

[10 CONFIDENTIAL]

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SERIES S-1120

BOX 30

FILE 2

ACC. 1998/0278

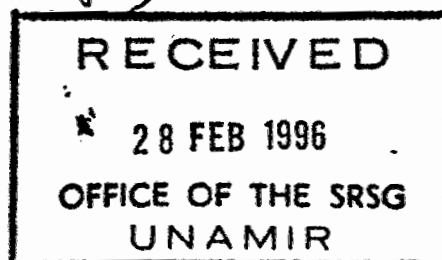
AK
Phase copy
to Mr. Javed Khan
Mr. Rafiq
WS

FROM : CMO Ms
TO : COS
INFO : MA to A/FC
ADCOS (OPS)

Reçu le 28 FEB. 1996

Copy ED
See de type figures on p.3.
28-2-96

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FILE : MILOB/OPS/45

DATE : 28 FEB 96

SUBJECT: END OF MISSION REPORT (09 DEC TO 08 MAR 96)

Refs:

- a. MILOB GP HQ OPS/1122.23 dated 28 Nov 95.
- b. Your letter on mn subject dated 23 Feb 96.

GENERAL

1. The End of Mission Report covering the 3rd Mandate (09 Jun 95 to 08 Dec 96) was submitted vide reference A. This report is for the current Mandate, covering the period, 09 Dec 95 to 08 Mar 96.

AIM

2. The aim of this report is to highlight MILOBS operations during the current Mandate.

SCOPE

3. The following will be covered:
 - a. Security Situation in Rwanda.
 - b. Humanitarian Situation.
 - c. Repatriation of Refugees.
 - d. Reconciliation Process.
 - e. MILOBS' operation in current Mandate.
 - f. Conclusion.

SECURITY SITUATION IN RWANDA

4. The overall security situation in RWANDA, particularly in Central and Eastern parts, remained calm and well under the control of the RPA. On the whole, there was a lull in insurgent activities by the FRGF in Rwanda from the end of Nov to mid Dec 95. This was in contrast to the

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situation prevailing in Oct / Nov 95. The Iswawa Island episode in Nov 95 seriously demoralized the FRGF rank and file operating in Rwanda. This possibly accounted for this lull. Insurgent activities however picked up again in the second week of Dec in the Western part of the country, notably in the Ruhengeri, Gisenyi and Cyangugu prefectures. This trend saw a steady increase through Jan and Feb 96. A number of sabotage activities have been carried out. These took the form of planting of land mines, blowing up of bridges, electricity pylons as well as water supply lines. The number of armed robberies and killings have also been on the increase. Most of these activities have been traced to the FRGF.

5. A number of encounters have been reported between the RPA patrols and FRGF, in which the RPA suffered a lot of casualties. Banditry activities have increased in some prefectures (notably, GITARAMA, KIBUYE, GIKONGORO and BUTARE). Livestock and other valuables are forcefully taken from locals. They are manhandled or sometimes killed if they had nothing to offer.

6. Arbitral arrests by RPA continue unabated.

7. **Assessment.** It is assessed that, insurgent activities will continue in future with renewed vigor and are likely to spread to Central and Eastern Rwanda.

HUMANITARIAN SITUATION

8. There has been an improvement in the humanitarian situation during the period. Most of the local officials have been seen to be assisting people, particularly, returnees. The local authorities have been helping returnees to get back their land and houses. They have on the whole, been fairly treated, even though some of them are arrested on arrival.

9. The effect of the expulsion of 38 NGOs from Rwanda is seriously being felt all over the country. The most badly affected sector is the Medical Service. There is an obvious shortage of drugs and medical equipments as well as medical/para-medical staff, leading to a decline in health care in the rural areas.

REPATRIATION OF RETURNEES

10. Despite concerted efforts by all concerned, the repatriation of refugees remained at a rather low key. Returnee figures recorded during the period stands as follows:

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Month/Year	No of Returnees	Remarks
(a)	(b)	(c)
Dec 95	13,583	
Jan 96	13,264	
Feb 96	25,498	Figures up to 22 Feb
Total	52,345	

These low figures were recorded, despite the fact that UNHCR expected a massive repatriation in Dec 95 / Jan 96. The noticeable increase in returnee figures in Feb is primarily due to the fact that, the refugees are constantly being caught up in the violence between the Burundian Army and the Hutu Militia, operating in the northern Province of Burundi. Despite this increase, there are over 1.6 million refugees still living outside Rwanda. The possible reason for large numbers still living outside is, either they are too apprehensive of the security situation in Rwanda or they are quite comfortable in their camps and have no desire of coming back to face the hardships and intimidation in their home communes.

11. Zaire is reported to have deployed additional troops in some camps (KIBUMBA in GOMA and KASUSA and NYANGAZI in BUKAVU) to expedite repatriation. The repatriation however has so far not been forced.

