR, GENEVA

FROM: GOULDING, UNATIONS, NEW YORK

DATE: 14 MARCH 1996

NUMBER: 739

SUBJECT: **Withdrawal of EU monitors from HRFOR**

The development reported in your MIR-587 is indeed a serious one. After contacting the High Commissioner's office in Geneva, we have asked the EU Presidency here to inform their authorities that the Secretary-General fully supports the démarches which Mr. Ayala Lasso has been making to the Commission and that the Secretary-General would be grateful for the Presidency's intervention.

Best regards.

I have conveyed
F. Ian Martin.
Seel
15.3

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CNR-56 P1/8

Recu le 15 MARS 1996

OUTGOING CODE CABLE

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 13 March 1996
NUMBER: 716

SUBJECT: **Establishment of a United Nations radio station in Burundi**

1. As you may know, paragraph 6 of Security Council resolution 1049 (1996) (copy attached), requests the Secretary-General to report to the Council on the possibility of establishing a United Nations radio station in Burundi.

2. This matter was discussed at an inter-departmental meeting (DPA, DPI, DHA, DPKO) on 12 March. DPI thereupon prepared a paper outlining a number of options for this project. Since one these options suggests that existing UN radio facilities in Rwanda be expanded to permit broadcast into Burundi, (paragraph C (i) and (ii) of the attached paper refers), we would be most grateful for your views on this matter in addition to your oral comments during our telephone conversation earlier today. Many thanks and best regards.

ED.

we may give our reply — the problems are:
a) Rwanda — only security — may w/- appl.
b) Burundi - Rwanda problem simply — can't w/- the same. Broadcasts cannot have a common theme.
c) Technically, the Burundi operation would have to be separate our present transmitters cannot cope with Burundi
d) How do we get, daily, news & editorial inputs from Burundi — ? In all, a non-starter, SG 15/3

CNR-56 P2/8

UNITED NATIONS

S

Security Council

Distr.
GENERAL

S/RES/1049 (1996)
5 March 1996

RESOLUTION 1049 (1996)

Adopted by the Security Council at its 3639th meeting, on 5 March 1996

The Security Council,

Reaffirming its previous resolutions and the statements of its President concerning the situation in Burundi, in particular the statement of its President of 5 January 1996 (S/PRST/1996/1) and resolution 1040 (1996) of 29 January 1996,

Noting the views expressed by the Government of Burundi set out in the letter to the President of the Security Council dated 13 February 1996 (S/1996/110, annex),

Welcoming the efforts of the President and the Prime Minister of Burundi and other members of the Government to calm the situation in the country,

Deeply concerned at the support extended to certain groups in Burundi by some of the perpetrators of the genocide in Rwanda and the threat this poses to the stability of the region,

Deeply concerned also at all acts of violence in Burundi and at the continued incitement to ethnic hatred and violence by radio stations and the growth of calls for exclusion and genocide,

Deeply disturbed that the persistence of the conflict has had a negative impact on the humanitarian situation and on the capacity of the international community to continue to assist the people of Burundi,

Supporting the work of the Commission of Inquiry established by resolution 1012 (1995),

Taking note of the letter from the Secretary-General to the President of the Council dated 3 January 1996 (S/1996/8), in which he reports that the Commission of Inquiry believes the United Nations security personnel currently provided for its protection are inadequate,

Reiterating the urgent need for all concerned in Burundi, including extremists inside and outside the country, to make concerted efforts to defuse the present crisis and to commit themselves to a dialogue aimed at establishing a permanent political settlement and the creation of conditions conducive to national reconciliation,

Reaffirming its commitment to assist the people of Burundi to achieve a lasting political solution,

Recognizing the urgent need for preparations aimed at anticipating and preventing the escalation of the present crisis in Burundi,

Reaffirming its support for the Convention of Government of 10 September 1994 (S/1995/190, annex), and for the institutions of Government established in line with it,

1. Welcomes the report of the Secretary-General of 15 February 1996 (S/1996/116);

2. Condemns in the strongest terms all acts of violence perpetrated against civilians, refugees and international humanitarian personnel and the assassination of government officials;

3. Demands that all concerned in Burundi refrain from all acts of violence, incitement to violence and from seeking to destabilize the security situation or depose the Government by force or by other unconstitutional means;

4. Calls upon all concerned in Burundi to engage, as a matter of urgency, in serious negotiations and mutual accommodation within the framework of the National Debate agreed upon by the signatories to the Convention and to increase efforts towards national reconciliation;

5. Reiterates its invitation to Member States and others to cooperate in the identification and dismantling of radio stations which incite hatred and acts of violence in Burundi;

6. Requests the Secretary-General, in consultation with interested States and organizations, to report to the Council on the possibility of establishing a United Nations radio station in Burundi, including through voluntary contributions, to promote reconciliation and dialogue and to relay constructive information as well as supporting the activities undertaken by other United Nations agencies, particularly in the fields of refugees and returnees;

7. Calls upon all parties to cooperate fully with the Commission of Inquiry, reminds the Government of Burundi of its responsibility to ensure security and protection for members and personnel of the Commission, requests the Secretary-General to continue his consultations with the Government of Burundi and the Organization of African Unity Observer Mission in Burundi with a view to ensure that adequate security is provided for the Commission, and invites Member States to provide adequate voluntary financing to the Commission;

8. Expresses strong support for the efforts of the Secretary-General of the United Nations and his Special Representative, the Organization of African

Unity, the European Union, former Presidents Nyerere and Carter and the other facilitators appointed by the Cairo Conference, and others seeking to facilitate political dialogue in Burundi and encourages the international community to extend political and financial support to the National Debate;

9. Invites Member States and regional, international and non-governmental organizations to stand ready to provide assistance in support of progress achieved by the parties towards political dialogue, and to cooperate with the Government of Burundi in initiatives for comprehensive rehabilitation in Burundi, including in military and police reform, judicial assistance, development programmes and support at international financial institutions;

10. Encourages the Organization of African Unity to increase the size of its Observer Mission in Burundi, as formally requested by the Government of Burundi, and stresses the need for the military observers to operate without any restrictions on their movement to any part of the country;

11. Declares its commitment and readiness to assist the parties in their implementation of agreements reached through political dialogue;

12. Requests the Secretary-General, in consultation as appropriate with the Government of Burundi, the Heads of State of the Great Lakes Region, Member States concerned, the Organization of African Unity and the European Union, to intensify the preparations for convening a Regional Conference for Peace, Security and Development in the Great Lakes Region to address the issues of political and economic stability, as well as peace and security in the Great Lakes States;

13. Encourages the Secretary-General to continue his consultations with Member States concerned and the Organization of African Unity, as appropriate, on contingency planning both for the steps that might be taken to support a comprehensive dialogue and for a rapid humanitarian response in the event of widespread violence or a serious deterioration in the humanitarian situation in Burundi;

14. Decides to keep the situation under constant review, to consider further the Secretary-General's recommendations in light of the developments in Burundi and declares its readiness to respond as appropriate considering all relevant options including those contained in resolution 1040 (1996);

15. Requests the Secretary-General to keep the Council closely informed on the situation in Burundi, including on his efforts to facilitate a comprehensive political dialogue, to report to the Council in the event of a serious deterioration in the situation, and to submit a full report on the implementation of this resolution by 1 May 1996;

16. Decides to remain seized of the matter.

DRAFT

Notes on feasibility of establishing a UN Radio Station in Burundi per Secco Resolution 1049(1996)

1. Several options could be considered for addressing the intent of the Security Council expressed in operative paragraph 6 of resolution 1049 (1996). DPI is not in a position to evaluate the political feasibility of an eventual UN radio operation for Burundi. It should be emphasized, however, that political factors will ultimately determine the final location and shape of such an operation, and therefore its technical and financial requirements.

2. The following are among the options which might be considered:

a. Cooperative arrangements with existing broadcasters

(i) The UN could ask Burundi to provide air time on its own national broadcasting network for UN programming. The terms negotiated would have to ensure guaranteed UN access to the air waves, and that the content of the UN programming would not be subject to review or censorship by the Government of Burundi or any other party. Precedents for such an approach, on a limited scale (and with mixed results), have been established by recent UN operations in Angola, Cambodia and former Yugoslavia. Similar arrangements might be sought with private broadcasters in the country.

(ii) Based on Radio UNAMIR's recent experience (broadcasting four hours of programming daily in Kinyarwanda, English and French), personnel and production costs for a six-month period would be on the order of $220,000. Provision would also have to be made to reimburse the national broadcasting authority for any costs it incurs in producing or transmitting UN material (e.g. costs of studio or broadcast technicians, electricity generation). Costs of transport and communications for UN production staff would also have to be factored in.

