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### SECOND REPORT OF THE SECRETARY-GENERAL ON SECURITY IN THE RWANDESE REFUGEE CAMPS

#### I. INTRODUCTION

1. The present report is submitted in pursuance of the statement by the President of the Security Council dated 30 November 1994 (S/PRST/1994/75), in which the Security Council stressed that a determined effort must be made by the international community to promote the repatriation of the Rwandese refugees, to reduce intimidation of prospective returnees and to improve security in the Rwandese refugee camps, especially those in Zaire. To that end, the Security Council requested me, *inter alia*, to continue to explore, as appropriate, all possible means of addressing the problems of security in the Rwandese refugee camps.

2. While there have been some positive developments since my report of 18 November 1994 (S/1994/1308) in respect of the creation of conditions conducive to repatriation, the continuing presence of nearly 2 million Rwandese refugees in Burundi, the United Republic of Tanzania and Zaire is a matter of serious concern. The general security situation in the camps remains dangerous for both refugees and relief workers. The situation is also potentially destabilizing for the host countries and for the subregion as a whole. The only effective solution to this problem remains the safe and voluntary repatriation of the refugees. Accordingly, and taking into account the improving situation within Rwanda, the Office of the United Nations High Commissioner for Refugees (UNHCR) reiterated, in December 1994, that it would assist, wherever possible, the voluntary return of those refugees who wished to go back to Rwanda.

3. The Government of Rwanda has signed tripartite agreements with UNHCR and the Governments of Burundi and Zaire respectively on the voluntary repatriation of refugees. These agreements define the conditions for repatriation, including returnee protection and land tenure. The Governments of Rwanda and the United Republic of Tanzania are also involved in an ongoing dialogue on issues affecting the refugees in the latter country and their repatriation to Rwanda.

4. So far, only 200,000 refugees out of those who left the country after 6 April 1994 have returned to Rwanda. As indicated in my report of 18 November, the combined factors of intimidation by the former government leaders, military

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and militia of refugees who wish to return to Rwanda and the concern on the part of the refugees that they may face reprisals and/or may not be able to regain their property once they do return to the country continue to be the main factors impeding repatriation.

5. In pursuance of the Security Council's presidential statement of 30 November, I dispatched a joint technical team from the Department of Peace-keeping Operations and UNHCR, to Rwanda, the United Republic of Tanzania and Zaire from 11 to 19 December to review the situation prevailing in the refugee camps. The team's findings are summarized below.

## II. PRESENT SITUATION

### A. Refugees in Burundi

6. There are approximately 200,000 refugees, mostly from southern Rwanda, in Burundi, primarily in the northern region of the country. There is constant movement of refugees in this area, as Rwandese continue to seek security in Burundi and both Rwandese and Burundi nationals continue to move to the United Republic of Tanzania in search of more secure conditions.

7. Considering the very sensitive nature of the security problems in Burundi, UNHCR's efforts to address security in the refugee camps essentially have centred around improved monitoring of the prevailing conditions, through an effective field presence and vigorous démarches with the civilian and military authorities. UNHCR plans to continue to pursue this course of action, and is assigning an increased number of experienced officers not only to the regions of Burundi hosting refugees but also to the capital.

### B. Refugees in the United Republic of Tanzania

8. There are approximately 600,000 Rwandese refugees living in eight camps in the United Republic of Tanzania. While the population of these camps continues to increase, this influx, as noted above, consists mostly of Rwandese refugees from Burundi and Burundi nationals seeking more secure conditions.

9. The camps in the United Republic of Tanzania are relatively more secure and better organized than those in Zaire, mostly because fewer refugees fled to this area and the relief community was already established in the area before the influx took place. As in Zaire, the refugees have created governing structures similar to those that existed in Rwanda, beginning at the prefecture level and extending down to the commune level. They have chosen leaders who exercise authority at all levels of this hierarchy. (Some of these leaders held the same positions before the war.) As in refugee camps elsewhere, the local governing structure in the Rwandese camps in Zaire and the United Republic of Tanzania provides a sense of organization in the camps, as well as a security mechanism and facilitates the delivery of relief assistance.

10. The refugees in the Tanzanian camps have been registered and assistance therefore delivered directly to them. Hence, there is no scope for the misuse

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of assistance by refugee leaders, as has been the case in Zaire. However, extremist elements in the camps in the United Republic of Tanzania are reported to have considerable influence over the refugee population, though to a lesser extent than in Zaire.

11. The Tanzanian Government and UNHCR have determined that security in the camps can be enhanced through the deployment of Tanzanian police personnel. These personnel not only must be sufficient in number but must also be adequately equipped to maintain law and order. So far, 310 Tanzanian police, both general duty and special forces, have been assigned to the refugee camps. They are currently receiving assistance from UNHCR, covering such items as tents and food rations, as well as incentive allowances. UNHCR has also made vehicles and communications equipment available to the Tanzanian police force.