12. Comments.

- a. This exercise seems to have failed to achieve the desired goal, since there was hardly any increase in repatriation from these camps.
- b. Repatriation is not likely to increase dramatically in the near future, unless repatriation is forced.

RECONCILIATION PROCESS

13. Although on the surface, it appears that there has been some improvement in the reconciliation process, the hatred between the ethnic groups seems to be too much deeply rooted.

The memory of the genocide is still too fresh in their minds. Political leaders and high ranking officials have been seen making some attempt at reconciliation but they need to do more at the grassroots level to achieve tangible results.

MILOBS OPERATIONS IN THE CURRENT MANDATE

14. The strength of MILOBS was drastically reduced from 320 to 146 for the period. This necessitated the redemarkation of the hitherto 10 sectors into 5. It greatly hampered the operational capabilities of MILOBS, as there were larger areas of responsibilities for the MILOB sectors with less human resources to cover. Despite the handicap, MILOBS continued to monitor the Refugee/Returnee situation as required by the Mandate.

15. Most of the MILOB Sectors faced the challenge of operating without Formed Troops during the Mandate. This had no adverse impact on their capabilities except that incidents of theft increased on their office premises. A remedial action of hiring civilian night guards was taken.

16. **Achievements.** The frequent visits of MILOBS patrols to the sectors and cellules has been a great source of inspiration to the locals. It among other things gave them a feeling of insulation, to some extent, against RPA excesses. No wonder, a large number of locals and officials have been requesting for continued presence of UNAMIR. Politicians and the RPA however have their own reservations.

17. **Failures.** Even though MILOBS tried as much as they could to monitor the returnee situation as required of them by the mandate, they were unable to effectively monitor issues relating to their resettlement because of manpower problems. It was impossible to cover the crooks and nooks of Rwanda with 146 observers.

CONCLUSION


18. The Western portions of Rwanda have been characterized by infiltrations and insurgent activities since Jan 96. This trend is most likely to continue with renewed vigor and possibly spread to the Central portions of the country in the near future.

19. Even though the UNHCR anticipated a massive repatriation of refugees during Dec and Jan 96, very low figures were recorded. The deployment of Zairian troops at the refugee camps had virtually no effect on the repatriation of refugees. The figures from Zaire are likely to remain low

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unless repatriation is forced.

20. MILOBS worked with a very low strength of 146 during the mandate. Not withstanding this handicap, they worked tirelessly and won the hearts of most locals and officials. They would have however done better with the right manpower.


CHARLES NELSON
Col
CMO

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UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

UNAMIR - MINUAR

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

CRN-358

OUT-GOING CODE CABLE

TO: ANNAN/GOULDING, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar M. Khan

DATE: 14 October 1995

NO: MIR 3597

NO. OF PAGES: 4

SUBJECT: JOINT CONSULTATIONS HELD BETWEEN UNAMIR AND THE
GOVERNMENT OF RWANDA

1. Please find attached a signed copy of the minutes of a meeting held between representatives from UNAMIR and the Government of Rwanda on 3 October 1995 to discuss various aspects of UNAMIR/Government relations.
2. The next meeting is scheduled for Tuesday, 17th October and, as usual, we will keep you apprised of the meeting's deliberations.
3. Best regards.

SR&G

35 OCT 1995
11

JOINT MEETING BETWEEN THE RWANDESE GOVERNMENT AND UNAMIR
HELD ON 3 OCTOBER 1995

1. On 3 October 1995, a meeting was held between senior officials from the Rwandese Government and UNAMIR to discuss the proposed modifications to the Status of Mission Agreement (SOMA) submitted by the Government of Rwanda, as well as other aspects of UNAMIR/Government relations. The following were present:

Government

Mr. Claude Dusaidi	Office of the Vice-President
Lt. Col. Karenzi Karake	Ministry of Defence
Maj. Kamarade Kayitare	RPA Liaison Officer
Mr. Jean-Marie Byakweli	Ministry of Rehabilitation and Social Integration
Mr. Higiro Thaddee	Ministry of Foreign Affairs

UNAMIR

Mr. Shaharyar M. Khan	Special Representative of the Secretary-General
Maj. Gen. Guy Tousignant	Force Commander (departed early)
Ms. Susan Matthew	Chief Administrative Officer
Col. Shiva Kumar	Chief of Staff
Mr. Mamady Condé	Senior Political Affairs Officer
Mr. Mtshana Ncube	Administrative/Legal Officer
Mr. A.B. Sidique Dao	Humanitarian Affairs Officer
Ms. Ladan M. Rafii	Political/Legal Officer

2. The SRSG began the meeting by thanking the Rwandese Government representatives for agreeing to the minutes of the previous meeting prepared by UNAMIR.