(iii) Such an approach carries several potential advantages. It represents the cheapest option, requiring only a production staff in-country, with supplementary programming provided by DPI. Another possible advantage, although difficult to predict, is the potential moderating effect on existing media of direct interaction between UN radio personnel and local broadcasters. The disadvantages of this option are significant. The lack of an independent UN independent broadcast capability could deprive the UN of air time at critical moments. Broadcasting premises would not

be under UN control, and the security of UN personnel and/or programming may be at risk.

b. Establishment of an independent UN broadcast facility in the host country

(i) A free-standing UN Radio station could be established inside Burundi, using transmission frequencies allocated to the UN by the host government. Programming, staff, premises and transmitters would be under sole UN control. Programming would be tailored to the Burundi audience, with a mix of in-country and external DPI production. A minimum of four hours of broadcasting daily would be required.

(ii) Establishment of such an independent radio operation inside Burundi is likely to require significant lead-time. Desirable frequencies and transmitter sites would have to be identified and negotiated with the Government of Burundi. Previous experiences in Rwanda, former Yugoslavia and Angola indicate that such a process may take considerable time with no guarantee of success. Security of UN personnel and property would also be a major concern under this option. The principal advantage of this approach would be complete UN control over the operation.

(iii) Costs would be [significantly greater than] [perhaps more than twice as much as] those under option "a.". In addition to production costs, staffing and operating expenses would include transport and installation of equipment, technical support staff, fuel, maintenance and security, as well as transport and communications, along with possible rental of premises. Start-up costs for equipment would be relatively minor. Significant broadcasting assets are already in UN possession. Transmitters and production equipment might be redirected to Burundi from UNAVEM; a radio production van (originally obtained from the US Government through a letter of assist) is currently under repair in Nairobi and could be moved to Burundi.

c. UN broadcasts into Burundi from outside the country

(i) Several variations of this option are conceivable. Existing UN radio facilities in Rwanda could be expanded to permit broadcasts into Burundi. Two spare UN transmitters now in Rwanda could be installed in Burundi, and a currently unused UN satellite up-link/down-link facility could beam a mix of UN programming—including material produced specifically for Burundi—into that country. Another

option might be to establish a separate UN broadcast facility in a third country to simulcast programmes throughout the Great Lakes region (Burundi, Rwanda, Tanzania, Eastern Zaire). This is technically feasible through satellite feeds to existing transmitters in Rwanda and installation of additional transmitters in Burundi (and possibly elsewhere) for that purpose. Programme material could be fed by information officers in-country and by DPI NY to the regional broadcast facility for transmission region-wide.

(ii) If UN radio is to continue in Rwanda, and to be initiated in Burundi, a regional operation serving the entire Great Lakes region is likely to be the most cost-effective approach. Such a regional operation is a long-term project, however, linked to the ongoing UN involvement in the region as a whole. It therefore goes beyond the immediate objectives set out by the Security Council in resolution 1049 (1996). Costs could only be determined following a detailed technical survey. Siting of broadcast facilities and allocation of frequencies would be subject to the agreement of the concerned States. Ensuring timely feeds of material from correspondents in various countries to the regional facility would be affected by the location of the facility, and the available communications links.

(iii) Resources would have to be provided for a sufficient number of information officers to ensure adequate coverage of the region, as well as for technical personnel. A regional approach would require a high degree of coordination between the Special Representatives of the Secretary-General, along with adequate technical and administrative support. It may be advisable to consult the International Telecommunications Union (ITU) regarding technical and legal aspects of such a regional operation.

3. The above options all concentrate on UN action which would require the cooperation of Governments in the region, as well as financial or in-kind support from Member States. Ensuring adequate UN editorial control over programming in local languages would be a priority in all cases. An independent UN operation, either in Burundi or outside the country, would theoretically provide assured access to the airwaves at all times and absolute UN control over programming. In practice, however, the sustainability of any UN radio station would depend upon the consent and cooperation of the concerned parties and provision of effective security by the host government(s). Civilian UN radio facilities placed almost anywhere in the region would be vulnerable to acts of sabotage or other interference.

DPI Draft/UN Radio Burundi 4

4. The European Commission (DGAid and ECHO) is currently supporting a radio operation in Burundi, inaugurated by MEP Bernard Kouchner. [Additional information being sought...] Since 1994, several radio broadcasting initiatives have been undertaken in the region by NGOs with the support of UNHCR, UNESCO and others: Reporters sans frontières has broadcast to refugee populations in the region; Radio Agatshya has targeted refugees in Eastern Zaire. Paragraph 6 of resolution 1049 would suggest that a quick, systematic review should be conducted to determine how these experiences might be built upon.]

5. Before any firm proposal is made to the Secretary-General or the Security Council, the views of the Special Representatives of the Secretary-General in the region should be sought regarding the above options. A technical mission should then be dispatched to the region immediately to assess the capacity already available and any additional requirements.

CNR-56 P1/8

Reçu le 15 mars 1996

OUTGOING CODE CABLE

TO: KHAN, UNAMIR, KIGALI
FROM: for ANNAN, UNATIONS, NEW YORK
DATE: 13 March 1996
NUMBER: **716**

SUBJECT: **Establishment of a United Nations radio station in Burundi**

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2. This matter was discussed at an inter-departmental meeting (DPA, DPI, DHA, DPKO) on 12 March. DPI thereupon prepared a paper outlining a number of options for this project. Since one these options suggests that existing UN radio facilities in Rwanda be expanded to permit broadcast into Burundi, (paragraph C (i) and (ii) of the attached paper refers), we would be most grateful for your views on this matter in addition to your oral comments during our telephone conversation earlier today. Many thanks and best regards.

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a) Rwanda — only sensitive — may not agree.
b) Burundi - Rwanda problem similar - but not the same. Broadcasts cannot have a common theme.
c) Technically, the Burundi operation would have to be separate our present transmitters cannot cope with Burundi
d) How do we get, daily, news & editorial inputs from Burundi — ? In all, a non-starter, SL 15.3

UNITED NATIONS

S

Security Council

Distr.
GENERAL

S/RES/1049 (1996)
5 March 1996

RESOLUTION 1049 (1996)

Adopted by the Security Council at its 3639th meeting, on 5 March 1996

The Security Council,

Reaffirming its previous resolutions and the statements of its President concerning the situation in Burundi, in particular the statement of its President of 5 January 1996 (S/PRST/1996/1) and resolution 1040 (1996) of 29 January 1996,

Noting the views expressed by the Government of Burundi set out in the letter to the President of the Security Council dated 13 February 1996 (S/1996/110, annex),

Welcoming the efforts of the President and the Prime Minister of Burundi and other members of the Government to calm the situation in the country,

Deeply concerned at the support extended to certain groups in Burundi by some of the perpetrators of the genocide in Rwanda and the threat this poses to the stability of the region,

Deeply concerned also at all acts of violence in Burundi and at the continued incitement to ethnic hatred and violence by radio stations and the growth of calls for exclusion and genocide,

Deeply disturbed that the persistence of the conflict has had a negative impact on the humanitarian situation and on the capacity of the international community to continue to assist the people of Burundi,

Supporting the work of the Commission of Inquiry established by resolution 1012 (1995),

Taking note of the letter from the Secretary-General to the President of the Council dated 3 January 1996 (S/1996/8), in which he reports that the Commission of Inquiry believes the United Nations security personnel currently provided for its protection are inadequate,

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3. Demands that all concerned in Burundi refrain from all acts of violence, incitement to violence and from seeking to destabilize the security situation or depose the Government by force or by other unconstitutional means;

4. Calls upon all concerned in Burundi to engage, as a matter of urgency, in serious negotiations and mutual accommodation within the framework of the National Debate agreed upon by the signatories to the Convention and to increase efforts towards national reconciliation;

5. Reiterates its invitation to Member States and others to cooperate in the identification and dismantling of radio stations which incite hatred and acts of violence in Burundi;

6. Requests the Secretary-General, in consultation with interested States and organizations, to report to the Council on the possibility of establishing a United Nations radio station in Burundi, including through voluntary contributions, to promote reconciliation and dialogue and to relay constructive information as well as supporting the activities undertaken by other United Nations agencies, particularly in the fields of refugees and returnees;

