[7 CONFIDENTIAL]

UN ARCHIVES
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BOX 12
FILE 7
ACC. 1998/0278

RECEIVED
30 MAR 1996
OFFICE OF THE SRSG
UNAMIR

CNR 69 P 1/6

OUTGOING CODE CABLE

UNITED NATIONS
DEPARTMENT OF OPERATIONS
96 MAR 29 P 3:43

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 worded against Zaire/France
Seth 30.3

[redacted]

Bed.

Reçu le 30 MARS 1996

CYCY
996-01-09 23:00 5602 UNITED NATIONS HQS NEW YORK 048 P

CNR-005 P1/3

UNITED NATIONS
OPERATIONS
JAN -9 P 6:06

OUTGOING CODE CABLE

TO: SHAHARYAR KHAN, UNAMIR, KIGALI

FROM: KITTANI, UNATIONS, NEW YORK

DATE: 9 JANUARY 1996

NUMBER: 068

SUBJECT: Requests by the Government of Zaire regarding the work of the International Commission of Inquiry

Please find attached for your information copy of a fax addressed to Ambassador Mahmoud Kassem, Chairman of the International Commission of Inquiry, regarding the above subject.

Best regards.

RECEIVED
10 JAN 1996
OFFICE OF THE SRSG
UNAMIR

Reçu le 12 JAN. 1996

UNITED NATIONS NATIONS UNIES

Outgoing Facsimile

TO: Ambassador Mahmoud Kassem,
International Commission of Inquiry
Goma, Zaire
Fax no. 1-407-726-5026

INFO: Mr. Cheikh-Tidiane Gaye, Director
UNAMIR Liaison Office, Kinshasa, Zaire
Fax no. 254-2-622935 or 254-2-622666

FROM: Ismat Kittani, USG/DPKO
UNNY
Fax no. 212-963-4879

DATE: 9 January 1996

SUBJECT: **Requests by the Government of Zaire regarding the work of the International Commission of Inquiry**

1. From your telephone conversation of today with Riza, and the cable of today from Gaye in Kinshasa, we understand that the Zairean Government has introduced the following conditions for the work of the Commission in Zaire:

(a) that a Zairean delegation comprising three magistrates and one lawyer must accompany the Commission of Inquiry at all times and be present at all its meetings and interviews conducted on Zairean territory;

(b) the Government's insistence on (a) above is based on its view that it has the sovereign right to know and follow all developments in its territory; and

(c) the Government undertakes that the Zairean delegation will guarantee the confidentiality of the interviews and discussions.

You further reported, during the telephone conversation, that the Government of Zaire also requested that it must see the reports and findings of the Commission before it departs from Zaire.

Gaye states in his cable that the Government of Zaire requests that the Secretary-General assist in interpreting resolution 1013 (1995).

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

OUTGOING CODE CABLE

TO: KITTANI/GOULDING, UNATIONS, NEW YORK

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: KHAN, UNAMIR, KIGALI Shaliza Khan

DATE: 14 DECEMBER 1995

NO.: MIR _____

NO. OF PAGES: 2

SUBJECT: **Commission of Inquiry**

1. Reference is made to your code cable 3862 of 13 December 1995 on the above subject.

2. In this connection, Mr. Gaye, UNAMIR's Liaison Officer in Zaire, has confirmed that the Commission of Inquiry arrived in Kinshasa on 8 December as scheduled.

3. The Commission met with the Ministers of Foreign Affairs, Defense, Justice and the Interior as well as Representatives of some United Nations Agencies and NGOs. The Chairman of the Commission is scheduled to be received this morning by the Prime Minister to whom he will deliver a message of the Secretary-General.

4. Commission members also held consultations with the Ambassadors of France and Belgium and are scheduled to meet with the Ambassadors of the United States and Germany today.

.../...

5. Mr. Gaye has also confirmed that Inspector Hanssens and Colonel Mutanda left early this morning for Nairobi. They are expected to arrive in Kigali tomorrow 15 December.