3. Mr. Dusaidi emphasised the role of UNAMIR as an assistance mission and stated that the interpretation of UNAMIR's assistance role should be the subject of the discussions. With regard to the extension of UNAMIR's mandate in Rwanda, he stated that it would be premature to discuss the subject at this point in time, and that such a decision would ultimately rest with the Security Council and the Government of Rwanda. He further stated that his Government was in the process of contacting, directly, Governments which had contributed equipment to the United Nations, including maps, documents and other material which could be of use to the Rwandese Government. He also wished to discuss issues pertaining to UNAMIR local personnel (such as their benefits and the particular sectors in which they are working). Concerning his Government's proposals for modifications to the SOMA, he stated that he expected a response on the part of the United Nations "very soon."

4. With respect to UNAMIR's mandate, the SRSG mentioned that it was important to identify the Government's expectations regarding UNAMIR's role in the period preceding the termination of its current mandate on 8 December 1995. He stated that UNAMIR had carefully complied with Security Council resolution 997 (1995) in reducing its force level to 1,800 by the specified date of 8 October 1995. He recommended that the Government of Rwanda take full advantage of the remaining two months of its term on the Security Council to decide upon UNAMIR's future mandate. Specifically, he stated the need for broad guidelines at a later date on whether UNAMIR should begin phasing out now or whether it should do so immediately after the termination of its current mandate and thereby maintain the current level of troops in the interim period.

5. The SRSG added that by mid-October UNAMIR would be able to present the Government with a list of equipment it has available.

6. On the SOMA, the SRSG acknowledged receipt of a paper from the Office of the President outlining proposed modifications. Although he stated that it was necessary to obtain a response from United Nations Headquarters in New York regarding the proposed changes, he wished to convey UNAMIR's preliminary position on the matter. He stated that the modifications sought by the Rwandese Government fell within three separate categories:

- (1) those which were very difficult to accept because they would result in UNAMIR having fewer privileges and immunities than other peace-keeping missions in the world and other United Nations agencies operating in Rwanda;
- (2) changes which were based on the Government's concern for its sovereignty in which the main difficulty involved a question of language (e.g. identification cards, uniforms, provisions and supplies); and
- (3) other less substantial matters (such as the flying of flags).

The SRSG proposed the formation of a subcommittee of officials charged with legal matters to discuss such issues and finalize the SOMA. He also agreed to prompt action in this respect.

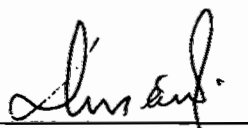
7. With regard to the issue of local UNAMIR personnel, the SRSG assured the Rwandese Government representatives that UNAMIR would cooperate fully in providing them with the information requested by furnishing a list of names of such employees, including their place of work and functions.

8. However, the SRSG expressed concern over the recent disappearance of a local journalist who had been working for UNAMIR, Mr. Manasse Mugabo, and sought the Government's assistance in locating him. He reassured the Government participants that UNAMIR would not prevent the detention of any of its local employees against whom the Government presented clear evidence of complicity in a crime, as had been the case with the other twelve local nationals who had formerly worked for United Nations agencies in Rwanda and who were currently incarcerated. The SRSG added that the media would be asking questions about Mr. Mugabo. Col. Karake demanded information in order to assist in tracing the journalist.

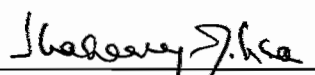
CRN 358
P4/4

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9. The meeting ended with a discussion of UNAMIR's assistance role according to its current mandate. Mr. Dusaidi stated that the language in the mandate was quite clear on this issue, namely "UNAMIR will... [s]upport the provision of humanitarian aid, and of assistance and expertise in engineering, logistics, medical care and demining". In response, the SRSG mentioned that although he would personally favour a more active assistance role for UNAMIR, he believed that the language in the mandate implied that UNAMIR should assist other United Nations agencies in the provision of humanitarian assistance, but that it could not assume such a role by providing direct aid itself. Following a discussion of the precise language of resolution 997 and use of the word "faciliter" in the French version of the text, Mr. Dusaidi stated that UNAMIR had the necessary leeway to do more in terms of assistance to Rwanda.


Mr. Claude Dusaidi

Date: 11/10/95


Mr. Shaharyar M. Khan

Date: 11.10.95



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401-357 1/35

MOST IMMEDIATE

TO: CORREL/ANNAN/GOULDING/HANSEN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar M. Khan

DATE: 13 OCTOBER 1995

NO.:

MIR -3576

NO. OF PAGES: 35

SUBJECT: MODIFICATIONS TO THE STATUS OF MISSION AGREEMENT
PROPOSED BY THE GOVERNMENT OF RWANDA

1. We attach for your information an analysis of the text of the new Status of Mission Agreement (SOMA) recently proposed by the Rwandese Government. A copy of the original SOMA, as well as the Government's new version of the Agreement incorporating their proposed changes which we received from the Office of the President are also attached for your reference.