7. Calls upon all parties to cooperate fully with the Commission of Inquiry, reminds the Government of Burundi of its responsibility to ensure security and protection for members and personnel of the Commission, requests the Secretary-General to continue his consultations with the Government of Burundi and the Organization of African Unity Observer Mission in Burundi with a view to ensure that adequate security is provided for the Commission, and invites Member States to provide adequate voluntary financing to the Commission;

8. Expresses strong support for the efforts of the Secretary-General of the United Nations and his Special Representative, the Organization of African

Unity, the European Union, former Presidents Nyerere and Carter and the other facilitators appointed by the Cairo Conference, and others seeking to facilitate political dialogue in Burundi and encourages the international community to extend political and financial support to the National Debate;

9. Invites Member States and regional, international and non-governmental organizations to stand ready to provide assistance in support of progress achieved by the parties towards political dialogue, and to cooperate with the Government of Burundi in initiatives for comprehensive rehabilitation in Burundi, including in military and police reform, judicial assistance, development programmes and support at international financial institutions;

10. Encourages the Organization of African Unity to increase the size of its Observer Mission in Burundi, as formally requested by the Government of Burundi, and stresses the need for the military observers to operate without any restrictions on their movement to any part of the country;

11. Declares its commitment and readiness to assist the parties in their implementation of agreements reached through political dialogue;

12. Requests the Secretary-General, in consultation as appropriate with the Government of Burundi, the Heads of State of the Great Lakes Region, Member States concerned, the Organization of African Unity and the European Union, to intensify the preparations for convening a Regional Conference for Peace, Security and Development in the Great Lakes Region to address the issues of political and economic stability, as well as peace and security in the Great Lakes States;

13. Encourages the Secretary-General to continue his consultations with Member States concerned and the Organization of African Unity, as appropriate, on contingency planning both for the steps that might be taken to support a comprehensive dialogue and for a rapid humanitarian response in the event of widespread violence or a serious deterioration in the humanitarian situation in Burundi;

14. Decides to keep the situation under constant review, to consider further the Secretary-General's recommendations in light of the developments in Burundi and declares its readiness to respond as appropriate considering all relevant options including those contained in resolution 1040 (1996);

15. Requests the Secretary-General to keep the Council closely informed on the situation in Burundi, including on his efforts to facilitate a comprehensive political dialogue, to report to the Council in the event of a serious deterioration in the situation, and to submit a full report on the implementation of this resolution by 1 May 1996;

16. Decides to remain seized of the matter.

DRAFT

Notes on feasibility of establishing a UN Radio Station in Burundi per Secco Resolution 1049(1996)

1. Several options could be considered for addressing the intent of the Security Council expressed in operative paragraph 6 of resolution 1049 (1996). DPI is not in a position to evaluate the political feasibility of an eventual UN radio operation for Burundi. It should be emphasized, however, that political factors will ultimately determine the final location and shape of such an operation, and therefore its technical and financial requirements.

2. The following are among the options which might be considered:

a. <u>Cooperative arrangements with existing broadcasters</u>

(i) The UN could ask Burundi to provide air time on its own national broadcasting network for UN programming. The terms negotiated would have to ensure guaranteed UN access to the air waves, and that the content of the UN programming would not be subject to review or censorship by the Government of Burundi or any other party. Precedents for such an approach, on a limited scale (and with mixed results), have been established by recent UN operations in Angola, Cambodia and former Yugoslavia. Similar arrangements might be sought with private broadcasters in the country.

(ii) Based on Radio UNAMIR's recent experience (broadcasting four hours of programming daily in Kinyarwanda, English and French), personnel and production costs for a six-month period would be on the order of $220,000. Provision would also have to be made to reimburse the national broadcasting authority for any costs it incurs in producing or transmitting UN material (e.g. costs of studio or broadcast technicians, electricity generation). Costs of transport and communications for UN production staff would also have to be factored in.

(iii) Such an approach carries several potential advantages. It represents the cheapest option, requiring only a production staff in-country, with supplementary programming provided by DPI. Another possible advantage, although difficult to predict, is the potential moderating effect on existing media of direct interaction between UN radio personnel and local broadcasters. The disadvantages of this option are significant. The lack of an independent UN independent broadcast capability could deprive the UN of air time at critical moments. Broadcasting premises would not

be under UN control, and the security of UN personnel and/or programming may be at risk.

b. Establishment of an independent UN broadcast facility in the host country

(i) A free-standing UN Radio station could be established inside Burundi, using transmission frequencies allocated to the UN by the host government. Programming, staff, premises and transmitters would be under sole UN control. Programming would be tailored to the Burundi audience, with a mix of in-country and external DPI production. A minimum of four hours of broadcasting daily would be required.

(ii) Establishment of such an independent radio operation inside Burundi is likely to require significant lead-time. Desirable frequencies and transmitter sites would have to be identified and negotiated with the Government of Burundi. Previous experiences in Rwanda, former Yugoslavia and Angola indicate that such a process may take considerable time with no guarantee of success. Security of UN personnel and property would also be a major concern under this option. The principal advantage of this approach would be complete UN control over the operation.

(iii) Costs would be [significantly greater than] [perhaps more than twice as much as] those under option "a.". In addition to production costs, staffing and operating expenses would include transport and installation of equipment, technical support staff, fuel, maintenance and security, as well as transport and communications, along with possible rental of premises. Start-up costs for equipment would be relatively minor. Significant broadcasting assets are already in UN possession. Transmitters and production equipment might be redirected to Burundi from UNAVEM; a radio production van (originally obtained from the US Government through a letter of assist) is currently under repair in Nairobi and could be moved to Burundi.

c. UN broadcasts into Burundi from outside the country

(i) Several variations of this option are conceivable. Existing UN radio facilities in Rwanda could be expanded to permit broadcasts into Burundi. Two spare UN transmitters now in Rwanda could be installed in Burundi, and a currently unused UN satellite up-link/down-link facility could beam a mix of UN programming—including material produced specifically for Burundi—into that country. Another

option might be to establish a separate UN broadcast facility in a third country to simulcast programmes throughout the Great Lakes region (Burundi, Rwanda, Tanzania, Eastern Zaire). This is technically feasible through satellite feeds to existing transmitters in Rwanda and installation of additional transmitters in Burundi (and possibly elsewhere) for that purpose. Programme material could be fed by information officers in-country and by DPI NY to the regional broadcast facility for transmission region-wide.

(ii) If UN radio is to continue in Rwanda, and to be initiated in Burundi, a regional operation serving the entire Great Lakes region is likely to be the most cost-effective approach. Such a regional operation is a long-term project, however, linked to the ongoing UN involvement in the region as a whole. It therefore goes beyond the immediate objectives set out by the Security Council in resolution 1049 (1996). Costs could only be determined following a detailed technical survey. Siting of broadcast facilities and allocation of frequencies would be subject to the agreement of the concerned States. Ensuring timely feeds of material from correspondents in various countries to the regional facility would be affected by the location of the facility, and the available communications links.

(iii) Resources would have to be provided for a sufficient number of information officers to ensure adequate coverage of the region, as well as for technical personnel. A regional approach would require a high degree of coordination between the Special Representatives of the Secretary-General, along with adequate technical and administrative support. It may be advisable to consult the International Telecommunications Union (ITU) regarding technical and legal aspects of such a regional operation.

3. The above options all concentrate on UN action which would require the cooperation of Governments in the region, as well as financial or in-kind support from Member States. Ensuring adequate UN editorial control over programming in local languages would be a priority in all cases. An independent UN operation, either in Burundi or outside the country, would theoretically provide assured access to the airwaves at all times and absolute UN control over programming. In practice, however, the sustainability of any UN radio station would depend upon the consent and cooperation of the concerned parties and provision of effective security by the host government(s). Civilian UN radio facilities placed almost anywhere in the region would be vulnerable to acts of sabotage or other interference.

DPI Draft/UN Radio Burundi 4

4. The European Commission (DGAid and ECHO) is currently supporting a radio operation in Burundi, inaugurated by MEP Bernard Kouchner. [Additional information being sought...] Since 1994, several radio broadcasting initiatives have been undertaken in the region by NGOs with the support of UNHCR, UNESCO and others: Reporters sans frontières has broadcast to refugee populations in the region; Radio Agatshya has targeted refugees in Eastern Zaire. Paragraph 6 of resolution 1049 would suggest that a quick, systematic review should be conducted to determine how these experiences might be built upon.]

5. Before any firm proposal is made to the Secretary-General or the Security Council, the views of the Special Representatives of the Secretary-General in the region should be sought regarding the above options. A technical mission should then be dispatched to the region immediately to assess the capacity already available and any additional requirements.