6. The remaining members of the Commission including the Chairman are scheduled to leave Kinshasa for Nairobi on Saturday 16 December.

7. Mr. Gaye has also informed us that, so far, no reply has been received regarding the Commission's request for an appointment with President Mobutu. The President is, apparently, on a trip abroad.

8. According to Mr. Gaye, the Chairman has informed the Zairean authorities that the Commission would return to Zaire in the first week of January 1996 to visit the Goma and Bukavu areas for a period or 10 to 15 days. Despite the Government's declared opinion that 10 days should be sufficient to conduct the inquiry in these border areas, the authorities have raised no objection to that schedule.

9. Best regards.

C

RECEIVED
14 DEC 1995
OFFICE OF THE SRSG
UNAMIR

CNR 347 P 1/1

OUTGOING CODE CABLE

UNAMIR
1995 DEC 14 A 7:09

TO: KHAN, UNAMIR, KIGALI
FROM: KITTANI, UNATIONS, NEW YORK
DATE: 13 December 1995
NUMBER: 3862

SUBJECT: **Commission of Inquiry**

Copy Tikoca 14.12.95

1. The Chairman of the International Commission of Inquiry informed us last week that the Commission was planning to travel to Kinshasa on 8 December and that on 14 December two of its members, Inspector Hanssens and Colonel Mutanda would proceed to Kigali for discussions with Rwandese authorities.

2. Since we have no confirmation that the Commission members have arrived in Kinshasa, we would appreciate it if you would obtain that information from Gaye or from the members who are expected in Kigali tomorrow. We would also like to have some indication that the work of the Commission in Zaire is proceeding without major problems. Many thanks and best regards.

WANTED pl. get in touch with Gaye and send a report. + PKO. Sec. 14.12

Reçu le 14 DEC. 1995

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

UNAMIR
1995 NOV 23 P 2: 17

UNAMIR
1995 NOV 23 P 2:

CRN 413

P1/3

OUTGOING CODE CABLE

TO: KITTANI/GOULDING, UNATIONS, NEW YORK

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: KHAN, UNAMIR, KIGALI

DATE: 23 NOVEMBER 1995

NO.: MIR 3995

NO. OF PAGES: 3

SUBJECT: **Commission on arms flow**

1. Please find attached for your information a note on the position of the Government of Zaire concerning the work programme of the United Nations International Commission of Inquiry, as reported by Mr. Cheikh Gaye, UNAMIR's Liaison Officer in Kinshasa.

2. Best regards.

UNAMIR
1995 NOV 23 P 2: 22

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

UNAMIR-MINUAR

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

CRN 4/3
P2/3

NOTE AU REPRESENTANT SPECIAL

Objet : **Entretiens téléphoniques avec M. Cheikh GAYE**

1. Comme convenu, j'ai téléphoné en fin de matinée à M. Gaye pour m'enquérir de l'évolution de la situation en ce qui concerne l'arrivée au Zaire de la Commission d'enquête des Nations Unies sur les transferts d'armes. M. Gaye m'a informé que le Vice-Premier Ministre et Ministre des Affaires Etrangères, M. Kamanda Wa Kamanda, le recevrait à ce sujet, ce jour, à 13 heures et qu'il allait nous rendre compte de cet entretien dès qu'il aura terminé.

2. N'ayant reçu aucune communication de M. Gaye jusqu'à 17 heures (M. Gaye m'a dit à ce sujet avoir essayé vainement de nous joindre), je l'ai rappelé vers 17 h 30. Il m'a alors communiqué les informations suivantes :

(i) M. Kamanda Wa Kamanda l'a effectivement reçu à 13 heures, entouré de quatre (4) de ses collaborateurs. A cette occasion il lui a confirmé tous les points que le Conseiller Politique du Premier Ministre lui avait déjà communiqués et qui avaient fait l'objet de son fax à l'Ambassadeur Kassem.