2. I appointed a committee consisting of all the components of UNAMIR (political, military and administrative) to examine the Rwandese Government's proposal. After holding formal consultations on the matter, they have unanimously concluded that the proposed modifications sought by the Government were to the detriment of UNAMIR and would undermine our position as a United Nations peace-keeping mission. Furthermore, some of the proposals are contrary to the 1946 Convention on the Privileges and Immunities of the United Nations, as well as standard provisions at other United Nations peace-keeping missions operating in other areas of the world. The committee was of the unanimous view that the proposed text was unacceptable.

3. While I respect the committee's unanimous view, I feel that the Rwandese proposals need to be placed in their political context. The following broad guiding factors need to be borne in mind before assessing and responding to their proposals:

- i) This government is new, completely untutored and inexperienced in complex international law issues. Their desire to assert their sovereign right needs to be taken into account.

(SRSG)

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- ii) In the past year we have moved from a situation of complete lawlessness, lack of law and order to a government that has full sovereignty and control over its territory. It follows that the government expects UN, like everyone else including diplomatic missions, to pay for telephone, fax, radio communication links established through its national system. The government is also understandably keen to reduce UN Flags flying from every car - something that would be desirable in a war torn country but not in Rwanda today, and to reduce their use to two senior officers (SRSG and FC).
- iii) Some of the proposals are reasonable but may have been concluded in unacceptable language.

4. Accordingly, while I agree that some of the proposed amendments are wholly unacceptable, there are others that can be accepted perhaps with minor changes of language. In the middle are a number of articles that require negotiation. These relate, I believe, to the privileges and immunities of contractors, like Brown & Root, who have lived in grey zone for some time and whose position needs to be clarified in the SOMA.

5. We look forward to receiving your comments on the proposed modifications to the SOMA on an early basis as the Rwandese Government has indicated its expectations of a quick response on our part.

Best regards.

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA



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MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

CRN-346

OUTGOING CODE CABLE

TO: ANNAN/GOULDING/HANSEN, UNATIONS, NEW YORK
INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK
FROM: KHAN, UNAMIR, KIGALI *Shaheryar Khan*
DATE: 03 OCTOBER 1995
NO.: MIR 3463
NO. OF PAGES: 5
SUBJECT: Relations between UNAMIR and the Government of Rwanda

1. As announced in my MIR.3420 of 28 September on the above subject, please find attached copy of the agreed minutes of the first meeting of the Government Commission with UNAMIR on the relations between UNAMIR and the Government of Rwanda.
2. As agreed, the second meeting took place this morning. The related minutes will be forwarded to you shortly.
3. Best regards.

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SRSQ

Note for the File



Minutes of the first Meeting between members of the Government Commission and UNAMIR Delegation held at UNAMIR Headquarters at 10 o'clock on 26 September 1995

1. The meeting was attended by a Government delegation constituted into a Commission and appointed by the Vice-President, Major General Kagame. The Commission members were:

Mr. Claude Dusaidi (leader)	Political Adviser, Vice-Presidents's Office
Maj. Kamarade Kayitare	UNAMIR Liaison Officer
Maj. Joshua Rasana	Army Headquarters
Maj. Kamanzi Mushyo	Army Headquarters
Dr. Ndahiro Emmanuel	Ministry of Defence
Mr. Sam Nkusi	Director, Rwandatel
Mr. Higiyo Thaddce	Ministry of Foreign Affairs
Mr. Antoine Sendama	Ministry of Rehabilitation

UNAMIR was represented by:

Amb. Shaharyar M. Khan (leader)	SRSB
Mr. Wilfrid de Souza	ED
Col. Shiva Kumar	COS
Mr. Sammy Buo	SPA
Mr. Mamady Conde	SPO
Mr. Mtshana Ncube	LO
Mr. Gilles Briere	CMCO
Mr. Abu B.S. Dao	HAO/SA

2. After Ambassador Shaharyar Khan's welcome to the Commission, Mr. Dusaidi, stated in his opening remarks that the Commission was appointed by the Vice President "to look at all aspects and appraise the work of UNAMIR".

Some of the issues that the Commission wanted to focus on were:

- a) A smooth transition 'if there was to be a change in the mandate'.
- b) Staffing of UN presence, if any, after the transition.
- c) Equipment to be left behind.
- d) An evaluation of the UNAMIR role.