Reçu le 14 MARS 1996

CNR 55 P 1/4

AFC
ED
CAO

OUTGOING CODE CABLE

UNAMIR
1996 MAR 14 A 7:34

IMMEDIATE

14-3-96

TO: KHAN, UNAMIR, KIGALI
FROM: OLARA ANNAN, UNATIONS, NEW YORK
DATE: 13 March 1996
NUMBER: 713

RECEIVED
14 MAR 1996
OFFICE OF THE SRSG
UNAMIR

SUBJECT: Implementation of resolution 1050 (1996)

1. Re your MIR-569 of 12 March 1996, we share your view that the report to be submitted to the Security Council by 5 April will need to cover, in some detail, both the short-term and long-term arrangements put in place, in agreement with the Government of Rwanda, for the protection of the personnel and premises of the International Tribunal (ICTR). We trust that you will seek from the ICTR the necessary input for the preparation of that section of the report.

2. You should also strongly urge them to pursue, without any further delay, both the conclusion of an agreement with the Government of Rwanda and the practical implementation of that agreement, including the recruitment and deployment of the required international security officers. It is essential for the ICTR to understand that it will not repeat not be possible to further extend the residual responsibilities entrusted to UNAMIR under paragraph 2 of the resolution and that the members of the Security Council will expect (as shown in the attached summary of the informal consultations held yesterday) precise information regarding the arrangements for the protection of the ICTR personnel and installations following UNAMIR's departure.

3. The 5 April report will also have to describe the arrangements put in place in pursuance of paragraph 4 of resolution 1050 (1996), including those relating to the present communications system and to the UN radio station. The report should include a description of these arrangements, as well as of the assurances (preferably unequivocal) which you should seek to obtain from the Rwandese authorities regarding the protection of the equipment and matériel concerned.

4. We should be most grateful if your draft of this report could reach us by 20 March. Many thanks and best regards.

PROCEEDINGS OF THE SECURITY COUNCIL

Tuesday, 12 March 1996

INFORMAL CONSULTATIONS

Statutes of the International Tribunals

The President recalled that on 28 February Council members had requested the Secretariat to provide a legal opinion on the 13 February 1996 letter from the Presidents of the International Criminal Tribunals for the former Yugoslavia and Rwanda which, inter alia, had proposed amendments to the Statutes of the Tribunals. The requested legal opinion from the Office of Legal Affairs was made available to delegations during the consultations. Having noted that the comments in the legal opinion deserved further consideration, and in view of the seriousness of the matter, which involved institutional and legal implications, delegations agreed to establish an informal Working Group of the Council at expert level to study the OLA paper and report back to the Council at an appropriate stage.

Briefing on the work of the International Tribunals

Mr. Gharekhan informed delegations that the Trial Chamber of the International Tribunal for the former Yugoslavia had reconfirmed all counts of indictment against Gen. Milan Martic, the so-called "President" of the "Republic of Serbian Krajina", who had been accused of knowing about and willfully ordering the shelling of Zagreb in May 1995. Mr. Gharekhan also recalled that on 7 March 1996, Prosecutor Judge Richard Goldstone had requested the President of the FRY to enable him to interview two Bosnian Serb soldiers who allegedly were witnesses to the July 1995 atrocities committed at Srebrenica. The two men had been arrested in Novi Sad, FRY. Today, the Deputy Prosecutor and others were to have a discussion in Belgrade with the two detainees and with FRY officials on cooperation between the Tribunal and the FRY. Mr. Gharekhan also reported that a definite date for the Tadic trial had been set for 7 May 1996.

On the International Tribunal for Rwanda, Mr. Gharekhan noted that since December 1995 indictments had been issued vis-a-vis some dozen suspects. Warrants had been issued to Governments of countries where suspects were believed to be residing. The first trials were expected to begin in Arusha by end-April 1996.

Recalling resolution 1050 (1996), the United States requested the Secretariat to provide information on efforts to provide security for the personnel of the Rwanda Tribunal. He wondered what would happen after the Ghanaian battalion of UNAMIR, which had been tasked to protect Tribunal staff, withdrew shortly.

On the work of the Yugoslav Tribunal, the Russian Federation underlined that the Tribunal should not get involved in the political work of the Council and refrain from pronouncing itself on political issues. He noted that 95% of the indictments had been made against ethnic Serbs, although there was sufficient data to prosecute others. He further inquired as to why nothing had been done to prosecute those who bore the military and political responsibility for the exodus of the population from Serbian Krajina in Croatia and the crimes committed during their flight. In his opinion, the Tribunal had set down a "slippery path", with some pronouncements by the Prosecutor being "not up to professional standards" from the viewpoint of operational procedures and norms of moral conduct. There had so far been "a lot of discrepancies and confusion" in the work of the Yugoslav Tribunal. All of these actions had political implications which the Council might subsequently have to deal with.

Noting that the rules of procedure of the Yugoslav Tribunal had to date been changed on several occasions, the Russian Federation further stated that those rules had been improperly used for political reasons and should not be periodically adjusted in view of the political requirements. In his view, the Tribunal should be a tool of justice and not be used as a lever to put pressure on any political party. It was not the Tribunal's job to provide political assessments.

By contrast, Germany, Egypt, Chile, the United States, the Republic of Korea, Italy and Botswana expressed their full support for the work of the Yugoslav Tribunal and Prosecutor Judge Goldstone. Chile stated that the Yugoslav Tribunal should attempt to strike a political balance in a very complex and difficult situation. It was important for both Tribunals to be successful and credible since their ultimate success would be instrumental in the creation of an International Criminal Court. The President recalled that in the bilateral consultations held at the beginning of the month, delegations had agreed not to attempt to "micromanage" the Tribunals. He appealed to the Council not to politicize the work of the Tribunals.

++ CYCY ++
96-03-09 02:39 5602

UNITED NATIONS HQS NEW YORK

Rose on the file S.G. Rm. 006 Pr

CNR 54 P 1/4

OUTGOING CODE CABLE

RECEIVED
-8 MAR 1996
OFFICE OF THE SRSG
UNAMIR

TO: KHAN, UNAMIR, KIGALI
FROM: for ANNAN, UNATIONS, NEW YORK
DATE: 8 March 1996
NUMBER: 673

SUBJECT: Security Council resolution on Rwanda

The attached draft resolution was unanimously adopted this afternoon as resolution 1050 (1996). Best regards.

AFC
ED
CAO
SA/SRSG
Spokesman
Radio

9-3-96

ROUTING SLIP **FICHE DE TRANSMISSION**

TO:
A: Ms. Matthew

FROM:
DE: Wilfrid De Souza WS

Room No. – No de bureau	Extension – Poste	Date
		20/03/96

FOR ACTION		POUR SUITE A DONNER
FOR APPROVAL		POUR APPROBATION
FOR SIGNATURE		POUR SIGNATURE
FOR COMMENTS		POUR OBSERVATIONS
MAY WE DISCUSS?		POURRIONS-NOUS EN PARLER ?
YOUR ATTENTION		VOTRE ATTENTION
AS DISCUSSED		COMME CONVENU
AS REQUESTED		SUITE A VOTRE DEMANDE
NOTE AND RETURN		NOTER ET RETOURNER
FOR INFORMATION		POUR INFORMATION

I should be grateful if you would forward urgently to this Office your contribution to enable us to respond to paragraph 3 of the attached Code Cable which had been copied to you.

Thank you for your cooperation.

COM.6 (2–78)

Reçu le 14 MARS 1996

CNR 55 P 1/4

AFC
ED
CAO

OUTGOING CODE CABLE

UNAMIR

1996 MAR 14 A 7:34

IMMEDIATE

14-3-96

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 13 March 1996
NUMBER: 713

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14 MAR 1996
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SUBJECT: Implementation of resolution 1050 (1996)

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3. The 5 April report will also have to describe the arrangements put in place in pursuance of paragraph 4 of resolution 1050 (1996), including those relating to the present communications system and to the UN radio station. The report should include a description of these arrangements, as well as of the assurances (preferably unequivocal) which you should seek to obtain from the Rwandese authorities regarding the protection of the equipment and matériel concerned.