(ii) Le Gouvernement Zaïrois ne comprend pas qu'on ait levé l'embargo sur les livraisons d'armes au Rwanda et qu'après on décide, par l'adoption de la résolution 1013 du Conseil de Sécurité, d'envoyer au Zaïre une commission d'enquête. Le Gouvernement du Zaïre ne manquera pas de faire la réponse appropriée à la Note Verbale de notre Bureau de Liaison annonçant l'arrivée de cette Commission. A cette occasion, le Gouvernement fera connaître son point de vue sur la manière dont une telle commission devrait travailler.

(iii) Le Gouvernement du Zaïre reste opposé à la conférence de presse que la Commission se propose de donner à son arrivée à l'aéroport. Il estime qu'une telle conférence devrait se donner à la fin de la mission au Zaïre et non avant.

../...

CRNP 3/3
413

(iv) Quant à la question de traverser la frontière tous les jours pour aller passer la nuit à Gisenyi, le Gouvernement considère un tel arrangement comme une insulte au Zaïre, car cela laisserait entendre que le Zaïre n'a pas de quoi loger les membres de la Commission à Goma.

(v) Le Gouvernement tient à être associé intimement à la définition des termes de référence de la Commission et à l'organisation de son séjour sur le sol Zaïrois. Il n'entend donc pas qu'un programme lui soit imposé. Le séjour de la Commission dans la région de Goma doit être minutieusement préparé par le Gouvernement. Il y va de la sécurité des membres de la Commission, car procéder autrement serait dangereux. Les mines et les bombes en tous genres foisonnent dans cette région où 15 Tutsi du Rwanda viennent d'être arrêtés pour des activités terroristes. Ces personnes ont été transférées à Kinshasa et seront prochainement présentées à la presse internationale.

(vi) Le Gouvernement du Zaïre tient à souligner que la responsabilité d'assurer la sécurité de la Commission une fois que celle-ci est sur le sol Zaïrois lui revient entièrement. Il a donc l'intention de l'assumer pleinement.

(vii) Le Gouvernement va donc s'atteler à la préparation de la visite de la Commission et avisera M. Gaye sous peu.

3. M. Kamanda Wa Kamanda a saisi l'occasion de cet entretien pour livrer à M. Gaye quelques réflexions sur l'initiative du Président Carter. A cet égard, il a déclaré que, de l'avis de son Gouvernement, l'initiative du Président Carter vise essentiellement à débloquer l'impasse dans laquelle, du fait de l'opposition rwandaise, s'est retrouvée la mission de l'ONU conduite par l'Ambassadeur Jesus. Il ne s'agit donc pas de la part de Carter de se substituer à l'ONU, mais au contraire, d'ouvrir la voie à la Conférence de l'ONU. Carter aurait encore quelques points à clarifier à ce sujet à Kampala, particulièrement en ce qui concerne les rapports entre le Rwanda et la MINUAR.

4. M. Gaye m'a rappelé quelques instants après ce second entretien téléphonique pour me dire que le Directeur de Cabinet du Ministre des Affaires Etrangères et le Conseiller Politique du Premier Ministre venaient de l'alerter, tous les deux, à propos d'une information selon laquelle la Commission serait arrivée à Kinshasa aujourd'hui. Je lui ai dit qu'à ma connaissance, la Commission était toujours à Nairobi.

W.S.

Wilfrid de Souza
22 novembre 1995

CNR 319 P 1/2

OUTGOING CODE CABLE

UNAMIR
NOV -7 A 07

TO: KHAN, UNAMIR, KIGALI
FROM: KITTANI, UNATIONS, NEW YORK
DATE: 6 November 1995
NUMBER: 3475
SUBJECT: International Commission of Inquiry

Copy: ED Legal Protocol

1. Please find attached the Tanzanian Ambassador's reply, dated 30 October, to our letter of 24 October, copy of which was sent to you. You may wish to share the content of this communication with the members of the Commission.