3. In response the Special Representative of the Secretary-General, Ambassador Shaharyar Khan, thanked Mr. Dusaidi for the overview on issues of interest to the Commission. He then proposed an agenda for current and future discussions, as follows:

- a) Issues related to the current and future mandate;
- b) Equipment;
- c) Legal aspects of the Mission (i.e. SOMA);
- d) Any other business.

The agenda was agreed by Mr. Dusaidi.

Mandate

4. Ambassador Shaharyar Khan stated that it was important for discussions on the mandate to be held in good time. As stated during the discussions on the present mandate, UNAMIR's mandate would be decided by the Security Council in negotiations with Rwanda. Fortunately, Rwanda would still be a member of the Security Council in December. UNAMIR operated in Rwanda under Chapter VI, and its presence in Rwanda required the consent and cooperation of the sovereign government. UNAMIR would not be imposed on Rwanda.

Mr. Dusaidi stated that with respect to the item on the mandate, it was necessary to examine the genesis of UNAMIR as it had been conceived as an assistance mission. This factor needed to be borne in mind for future discussion on the mandate.

Equipment

5. Explaining the principle under which UN Peace-Keeping equipment was disposed of after completion of missions, SRSG stated that the equipment that was still usable was required to be transferred to other peace-keeping operations or stored at Brindisi for future or other missions. Only material that was to be formally written off was left behind. Some equipment that was in reasonable condition and which would be too costly to transport could also be "sold" to the Government under the UNDP Trust Fund Scheme that had already been signed. Giving further details of the equipment being used by UNAMIR, SRSG elaborated as follows:

- a) Contingent owned equipment. This was owned by the countries which sent contingents (e.g. India) to Rwanda. They would take the equipment back after completing their tenure.
- b) Equipment loaned to contingents (e.g. by Holland to Zambia)
- c) Equipment owned by UN.

6. SRSG explained that for equipment owned by other countries (i.e para. 5 a,b above) it would be necessary to discuss their disposal with the countries concerned. UNAMIR could only discuss equipment owned by UN. This discussion would be relevant once a detailed list was ready showing the status of each item. This list was being prepared and was expected to be ready by mid-October. The final decision on disposal would rest with UN Headquarters in New York.

7. SRSG added that with regard to lethal material e.g. APCs, the discussion would need to be held at a higher level or even with the Security Council. The non-lethal equipment

could be discussed with UNHQ and decisions conveyed to the Sanctions Committee under Security Council Resolutions 918 (1994) and 1011(1995). Mr. Dusaidi thanked Ambassador Khan for his resume and stated that the promised list of equipment was awaited. He added that UNAMIR, in its role of an assistance mission, should not only leave behind equipment for Rwanda but should hand over information such as maps, data-base, documents etc.

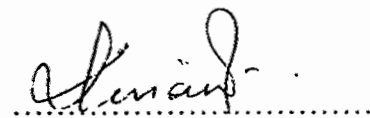
Legal Aspects

8. SRSR stated that the Rwandese Government's view on SOMA had been received only a few minutes before the meeting. The document needed to be studied and comments would be offered later.

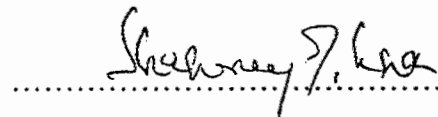
Any other business

9. No issues were brought up under this heading.

10. The meeting ended after 1 hour 15 minutes.



Mr. Claude Dusaidi
Political Adviser,
Vice President's Office



Ambassador Shaharyar M. Khan
Special Representative of the
Secretary-General for Rwanda

Dated 2/10/95

Dated 2/10/95



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TO: ANNAN/GOULDING, UNATIONS, NEW YORK
INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK
FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI
DATE: 8 May 1995
NO: MIR _____
NO. OF PAGES: 2
SUBJECT: UNAMIR/GOVERNMENT JOINT COMMISSION

1. The fifth meeting of the Joint Commission held today examined in more specific terms the question of UNAMIR's future mandate. At the outset, I outlined the tasks that in our view UNAMIR could perform in the context of a new mandate after 9 June.

2. Against the background of increasing acts of harassment against UNAMIR (as reflected over the weekend by the theft of the DFC's vehicle and the attempted theft of several other UNAMIR vehicles, as well as threats against some of our staffmembers), I began by recalling that UNAMIR was in Rwanda at the request of and with the consent of the authorities, and that it was not its intention to impose its presence on the country. In this connection, I stressed the need to stop and reverse the hate campaign directed against UNAMIR, and to create a climate conducive to effective cooperation if the mutual interests of the United Nations and Rwanda were to be served. After reviewing the Commission's deliberations to-date, I outlined a basic guideline of tasks to be considered as part of a future mandate, as provided in Mr. Annan's cables no. 1573 and 1587, with the addition of a possible role in mine clearance. I pointed out that in presenting these ideas, our view was that they were aimed at finding a common ground with the Government of Rwanda which had primary responsibility for informing the United Nations of its preferences in terms of the specific tasks to be assigned to UNAMIR, but that the final decision belonged to the Security Council.