4. We should be most grateful if your draft of this report could reach us by 20 March. Many thanks and best regards.

PROCEEDINGS OF THE SECURITY COUNCIL

Tuesday, 12 March 1996

INFORMAL CONSULTATIONS

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Reçu le 09 MARS 1996

CNR 54 P 1/4

OUTGOING CODE CABLE

RECEIVED
-9 MAR 1996
OFFICE OF THE SRSG
UNAMIR

TO: KHAN, UNAMIR, KIGALI
FROM: for ANNAN, UNATIONS, NEW YORK
DATE: 8 March 1996
NUMBER: **673**

SUBJECT: **Security Council resolution on Rwanda**

The attached draft resolution was unanimously adopted this afternoon as resolution 1050 (1996). Best regards.

AFC
ED
CAO
SA(SRSG)
Spokesman
Radio

9-3-96

UNITED NATIONS 2/4 **S**

Security Council

1050

PROVISIONAL

S/1996/177
8 March 1996

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its previous resolutions on the situation in Rwanda,

Having considered the report of the Secretary-General on the United Nations Assistance Mission for Rwanda (UNAMIR) of 29 February 1996 (S/1996/149),

Welcoming the letter of 1 March 1996 from the Minister of Foreign Affairs and Cooperation of Rwanda to the Secretary-General (S/1996/176, annex),

Paying tribute to the work of UNAMIR and to the personnel who have served in it,

Stressing the continued importance of the voluntary and safe repatriation of Rwandan refugees and of genuine national reconciliation,

Emphasizing the importance it attaches to the role and responsibility of the Government of Rwanda in promoting a climate of confidence, security and trust and the safe return of Rwandan refugees,

Emphasizing also the importance it attaches to States acting in accordance with the recommendations adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons held in Bujumbura in February 1995, the Summit of Heads of States of the Great Lakes region held in Cairo on 28-29 November 1995, and the follow-up conference of 29 February 1996 held in Addis Ababa, and the importance it attaches to the continuation of efforts to convene a regional conference for peace, security and development in the Great Lakes region,

Encouraging all States to cooperate fully with the International Commission on Inquiry established by resolution 1013 (1995) of 7 September 1995,

Recognizing the importance of the Human Rights Field Operation in Rwanda in contributing to the establishment of confidence in the country, and concerned that it may not be possible to maintain its presence throughout Rwanda unless sufficient funds for that purpose are secured in the very near future,

Concerned also to ensure the effective operation of the International Tribunal for Rwanda established by resolution 955 (1994) of 8 November 1994,

Commending the continuing efforts of the Government of Rwanda to maintain peace and security, as well as to reconstruct and rehabilitate the country,

Stressing its concern that the United Nations should continue to play an active role in assisting the Government of Rwanda in promoting the return of refugees, in consolidating a climate of confidence and stability and in promoting the rehabilitation and reconstruction of Rwanda,

Reiterating the responsibility of the Government of Rwanda for the safety and security of all United Nations personnel and other international staff serving in the country,

1. Takes note of the arrangements made by the Secretary-General for the withdrawal, starting on 9 March 1996, of UNAMIR pursuant to its resolution 1029 (1995) of 12 December 1995;

2. Authorizes elements of UNAMIR remaining in Rwanda prior to their final withdrawal to contribute, with the agreement of the Government of Rwanda, to the protection of the personnel and premises of the International Tribunal for Rwanda;

3. Welcomes the intention of the Secretary-General to submit recommendations to the General Assembly regarding UNAMIR non-lethal equipment that may be released for use in Rwanda in accordance with paragraph 7 of its resolution 1029 (1995) and calls upon the Government of Rwanda to take all necessary steps to ensure that UNAMIR personnel, and equipment which is not remaining in Rwanda, can be withdrawn without impediment and in an orderly and safe manner;

4. Encourages the Secretary-General, in agreement with the Government of Rwanda, to maintain in Rwanda a United Nations office, to be headed by his Special Representative and to include the present United Nations communications system and radio station, for the purpose of supporting the efforts of the Government of Rwanda to promote national reconciliation, strengthen the judicial system, facilitate the return of refugees and rehabilitate the country's infrastructure, and of coordinating the United Nations efforts to that end;

5. Commends the efforts of States, including neighbouring States, the United Nations and its agencies, the European Union and non-governmental organizations which have provided humanitarian assistance to refugees and displaced persons, and underlines the importance it attaches to continued efforts by the Government of Rwanda, neighbouring States, the international community and the United Nations High Commissioner for Refugees to facilitate the early, safe, voluntary and organized return of Rwandan refugees to their own country in accordance with the recommendations of the Bujumbura conference;

6. Calls upon States and organizations to continue to give assistance for the reconstruction of Rwanda and the rehabilitation of the infrastructure of the country, including the Rwandan justice system, directly or through the United

Nations trust funds for Rwanda, and invites the Secretary-General to consider whether there is a need to adjust the scope and purposes of those funds to bring them into line with current requirements;

7. Calls also upon States to contribute urgently to the costs of the Human Rights Field Operation in Rwanda, and encourages the Secretary-General to consider what steps might be taken to place the Operation on a more secure financial basis;

8. Requests the Secretary-General to report to the Council by 5 April 1996 on what arrangements have been agreed with the Government of Rwanda for the protection of the personnel and premises of the International Tribunal for Rwanda after the withdrawal of UNAMIR and on the arrangements he has made pursuant to paragraph 4 above, and to keep the Council closely informed thereafter of developments in the situation;

9. Decides to remain seized of the matter.

RECEIVED
- 8 MAR 1996
OFFICE OF THE SRSG
UNAMIR

CNR 53 P 1/4

OUTGOING CODE CABLE

UNAMIR
1996 MAR -8 A 7:35

IMMEDIATE

TO: KHAN, UNAMIR, KIGALI

FROM: for ANNAN, UNATIONS, NEW YORK

DATE: 7 MARCH 1996

NUMBER: 663

SUBJECT: Security Council consultations

Please find attached a summary of the discussions on Rwanda during informal consultations of the Security Council held on 6 March, as prepared by the Security Council Secretariat.

Regards.

UNAMIR
1996 MAR -8 A 7:35

PROCEEDINGS OF THE SECURITY COUNCIL

Wednesday, 6 March 1996

INFORMAL CONSULTATIONS

Rwanda

In their discussion of the final report of the Secretary-General on UNAMIR (S/1996/149), Council members welcomed the fact that the Ambassador of Rwanda, in a letter dated 1 March addressed to the President, had accepted the option outlined in the report for a UN political office in Kigali to support the Rwandan Government's efforts to strengthen the judicial system, facilitate the return of refugees and rehabilitate the country's infrastructure

Delegations also welcomed the letter from the Rwandan Minister of Foreign Affairs of 1 March, circulated during the meeting, outlining the Government's proposal for a continued UN presence and, in particular, the inclusion of support to national reconciliation efforts as one of the tasks to be performed by the UN political office. Many members expressed regret that the Kigali authorities had not consented to extend the mandate of UNAMIR. Turning to the proposed political office, delegations underlined the importance of defining the mandate of such an office and, to this end, several members expressed their own views and asked questions regarding the functions of the office. The United Kingdom indicated that his delegation would circulate a revised draft resolution attachment this afternoon which would endeavour to spell out the mandate as clearly as possible.

Council members supported the Secretary-General's view that Rwanda had made important progress since the end of the civil war and the ensuing genocide in July 1994. They also agreed with the Secretary-General's view that there remained a number of outstanding issues to be addressed with the support of the international community. These included the return and resettlement of 1.7 million refugees, progress towards national reconciliation, the revival of the national judicial system, improvement of prison conditions, and effective measures to curb destabilization activities by the former RGF.

In their assessment of the tasks which should be pursued by the proposed UN political office, most delegations underlined the need to ensure the protection of the International Criminal Tribunal for Rwanda and the International Commission of Inquiry. The United Kingdom pointed out that the UN radio in Rwanda might have to close down for lack of funding, which he felt would be a setback. Egypt, supported by the United Kingdom, suggested that the proposed office should provide reports every 3-4 months on progress achieved on the return of refugees and on national reconciliation. Italy noted that to be truly effective, the tasks of the proposed office should be "sufficiently broad to

ensure its effectiveness".

Delegations also welcomed the Kigali authorities' wish (in para. 11 of the report) to have the Human Rights Field Operation in Rwanda (HRFOR) maintained. At the same time, they expressed concern about the warning contained in para. 15 of the report that HRFOR would have to close down due to insufficient voluntary funds. Chile felt that the number of HRFOR monitors should be increased from 80 to 150 to cover the entire territory of Rwanda.

Although they respected the strong reservations of the Rwandan Government regarding the retention of UN troops in the country, the United Kingdom, Chile and Honduras expressed a preference for the maintenance of UN military personnel in a post-UNAMIR period to assist in the return of refugees and to help restore confidence in the country. Honduras mentioned that it would also be advisable to recommend a regional office as outlined in para. 43 of the Secretary-General's report.