2. We understand the Ambassador's point that it may be difficult to obtain Tanzania's concurrence to the Commission's visit until the final election results are known. We will, of course, pursue this matter with the Permanent Representative here and will keep you fully informed.

3. On the other hand, it may be helpful if the Commission would advise us in due course of their tentative itinerary and work programme, so that we can inform the Tanzanian Ambassador as requested by him.

Best regards.

RECEIVED
06 NOV 1995
OFFICE OF THE SRSG
UNAMIR

Pl keep for commission's visit

ED.

SRSG

RECEIVED
OASG/DPKO
NOV - 3 1995

UNITED REPUBLIC OF

TANZANIA

CNR 319 P 2/2

PERMANENT MISSION TO THE
UNITED NATIONS
205 EAST 42ND STREET, ROOM 1300
NEW YORK, NEW YORK 10017
Tel: (212) 972-9160
Fax: (212) 682-5232

TZNY/D.60/93

30 October 1995

Mr. S. Iqbal Riza
Assistant Secretary General
for Peace-keeping Operations
Room 3720
United Nations Headquarters
New York, N.Y. 10017

Dear Mr. Riza,

Reference is made to your letter of October 24 on implementation of Security Council Resolution 1013 of September 7 on the establishment of an International Commission of Inquiry to investigate reports of military training and arms transfer to former Rwandese government forces in the Great Lakes region.

I am aware of the said resolution and have already reported to my capital.

Before I could confirm my Government's willingness to receive the Commission, I would appreciate very much if a tentative schedule could be sent to me for onward transmission to Dar-es-Salaam.

As I am writing this response to your letter, my country is in the midst of a Presidential and Parliamentary elections. I am sure you will appreciate given that kind of exercise a response from Dar-es-Salaam might take some time. We expect in two weeks time to have in place a new President and Government.

While I am in total agreement with the Secretariat's wish for a firm stand against any sign of destabilization, you will no doubt appreciate my predicament in the circumstances. All the same, I am reporting to the Capital for necessary instructions.

Assuring you of my highest consideration.

Daudi N. Mwakawago
Ambassador

10

UNITED NATIONS NATIONS UNIES
ASSISTANCE MISSION FOR RWANDA MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR

UNAMIR - MINUAR

UNAMIR
1995 NOV -6 A 8:30

UNAMIR
1995 NOV 6 A 8:46

OUTGOING FAX NO. 5959

MIR NO.

MISC NO. 3725

TO: GAYE DIRECTOR UNAMIR LIAISON OFFICE KINSHASA - ZAIRE	FROM: DE SOUZA EXECUTIVE DIRECTOR UNAMIR KIGALI, RWANDA
ATTN: INFO:	DATE: 6 NOVEMBER 1995
FAX NO: 212-376-9466	PHONE: 212-963-3093 FAX NO: 212-963-3090
ORIGINATOR:	SECTION: OSRSG
SUBJECT: **International Commission of Inquiry**	

Please find attached, for your information, copy of a code cable we received on the above mentioned subject.

Regards.

CNR-315 P1/5

ED
1/01/95

UNITED NATIONS
PEACE OPERATIONS
1995 OCT 31 P 8:45

OUTGOING CODE CABLE

RECEIVED
01 NOV 1995
OFFICE OF THE SRSG
UNAMIR

TO: KHAN, UNAMIR, KIGALI

FROM: ANNAN, UNATIONS, NEW YORK

DATE: 31 October 1995

NUMBER: 3425

SUBJECT: International Commission of Inquiry

1. Please find attached copies of two letters dated 24 October 1995 addressed respectively to the Chargé d'Affaires of Zaire and to the Permanent Representative of Tanzania concerning the forthcoming visit to those countries of the International Commission of Inquiry.