3. The Acting Chairman stated that the Commission was at the present stage merely engaged in exchanging views and that the positions presented should not be considered final or binding, as the Government's position was subject to change and evolution. Regarding the increasing and disturbing trend of harassment against UNAMIR, he emphasized that the Government did not condone or commission acts of harassment or theft against UNAMIR personnel and property. He added that the population's criticisms and concerns were understandable because, in his view, UNAMIR had given them a false sense of protection by failing to protect the population against genocide. On UNAMIR's possible future role, he repeated that while the Government appreciated some of UNAMIR's positive contributions, it felt that continuation of the mission in its present configuration would not be beneficial to Rwanda. Specifically, he claimed that UNAMIR's military component was redundant as the Government had assumed sovereign responsibility for national security. With respect to the protection of international installations and staff on Rwandese territory, he stated that this was also primarily the Government's responsibility, although he could understand the United Nations' decision to perform such a function. In this regard, he viewed UNAMIR's role as being limited and supportive of the Government's efforts, with the United Nations mainly providing guards and escorts in limited numbers. In the same manner, the Government viewed UNAMIR's role with regard to providing security and protection to humanitarian convoys as one of monitoring only. Concerning the establishment of security corridors for returning refugees, the Acting Chairman stressed that the Rwandese Government was opposed to the creation of any more security zones or camps within the country "à la Turquoise". Instead, it felt that such corridors should be established in refugee camps abroad to allow free and unhindered passage of refugees into Rwanda where their onward movement to their home communes could be monitored. The training of police was also seen as being the Government's prerogative for which bilateral or multilateral forms of assistance could be sought. Regarding the problem of border monitoring, he expressed the view that no amount of border monitoring could avert or prevent the former régime's plans to destabilize the country. Rather, he felt that the international community should redirect its efforts to finding solutions to the problem of insecurity in the subregion, by focussing on military training and rearming in camps in neighbouring countries, instead of placing monitors on Rwandese territory which, in his view, was not where the problem was based.

3. I promised to convey the Government's preliminary reactions to New York. I further added that although the Government held primary responsibility for providing protection to United Nations installations and personnel, the United Nations was also required to ensure, through its own means, that its staff and property were well-protected. I also clarified that with respect to the issue of security corridors, our objective was not to create a situation akin to IDP camps, but rather to provide, through the presence of United Nations peace-keepers, an increased sense of confidence to the returnees.

4. The next meeting is scheduled for Thursday 11 May. I expressed the hope that we would be able to engage in concrete discussions at that meeting, especially on military aspects, in view of the time factor involved and the need to submit a report to New York for consideration.

5. Best regards.



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TO: ANNAN/GOULDING, UNATIONS, NEW YORK
INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK
FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI
DATE: 4 May 1995
NO: MIR _____
NO. OF PAGES: 1
SUBJECT: UNAMIR/GOVERNMENT JOINT COMMISSION

1. At the fourth meeting of the Joint Commission held today, the Government side, which had promised at our last meeting to submit in writing its position on UNAMIR's future mandate as it had enunciated during the previous meeting, instead stated that the Commission should continue discussing the mandate without being confined to a formal text at this stage.

2. The Commission's acting Chairman reiterated both the conceptual framework and the specific elements of the Government's position already relayed to you in our MIR 1515. Contrary to what had been previously agreed, the Government side did not outline the specific tasks it would like to see reflected in our future mandate, but rather, stated that it wished to hear our position on the matter. Cognizant of the fact that we are not negotiating with the Government on our mandate, I responded that UNAMIR was operating in Rwanda at the request of and with the support of the Government under Chapter 6, and that any future role here would again emanate from the express wishes of the authorities and would depend upon their support and cooperation for its proper fulfilment. Consequently, it would be useful for the Government to indicate those areas and tasks which it would like reflected in the context of a future UN role.

3. Despite the fact that the acting Chairman insisted on hearing our suggestions, I stated that I would respond to their demands following consultations with New York. In my opinion, and if you agree, we should not make suggestions on this point as this would give the appearance that we are engaged in negotiations with the Government over our future mandate. The Government has promised to make suggestions of its own to be considered at our next meeting scheduled for Monday, 8 May, by which time we hope to have received your guidance.