On the question of the disposal of non-lethal UNAMIR equipment, the United Kingdom stressed that no State had the right to demand that UN equipment stay in the host country and cautioned that the Kigali authorities should not place obstacles in the way of UNAMIR's withdrawal. France reiterated his delegation's position that the disposal of UN equipment must be governed by the rules of the Fifth Committee and the GA and he asked the Secretariat for "further information" on that point. By contrast, Germany and Indonesia urged the Secretariat to be flexible on this question. The United States requested that the UNAMIR contingent from Ghana withdraw at the tail-end and not at the beginning of the envisaged 6-week withdrawal period.

On the letter of the Rwandan Foreign Minister, the United Kingdom noted the reference to a six-month mandate for the proposed UN political office and stated that it was the responsibility of the Secretary-General, in cooperation with the Government to determine the length of the mission, as traditionally political offices did not have specified durations

Mr. Sharekhan indicated that he would discuss with relevant officials in the Secretariat the question of what would be considered the appropriate size for the proposed UN political office. He pointed out, however, that the size of the office would depend on what tasks the Council would like the Special Representative to perform.

Prior to the discussion of the Secretary General's report, the President briefed members on the 5 March UNAMIR troop-contributors meeting. He noted that there was consensus among the troop-contributing countries on the need for continued UN presence in Rwanda. Several delegations had expressed concern about the security of members of the International Tribunal and had stressed the importance of establishing long-term security arrangements. On the three options outlined in paragraph 41 of

the report, one delegation had expressed preference for a combination of options (a) and (b) which would make it possible for military observers to remain in Rwanda and thereby encourage the return of refugees. Reflecting on the meeting, Germany felt that the Council should take into consideration and address (1) the question of the protection of personnel and premises of the Tribunal, (2) the question of the future of the UN radio station, and (3) the question of non-lethal UNAMIR equipment that may be released for use in Rwanda.

RECEIVED
- 7 MAR 1996
OFFICE OF THE SRSG
UNAMIR

CNR 52 P 1/3

Usefl any comments { AFC ED CAO

7-3-96

OUTGOING CODE CABLE

IMMEDIATE

TO: KHAN, SRSG, UNAMIR, KIGALI

FROM: for ANNAN, UNATIONS, NEW YORK

DATE: 6 MARCH 1996

NUMBER: 646

SUBJECT: DRAFT RESOLUTION ON RWANDA

1. Please find attached the draft resolution on Rwanda, which will be discussed in the Council tomorrow morning. Grateful any comments you may have by Thursday, 9am, New York time.

2. Many thanks.

√ u
ws

CNR 52 P 2/3

6 March 1996
12.30 p.m.

Rwanda

The Security Council,

Recalling its previous resolutions on the situation in Rwanda,

Having considered the report of the Secretary-General dated 29 February 1996 (S/1996/149),

Welcoming the letters of 1 March from **the Minister of Foreign Affairs and Cooperation** of Rwanda to the **Secretary-General** (S/1996/.....) **and from** the Permanent Representative of Rwanda to the President of the Council (S/1996/....),

Paying tribute to the work of the United Nations Assistance Mission for Rwanda (UNAMIR) and to the personnel who have served it,

Stressing the continued importance of the voluntary and safe repatriation of Rwandan refugees and of genuine national reconciliation,

Underlining the importance it attaches to the Government of Rwanda's role in promoting a climate of confidence and trust **and the significance of this in facilitating** the return of Rwandan refugees,

Emphasising the importance that States act in accordance with the recommendations adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons held in Bujumbura in February 1995, and its follow-up conference of 29 February 1996 held in Addis Ababa,

Recognising the valuable contribution that the Human Rights Mission for Rwanda deployed by the High Commissioner for Human Rights continues to make towards the improvement of the overall situation, and concerned that it may not be possible to maintain its presence throughout Rwanda unless sufficient funds for that purpose are secured in the very near future,

Concerned also to ensure the effective operation of the International Criminal Tribunal for Rwanda,

Commending the continuing efforts of the Government of Rwanda to maintain peace and security as well as to reconstruct and rehabilitate the country,

Stressing its concern that the United Nations should continue to play an active role in assisting the government of Rwanda in promoting the return of refugees, in consolidating a climate of confidence and stability **and in promoting the rehabilitation and reconstruction of Rwanda**,

1. Takes note of the arrangements made by the Secretary-General for the withdrawal of UNAMIR pursuant to its resolution 1029 (1995) of 12 December 1995;

2. Authorises elements of UNAMIR remaining in Rwanda prior to their final withdrawal to contribute, with the agreement of the Government of Rwanda, to the protection of personnel and premises of the International Tribunal for Rwanda so that alternative arrangements for that purpose agreed with the Government of Rwanda can be put in place, and requests the Secretary-General to report by 5 April 1996 on what arrangements have been agreed;

3. Welcomes the intention of the Secretary-General to submit recommendations to the General Assembly regarding UNAMIR equipment that may be released for use in Rwanda in accordance with paragraph 7 of its resolution 1029 (1995) and calls upon the Government of Rwanda to take all necessary steps to ensure that UNAMIR personnel, and equipment which is not remaining in Rwanda, can be withdrawn without impediment and in an orderly and safe manner;

4. **Encourages the Secretary-General to maintain in Rwanda a** United Nations office, to be headed by his Special Representative and to include the present United Nations radio station, to support the efforts of the Government of Rwanda to promote national reconciliation, strengthen the judicial system, facilitate the return of refugees and rehabilitate the country's infrastructure, and to coordinate the United Nations efforts to that end;

5. Commends the efforts of States, including neighbouring States, and of United Nations agencies and non-governmental organisations which have provided humanitarian assistance to refugees and displaced persons, and underlines the importance it attaches to continued efforts by the international community, the Government of Rwanda, and neighbouring States to facilitate the early safe, voluntary and organised return of Rwandan refugees to their own country in accordance with the recommendations of the Bujumbura conference;

6. Calls upon States and donor agencies to continue to give assistance **for the reconstruction of Rwanda and the rehabilitation of** the infrastructure of the country, including the Rwandan justice system, **bilaterally and through the United Nations Trust Fund, and invites the Secretary-General to consider whether there is a need to adjust the scope and purposes of that Fund to bring them into line with current requirements;**

7. Calls also upon States to contribute urgently to the costs of the Human Rights Field Operation in Rwanda, and encourages the Secretary-General to consider linking it to the office described in para 4 above in order to facilitate coordination and to place it on a more secure financial basis;

8. Decides to remain seized of the matter.

CNR - 051 P1/6

OUTGOING CODE CABLE

UNAMIR

1996 MAR -5 P 7:38

IMMEDIATE

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 5 March 1996
NUMBER: 638
SUBJECT: Security arrangements for the Tribunal

RECEIVED
- 6 MAR 1996
OFFICE OF THE SRSG
UNAMIR

1. Further to our previous cables on this subject please find attached copy of a memorandum, dated 1 March, addressed by Sevan to Adede. As you will see the memorandum provides useful guidance for the proposed discussions with the Government of Rwanda regarding the security arrangements for the Tribunal.

already received

2. We are also attaching, for your information, copy of a self-explanatory letter dated 5 March from Adede to Sevan. Grateful if you could confirm the content of para. 2. Many thanks and regards.

new

SRSG
We received this info already from Sevan, Except Adede 5/3/96.
6/3/96

copy: ED
AFC
CAO
6/3/96

UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS—ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017
CABLE ADDRESS—ADRESSE TELEGRAPHIQUE: UNATIONS NEWYORK

REFERENCE:

To: Mr. Andronico Adede, Registrar
International Criminal Tribunal for Rwanda
Inter-Continental Hotel
Nairobi, Kenya

Fax: (254-2) 214-617

From: Benon V. Sevan
United Nations Security Coordinator

Date: 1 March 1996

Subject: Security Arrangements for the Office of the Prosecutor

1. I was very glad to receive the letter dated 1 March 1996 from Judge Goldstone today, which confirms that we share the same views with regard to the security and safety of staff of the International Criminal Tribunal for Rwanda. I also share his conviction that the level of threat to the staff of the ICTR is exponentially higher than the level of threat to other United Nations agencies.

2. As I write this we are in the process of identifying staff members from the Security and Safety Services in New York, Geneva and Vienna who could be deployed to Kigali as an advance party, arriving not later than 7 March 1996. I hope to be able to advise you of their names and travel information on 4 March 1996.