2. It may be helpful if you would let Mr. Gaye have a copy of the letter addressed to the Zaire Chargé d'Affaires.

Best regards

Vu
1-11-95
WS

Pl. send a copy
to Gaye
1-11
ED

UNITED NATIONS NATIONS UNIES

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

REFERENCE:

24 octobre 1995

Monsieur le Chargé d'Affaires a.i.,

J'ai l'honneur de me référer à la résolution 1013 (1995) du 7 septembre 1995, par laquelle le Conseil de sécurité a prié le Secrétaire général d'établir d'urgence une commission internationale chargée d'enquêter sur les informations selon lesquelles des membres des anciennes forces gouvernementales rwandaises se trouvant dans des pays voisins du Rwanda recevraient un entraînement militaire ainsi que des armes.

Les préparatifs nécessaires à l'établissement de la Commission sont maintenant terminés et les membres de la Commission se rendront sous peu au Rwanda, où ils commenceront leurs travaux, puis au Zaïre peu de temps après. Ils se rendront aussi au Burundi, en République-Unie de Tanzanie, en Ouganda, ainsi qu'au Rwanda.

Comme vous le savez certainement, dans sa résolution, le Conseil de sécurité a demandé aux gouvernements des États sur le territoire desquels la Commission accomplira sa tâche de coopérer pleinement avec elle à l'exécution de son mandat. Je suis persuadé que le Gouvernement zaïrois offrira son plein appui à la Commission. Je voudrais d'ailleurs rappeler que c'est de lui que vient à l'origine l'idée d'établir cette commission d'enquête.

Comme vous en conviendrez certainement, il est indispensable que tous les gouvernements des pays des Grands Lacs prennent fermement position contre la menace croissante de déstabilisation dans la région. La Commission internationale d'enquête a précisément été établie à cette fin, notamment en permettant l'instauration de conditions propres à faciliter le retour de réfugiés rwandais dans la sécurité et la dignité.

Monsieur Lukabu Khabouji N'Zaji
Chargé d'Affaires a.i. de la
République du Zaïre auprès de
l'Organisation des Nations Unies
North Caldwell, N.J. 07006

Veuillez agréer, Monsieur le Chargé d'Affaires, les assurances de ma très haute considération.

Le Sous-Secrétaire général aux
opérations de maintien de la paix

S. Iqbal Riza

UNITED NATIONS NATIONS UNIES

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

REFERENCE:

24 October 1995

Dear Mr. Ambassador,

I wish to refer to Security Council resolution 1013 of 7 September 1995 by which the Council requested me to establish, as a matter of urgency, an International Commission of Inquiry to investigate reports of military training and arms transfer to former Rwandese government forces in the Great Lakes region.

The terms of reference of the Commission are outlined in operative paragraph 1 of resolution 1013. Its membership is as follows:

Ambassador Mahmoud Kassem, Egypt (Chairman)
Inspector Jean-Michel Hanssens, Canada
Colonel Jürgen G.H. Almeling, Germany
Lt. Colonel Jan Meijvogel, Netherlands
Brigadier Mujahid Alam, Pakistan
Colonel Lamek Mutanda, Zimbabwe

The Commission is due to proceed to Rwanda on 2 November and to Zaire shortly thereafter. The Commission is also expected to visit Burundi, Uganda and Tanzania.

I should be most grateful if you could confirm that your Government is prepared to receive the Commission and lend its assistance to it.

In this connection, you will recall that in its resolution, the Security Council called upon the Governments of States in which the Commission will carry out its mandate to co-operate fully with it. I am confident, therefore, that the Government of the United Republic of Tanzania will extend its full support to the Commission.

His Excellency
Mr. Daudi Ngelautwa Mwakawago
Permanent Representative of the
United Republic of Tanzania
to the United Nations
New York

As I am sure you will agree, it is necessary at this time for all the Governments in the Great Lakes region to take a firm stand against the growing threat of destabilization in the area. The International Commission of Inquiry is meant to pave the way to the attainment of this goal, inter alia, by fostering conditions that will facilitate the voluntary return of Rwandese refugees in conditions of security and dignity.

Yours sincerely,

S. Iqbal Riza
Assistant Secretary-General
for Peace-keeping Operations