4. Best regards.

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TO: ANNAN/GOULDING, UNATIONS, NEW YORK
INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK
FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI
DATE: 2 May 1995
NO: MIR _____
NO. OF PAGES: 2
SUBJECT: UNAMIR/GOVERNMENT JOINT COMMISSION

1. The third meeting of the UNAMIR/Government Joint Commission took place today. Since our last report dated 26 April 1995, a second meeting was held on Saturday, 29 April, but was adjourned immediately thereafter. The Force Commander and I were absent at that meeting as we accompanied the Special Envoy of the Secretary-General, Mr. Aldo Ajello, to see the President, the Vice President and Minister of Defence, and the Prime Minister.

2. Today's meeting was not attended by the Chairman, Mr. Emmanuel Gasana, who was out of the country on official business. Instead, the meeting was chaired by Col. Frank Mugambage, representing the Ministry of Defence. It should be noted that Col. Mugambage is also the spokesman of the RPA and a member of Parliament. As was agreed at the first meeting, the Government presented its position on UNAMIR's future mandate at today's meeting. Also, at the request of the acting Chairman, the Director-General of Rwandatel outlined the Government's concerns on a number of communications issues. On this aspect, the Commission agreed to my request to set up a technical subcommittee to examine the issues raised in greater detail.

3. Regarding the Government's position on the future presence and role of UNAMIR in Rwanda, Col. Mugambage stated that, as far as the Government was concerned, we should, at this stage, focus on examining practical ways to facilitate the withdrawal of UNAMIR and to consider those issues and roles that may continue to be needed in the future. He stressed in this

connection that possible areas of future cooperation should be examined in the context of the new realities on the ground. He stated that the Government viewed a large UNAMIR presence as compromising its sovereignty; providing a "false" sense of security for elements of the population which did not want to accept new political realities in the country; and raising a number of social and economic problems for the local population, including competition for limited services and facilities, such as housing. He further stated that in the view of many Rwandese, while UNAMIR had made important contributions, on balance, they did not believe that the expenditures on UNAMIR had benefitted the country. He therefore stressed that in the context of UNAMIR's continued role in this country, the mission should be seen as a true "assistance" operation resulting in real benefits to the country.

4. I expressed appreciation for the articulation of the Government's position and promised to convey these views to New York. I underlined the fact that the United Nations had no desire to impose its presence on Rwanda, and that the United Nations did not have a political agenda beyond its desire to assist the Government and people in rebuilding their country and recovery efforts since the recent genocide. I noted that although UNAMIR had cooperated with the Government in saving lives and contributing to the country's security and stability, an evaluation of UNAMIR's contributions to Rwanda could not always be measured in terms of "dollars and cents". Nevertheless, their value was no less significant since it was due to that cooperation that the international community had expressed readiness to assist Rwanda.

5. The acting Chairman promised to submit the Government's views in writing at our next meeting to be held on Thursday, 4 May. It was also agreed that before proceeding to discuss the numbers and configurations of a future UNAMIR force beyond 9 June, the Government would identify the tasks that an extended mission would be expected to perform.

6. Before the meeting adjourned, I gave the Government a list of 17 locally-recruited United Nations staffmembers of Rwandese nationality who have recently been arrested and detained by the present Government, mainly for their alleged involvement in genocide. I stressed on behalf of the United Nations community that while we did not contest the Government's right to detain those suspected of having committed crimes, we would appreciate prior notification and in the case of the 17 already incarcerated, would urge that their cases be examined on a priority basis. I explained that this was not a request for leniency, but rather, an expression of our concern as employers over the fate of our employees whose disappearance we had only heard of through unofficial channels. The acting Chairman promised refer our concerns to the proper authorities.

7. Best regards.



OUT-GOING CODE CABLE

IMMEDIATE

TO: ANNAN/GOULDING, UNATIONS, NEW YORK
INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK
FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI
DATE: 26 April 1995
NO: MIR _____
NO. OF PAGES: 2
SUBJECT: UNAMIR/GOVERNMENT JOINT COMMISSION

1. Our first meeting with the Inter-Ministerial Commission set up by the Government to work with UNAMIR in resolving issues of mutual concern was held yesterday, 25 April, at the Ministry of Foreign Affairs and was chaired by Mr. Emmanuel Gasana, the Director of Cabinet of the President's office. The Government delegation included a Colonel representing the Ministry of Defence, the Director of Cabinet of the Ministry of Interior, the Director of Cabinet of the Prime Minister's office, as well as other senior officials from the Ministry of Foreign Affairs.

2. The meeting was devoted essentially to organisational and procedural matters. We agreed that we would be examining as a matter of priority the issue of the United Nations' presence in Rwanda after 9 June and, in particular, UNAMIR's mandate. At our request, the Commission will also address a number of unresolved administrative matters, most notably our concern that certain provisions of UNAMIR's Status of Mission Agreement with the Government have not been fully observed. I was accompanied to the meeting by Mr. Annabi, among others, who, with respect to a discussion on UNAMIR's future mandate, stated that it was important to take into account the time constraints involved in reaching a consensus on the matter.