3. I also believe that it is important that you consult with the Office of the Controller to determine what steps your office needs to take to access funds for the contracting of a local guard service to provide the required guard services. It is my understanding that this service hires guards from throughout East Africa. For my part I will also raise this issue with the Office of the Controller.

4. Further to your telephone conversation today with Ms. Diana Russler regarding issues to be raised during negotiations with the Government of Rwanda, you may wish to emphasize that the primary responsibility for the security and protection of staff members, their spouse and dependants and property and of the organizations' property against disturbances in Rwanda rests with the Government of Rwanda. This responsibility flows from every government's normal and inherent function of maintaining order and protecting persons and property within its jurisdiction. In the case of international organizations and their officials and property, the government is considered to have a special responsibility under the Charter of the United Nations or the government's agreement with

individual organizations.

5. The Government of Rwanda should understand and agree with the security measures which will be taken by the OTP to protect staff members and property in Rwanda. The Government should also be asked to indicate the specific measures it will take to fulfill its security-related responsibilities. In this regard, I offer the following detailed points which you may wish to consider during the negotiations:

a. Security Concept. A brief explanation of the security concept for the OTP, as recommended in the security assessment mission report of 22 November 1996, would help the authorities understand the security arrangements which will be made by the United Nations. You may wish to emphasize that security for the exterior office premises will be contracted locally, and that International Security and Safety Service officers will secure the interior of the office and accompany each investigation team to the field. You may also wish to point out that these are the normal security measures that the United Nations provides to its staff members at many duty stations world-wide.

b. Weapons Permits. The Government should agree to issue weapons permits for the security officers and ensure that the officers can carry the weapons (a limited number of side arms and shotguns for personal protection only) through customs upon arrival in Rwanda.

c. Importation of Security Equipment. The authorities should agree to allow the importation of miscellaneous security equipment, such as ballistic vests, binoculars, training ammunition, etc. They should agree to facilitate the speedy passage of this equipment through customs.

d. Liaison Officers. The assignment of a senior-level Rwandese liaison officer in Kigali with whom the Deputy Chief of Security for the OTP could coordinate security matters would greatly facilitate communication and avoid potential misunderstandings. It might also be useful to request liaison officers from either the army or gendarmerie to accompany the investigation teams to the field to assist in coordination with local authorities. You may wish to point out that this concept has been successfully used by the Commission of Inquiry in Burundi.

e. Reaction Force. The Government should be asked to specifically designate a security force which would respond, at the request of the OTP, should it be necessary, to OTP security emergencies.

f. Support of Local Authorities. The support of local authorities, and their interface with investigation teams in

the field, has an important impact on security. It would be helpful if senior Rwandese authorities would commit the Government to providing that support.

6. Should you have any further questions regarding security arrangements for the International Criminal Tribunal for Rwanda please do not hesitate to contact me immediately.

cc: Mr. Aimé
Mr. Connor
Mr. Corell
Mr. Goldstone
Mr. Goulding
Mr. Kittani
Mr. Khan
Mr. Takasu
Mr. Annabi
Mr. McCann

CNR - 051 P5/6

UNITED NATIONS **NATIONS UNIES**

RECEIVED
96 MAR -5 P 2:44

INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA
TRIBUNAL INTERNATIONAL POUR LE RWANDA

Office of the Prosecutor
Bureau du Procureur

UNICEF Building, P.O. Box 749, Kigali, Rwanda Tel. +(250) 84266 Tel. +(1-212) 963-3988, ext 1134071856 Fax 1 (1-212) 963 4001

5 March 1996

Mr. Benon Sevan
UN Security Coordinator
New York

This to inform you that the meeting in Nairobi with the Prosecutor and the Deputy Prosecutor on Sunday 3 March 1996 went very well. We all agreed with the briefing points with you prepared for me for discussion with the Vice-President of The Republic of Rwanda concerning the security arrangements for the protection of the Office the Prosecutor in Kigali when UNAMIR leaves.

I had this morning, 5 March 1996, the privilege of meeting with the Vice-President of the Republic of Rwanda to discuss the matter on the basis of your brief. I am happy to report to you that the Vice-President was very receptive to all the suggestions that we made to him, based on the philosophy that the security of the Tribunal and its personnel rests, in the final analysis, on the shoulder of the Government of Rwanda. He agreed that, following the end of the mandate of UNAMIR on 8 March 1996, the protection which the Tribunal has enjoyed will continue to exist until the Ghanian Contingent currently providing it leaves provided that it is not considered as in any way connected with UNAMIR. The Vice-president even preferred that the Ghanian Contingent be giving another name. With the agreement of Ambassador Khan, the Special Representative of the Secretary General, the Ghanian Contingent will be one of the last to leave, therefore giving us about four more weeks after 8 of March.

On the question of contracting with a private local company to provide security protection for the exterior of the Tribunal's building and several installations in the country, the Vice-President had a substantially different approch which I must now put to you. He was not in favour of the procedure requiring him to offer permits for importation of arms, ammunitions and related equipment into the country by private companies. Instead he offered to detach part of the Rwandese Gendarmerie, turn them over to the Tribunal to train them specially and to use them to protect the Tribunal premises. They would, with their arms and other military equipments already supplied to them, be under the direction and employment of the Tribunal. I mentioned this offer to Justice Goldstone who, like me, find it acceptable.

The Vice-President has further expressed the wish that negotiations beging immediately between the Tribunal and the Government side on the details of implementing the security system for the Tribunal as discuss at the meeting.

Looking forward to receiving your comments soon.

Yours Sincerely,

A. O. Adede

CNR - 050 P1/3

UNITED NATIONS
DPKO MAPS
MAR -6 P 3:02

CODE CABLE

Reçu le 06 MARS 1996
UNAMIR
1996 MAR 6 P 7:37

TO: KHAN, UNAMIR, KIGALI **IMMEDIATE**

FROM: ANNAN, UNATIONS, NEW YORK

DATE: 5 March 1996

NUMBER: **637**

SUBJECT: POST UNAMIR PRESENCE IN RWANDA

RECEIVED
- 6 MAR 1996
OFFICE OF THE SRSG
UNAMIR

Please find attached copy of a letter dated 1 March which the Permanent Representative of Rwanda addressed to the President of the Security Council. Apologies for the delay, but this letter only reached us today.

Regards.

copy: ED
AFC
CAO
6/3/96

Vu 6-3-96
WS

REPUBLIQUE RWANDAISE

MISSION PERMANENTE AUPRES DES NATIONS UNIES
336 EAST 45TH STREET, THIRD FLOOR
NEW YORK, N.Y. 10017
TELEPHONE (212) 808-9330
FAX (212) 808-0975

New York, le 1er mars 1996

No.MP/36/16,06/ 5/03

Son Excellence Monsieur
Legwaila Joseph LEGWAILA
Président du Conseil de
sécurité auprès de
l'Organisation des
Nations Unies

NEW YORK

Excellence,

J'ai l'honneur de vous faire parvenir cette lettre pour vous informer de la position du Gouvernement du Rwanda dans le cadre de l'après Minuar.

Mon Gouvernement accepterait le maintien d'un petit bureau politique chargé de soutenir les efforts faits par le Gouvernement rwandais pour renforcer le système judiciaire, faciliter le retour des réfugiés et remettre en état l'infrastructure nationale.

Le Gouvernement rwandais est prêt à discuter avec vous ainsi que le secrétariat les détails et la durée du mandat de ce bureau.

Veuillez agréer, Monsieur le Président, les assurances de ma très haute considération.

Manzi BAKURAMUTSA
Ambassadeur
Représentant Permanent du
Rwanda auprès des Nations Unies

PERMANENT MISSION OF RWANDA TO THE UNITED NATIONS NEW YORK

RECEIVED 4/3 11am
PROCESSED 4/3
FILED
CONTROL District of Columbia

Permanent Mission of the Rwandese Republic to the United Nations

No. MP/36/16,06/R/03 New York, 1 March 1996

Sir,

I have the honour to inform you of the position of the Government of Rwanda in the light of the expiration of the United Nations Assistance Mission to Rwanda (UNAMIR).

My Government would accept the maintenance of a small political office to support the Rwandan Government's efforts to strengthen the judicial system, facilitate the return of refugees and rehabilitate the national infrastructure.

The Government of Rwanda is ready to discuss with you and the Secretariat the details and the length of the mandate of such an office.

Accept, Sir, the assurances of my highest consideration.

(Signed) Manzi BAKURAMUTSA
Ambassador,
Permanent Representative
of Rwanda to the
United Nations

His Excellency
Mr. Legwaila Joseph LEGWAILA
President of the Security Council
United Nations
New York

MAR -5 P 3:02

CODE CABLE

Reçu le 06 MAR 1996
UNAMIR

1996 MAR 5 P 7:37

TO: KHAN, UNAMIR, KIGALI **IMMEDIATE**

FROM: ANNAN, UNATIONS, NEW YORK

DATE: 5 March 1996

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OFFICE OF THE SRSG
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copy: ED
AFC
CAO
6/3/96

REPUBLIQUE RWANDAISE

MISSION PERMANENTE AUPRES DES NATIONS UNIES
336 EAST 45TH STREET, THIRD FLOOR
NEW YORK, N.Y. 10017
TELEPHONE (212) 808-2330
FAX (212) 808-0975

New York, le 1er mars 1996

No.MP/36/16,06/ E/03

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Président du Conseil de
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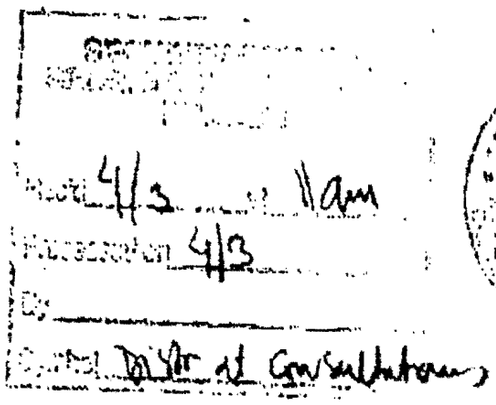
Représentant Permanent du
Rwanda auprès des Nations Unies



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United Nations

His Excellency
Mr. Legwaila Joseph LEGWAILA
President of the Security Council
United Nations
New York

OUTGOING CODE CABLE

UNAMIR

1996 MAR -5 P 7:38

IMMEDIATE

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 5 March 1996
NUMBER: 638
SUBJECT: Security arrangements for the Tribunal

RECEIVED
- 6 MAR 1996
OFFICE OF THE SRSG
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new

SASG
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copy: ED
~~AFC~~
~~CAO~~
6/3/96

UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS—ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017
CABLE ADDRESS—ADRESSE TELEGRAPHIQUE: UNATIONS NEWYORK

REFERENCE:

To: Mr. Andronico Adede, Registrar
International Criminal Tribunal for Rwanda
Inter-Continental Hotel
Nairobi, Kenya

Fax: (254-2) 214-617

From: Benon V. Sevan
United Nations Security Coordinator

Date: 1 March 1996

Subject: Security Arrangements for the Office of the Prosecutor

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cc: Mr. Aimé
Mr. Connor
Mr. Corell
Mr. Goldstone
Mr. Goulding
Mr. Kittani
Mr. Khan
Mr. Takasu
Mr. Annabi
Mr. McCann

CNR - 051 P5/6

UNITED NATIONS NATIONS UNIES

RECEIVED
96 MAR -5 P 2:44

INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA
TRIBUNAL INTERNATIONAL POUR LE RWANDA

Office of the Prosecutor
Bureau du Procureur

UNICEF Building, P.O. Box 749, Kigali, Rwanda Tel. +(250) 84266 Tel. +(1-212) 963-9988, extn 1156/1856 Fax +(1-212) 963 4001

5 March 1996

Mr. Benon Sevan
UN Security Coordinator
New York

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Looking forward to receiving your comments soon.

Yours Sincerely,

A. O. Adede

Reçu le 0 4 MARS 1996

CNR 048 P 1/3

RECEIVED
- 2 MAR 1996
OFFICE OF THE SRSG
UNAMIR

OUTGOING CODE CABLE

UNAMIR
1996 MAR -2 A 7:51

TO: KHAN, UNAMIR, KIGALI
FROM: for ANNAN, UNATIONS, NEW YORK
DATE: 1 March 1996
NUMBER: 603

SUBJECT: **Security arrangements for the International Tribunal**

Further to our UNAMIR-561 of 27 February, please find attached a letter from Judge Goldstone dated 1 March 1996 in response to Mr. Sevan's letter of 28 February. Best regards.

Pl. see my comments
Sr
ED 3.3
LA-

CNR 048 P 2/3

UNITED NATIONS NATIONS UNIES

ICTR

INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

TRIBUNAL PENAL INTERNATIONAL POUR LE RWANDA

Arusha Building, Churchillplein 1, 2501 EW The Hague, The Netherlands Telephone +(31-70) 416-5317 Fax: 31-70 416-5375

Ref: RG/sb

1 March 1996

Dear Mr. Sevan,

Thank you for your letter of 28 February regarding the security situation for the International Criminal Tribunal for Rwanda (ICTR).

As you know, the security of the ICTR's staff in Rwanda is of paramount importance to me. It is for this reason that I feel compelled to discuss this matter (which is formally the provenance of the Registrar, Dr. Adede) with you further. My concern is now, as it always has been, that we find a viable solution. I think that I may speak for Dr. Adede as well as myself when I say that neither of us is wedded to a particular solution. A memorandum to Mr. Anderson from Valeri Evstigneev of OSD/OHRM (a copy of which was forwarded to me) seems to offer possible ways out of this pressing dilemma.

While Dr. Adede and I are anxious to pursue these options as quickly as possible, two factors remain constant in our requirements. Firstly, due to the nature of our work the level of threat to the staff of the ICTR is exponentially higher than the level of threat to other UN agencies working in Rwanda. Secondly, the nature of our work precludes the hiring of local staff to provide security for the ICTR in Rwanda. Hiring local staff in Kigali would be as inappropriate - and dangerous to all concerned - as hiring members of the parties to the conflict in the former Yugoslavia to provide security to investigators and staff of the International Criminal Tribunal for the former Yugoslavia (ICTY).

The deadline for a resolution to this problem posed by the March 8 expiration of UNAMIR's mandate is nearly upon us. Dr. Adede, the Deputy Prosecutor, the Chief of Investigations, and myself are meeting in Nairobi on Sunday, 3 March in order to best assess the steps that we must take in the coming week. May I suggest that it might be very useful if you could speak directly with Dr. Adede today regarding the options available to us so that we can make the best decision possible on Sunday (Dr. Adede is currently in Nairobi and can be reached at the Hotel Intercontinental (254) (2) 335-550.

Thank you very much for your attention to this issue.

Yours sincerely,

Richard J. Goldstone
Prosecutor

Mr. Benon V. Sevan
United Nations Security Coordinator
United Nations, NY 10017

Reçu le 02 MARS 1996 ED CAO

2/3/96

UNAMIR

1996 MAR -2 A 7:50

CYCY

1996-03-02 05:44 5602 UNITED NATIONS HQS NEW YORK 007

RECEIVED
- 2 MAR 1996
OFFICE OF THE SRSG
UNAMIR

CNR 047 P 1/2

OUTGOING CODE CABLE

TO: KHAN, UNAMIR, KIGALI

FROM: for. ANNAN, UNATIONS, NEW YORK

DATE: 1 MARCH 1996

NUMBER: 602

SUBJECT: **Equipment**

1. We have given careful consideration to the concerns expressed in your MIR 456 of 23 February, and regret any misunderstandings that may have arisen.

2. However, one key point relates to the General Assembly rules and regulations which assign top priority in the disposition of assets to the needs of other peace-keeping missions. It follows that this Headquarters must retain the authority to evaluate such needs and take decisions as to the timing of the transfer of such equipment.

3. The other point concerns the priority status of the International Tribunal (ICTR). Since it is financed from assessed contributions, the ICTR must receive the same priority for the transfer of assets as other peace-keeping operations. We considered it necessary to ensure that this aspect of the General Assembly regulations should be followed with regard to UNAMIR

equipment. It is appreciated that our message could have been more explicit, but this has been discussed in detail with your CAO.

4. We have noted your request that the transfer of equipment be held back, so as to be treated as a consolidated whole. This should not be a problem, since the transfer of assets will only be effective at the time of the liquidation of UNAMIR, except for those items that may be needed immediately for other peace-keeping operations.

5. As regards the post UNAMIR arrangements, we do need a clear plan and a lead agency to deal with such matters. As you are aware, this concern was brought to the attention of UNAMIR some time ago, but we are not aware of the action that may have been taken. We would be grateful for any details you may be able to provide on the progress made by the inter-agency committee established under your Chairmanship to address this issue.

Best regards.