3. I presented an overview of our administrative concerns which had been a source of friction with the authorities, and I was encouraged by the Chairman's positive and conciliatory response. He emphasised that the Government appreciated UNAMIR's role and that it would continue to implement and respect the Agreement for the duration of its presence in Rwanda. He added that despite the Government's willingness to cooperate with UNAMIR, at times it did not have the capacity to ensure full cooperation at all levels and that we should be understanding of the extremely difficult conditions under which it was operating.

4. It was agreed that regular meetings of the Commission would be held every Monday, Thursday and Saturday on a weekly basis. At the next meeting, scheduled for Thursday 27 April, the Government is expected to make its first formal presentation of its perspectives on UNAMIR's future mandate. It should be noted that at the initial meeting yesterday, the Chairman indicated that the Government did not see the discussions on the mandate as a debate with the Security Council, but rather, it hoped that the Council would help Rwanda implement its concept of UNAMIR's future role.

5. Best regards.



OUT-GOING CODE CABLE

TO: ANNAN/GOULDING/TAKASU, UNATIONS, NEW YORK
INFO: KITTANI/GHAREKHAN/MEDILI, UNATIONS, NEW YORK
FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI
DATE: 3 May 1995
NO: MIR _____
NO. OF PAGES: 2
SUBJECT: UNAMIR'S ASSISTANCE TO GOVERNMENT OF RWANDA

1. As you are aware, the Government of Rwanda continues to experience severe problems in rebuilding its infrastructure and meeting basic services due to the scarcity of financial and material resources. This difficult situation has contributed to limiting progress towards the repatriation and resettlement of refugees, as well as affected efforts to promote national reconciliation, two objectives crucial to the attainment of the United Nations' goal for peace and stability in the country.

2. In light of the above, I have directed the provision on a temporary basis of a number of UNAMIR vehicles and other equipment to Government agencies to alleviate the severity of the conditions under which they are forced to operate. A list of the items involved is attached to this cable. I view these contributions as an indication to the Government that we wish to assist, even in a small or modest way, in its efforts to restore effective state services. I have made it clear to Government officials that the resources at UNAMIR's disposal will only allow us to provide limited assistance.

3. I consider our readiness to assist the Government as a positive and tangible aspect of UNAMIR's assistance mandate, and would be grateful if you could confirm that on the basis of existing and applicable United Nations Financial Rules such assistance can continue.

4. Best regards.



OUT-GOING CODE CABLE

TO: ANNAN/GOULDING/HANSEN, UNATIONS, NEW YORK
INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK
FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI
DATE: 6 May 1995
NO: MIR _____
NO. OF PAGES: 2
SUBJECT: UNAMIR LIAISON OFFICE IN KINSHASA

1. Taking into account our MIR 1458 and 1488 as well as Mr. Hansen's cable no. 1578 of 5 May on the above subject, we have prepared the following comprehensive description of the terms of reference for the Director of the new UNAMIR liaison office in Kinshasa:

(a) In view of the urgent need for the safe and voluntary repatriation and resettlement of the more than 2 million Rwandese refugees who remain in countries neighbouring Rwanda, and Zaire, in particular, the United Nations has decided to establish a liaison office in Kinshasa, Zaire to facilitate efforts towards national reconciliation in Rwanda through the efforts of the Special Representative of the Secretary-General for Rwanda, who has been mandated by the Secretary-General to coordinate United Nations operations in Rwanda and the subregion related to the return of refugees. The responsibilities of the Kinshasa office would entail liaising with the Government, UNHCR and other United Nations agencies, NGOs and representatives of the Rwandese refugee community in Zaire with a view to providing the United Nations with the necessary support in the fulfilment of its coordination responsibilities.

(b) The specific tasks of the Director of the liaison office would include the following:

- maintain contact with Government authorities in Zaire on matters of mutual concern relating to United Nations activities in Rwanda, and keep the SRSG informed of developments in this regard. Also, serve as a channel of communication on such matters between the SRSG, UNHCR and the Zairean Government;

- monitor developments in Zaire related to Rwandese refugees, especially in the humanitarian, military, security and political fields, and inform the SRSG accordingly;
- analyze relevant developments, identify possible challenges and recommend to the SRSG possible solutions;
- maintain regular contact with UNHCR which has been given a specific mandate regarding refugee camps in eastern Zaire;
- develop and maintain contact with the refugee population, their leaders, relief workers and Zairean security personnel with a view to promoting confidence-building measures aimed at facilitating security, repatriation and reconciliation;
- maintain regular contact with the United Nations Resident Coordinator who is responsible for the coordination of humanitarian assistance in Zaire.

(c) The Director reports to the Special Representative of the Secretary-General for Rwanda.

2. Best regards.