12. The refugee population has also created its own security force, the "refugee guardians", which cooperates with the Tanzanian police force. While conditions are currently stable in the camps, it is nevertheless felt that, given the degree of control the leaders have over the camp population, they could easily allow the security situation to deteriorate, should it be in their interest to do so.

#### C. Refugees in Zaire

13. There are approximately 1.4 million Rwandese refugees living in the camps in Zaire. These camps continue to be the most potentially explosive, with the most acute security situation in the camps north of Lake Kivu, in the Goma region, where approximately 850,000 refugees are located. It is therefore considered that, while further steps need to be taken to increase security in the camps in the United Republic of Tanzania and Burundi, priority should be accorded to increasing security in the camps in Zaire, especially in the Goma region.

14. For the most part, the refugees in the Goma area of Zaire fled Rwanda in mid-1994. The political leaders of the former Government, as well as their armed forces and the militia, fled to this area together with countless civilians as the Rwandese Patriotic Front (RPF) gained control over the western part of Rwanda in the last days of the war. As a result, the refugee population in Zaire tends to include more political, military and militia elements of the former Government than the camps in the United Republic of Tanzania or Burundi and their hostility towards the Government in Kigali is reflected in actions that have led to insecure conditions in the camps.

15. More specifically, the refugees are intimidated from publicly expressing their desire to return to Rwanda. The lives of such people, as well as the lives of politically moderate refugees or those who may have intermarried or are suspected of being infiltrators are seriously threatened and some of them are known to have been killed. There is also a significant threat of civil disturbances in the camps. This threat is especially acute when refugees congregate together, for example, when relief supplies are distributed. In addition, as in any area containing a large number of people living in high-density and impoverished conditions, common crime is prevalent in the camps.

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16. The threat to the safety of international relief workers is also significant. There are now 45 non-governmental organizations (NGOs) and about 1,600 international relief workers in the Goma area alone. A large number of local Zairian and Rwandese relief personnel also work in the camps. The security threat to these relief workers includes harassment, especially on their way to and from the camps when they are frequently stopped, in some cases at gunpoint, and asked to pay tolls or are threatened for other reasons. There is also a significant risk that relief workers can be caught up in civil disturbances or incidents between refugees themselves. Some relief workers have been threatened by refugees who for some reason wrongly perceive them to be opposed to their interests.

17. Initially, the leaders in the camps were called upon to facilitate the delivery of relief assistance. Unfortunately, they misused this responsibility by using the delivery of assistance to persuade refugees to behave according to their interests and by hoarding and/or selling such assistance rather than distributing it. As a result, the incidence of malnutrition, especially in the most vulnerable groups, including women, children and the elderly, was initially much higher than it should have been given the level of assistance provided. Recently, it has however been possible to provide assistance more directly to the beneficiaries and, as a result, both the negative influence of the camp leaders and levels of malnutrition have been reduced. In addition, UNHCR is about to proceed with the registration of refugees in the camps, which will also help to ensure more effective delivery of relief assistance.

18. The Government of Zaire has taken steps in recent months to enhance the security situation in the camps. As a result, the security situation has improved somewhat since my last report. However, it is assessed that the potential for serious disturbances remains extremely high.

19. Recently, Japanese and United States seismologists have detected new signs of a possible volcanic eruption in the seismically active area of Goma. A UNHCR task force is preparing contingency plans for evacuation from camps that might be affected, including the identification of temporary sites for the relocation of the refugee population concerned. In the meantime, seismic activity is being monitored on a regular basis.

20. The majority of refugees are aware that their long-term interests will be served only by returning to Rwanda and that assistance cannot be provided to them indefinitely in the camps. It is assumed that at least 25 per cent of the refugees would not face land tenure problems upon their return to Rwanda and that, under present conditions, 25 to 50 per cent of the refugees could return in the next 6 to 12 months. UNHCR also considers that, if security is provided for repatriation, the rate of voluntary return to Rwanda would increase

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### III. MEASURES FOR THE ESTABLISHMENT OF SECURE CONDITIONS IN THE CAMPS

#### A. Peace-keeping operation

21. In its presidential statement of 30 November, the Security Council requested me to consult with potential troop-contributing countries to assess their willingness to participate in a possible peace-keeping operation to enhance security in the camps modelled along the lines described in paragraphs 18 to 25 of my report of 18 November. The Council also requested me to provide a detailed description of the objectives, rules of engagement and costs of such an operation. Accordingly, the joint Department of Peace-Keeping Operations/UNHCR technical team was asked to collect pertinent information for use in the formulation of recommendations along the lines requested by the Security Council.

22. It will be recalled that the objective of the peace-keeping operation outlined in paragraphs 18 to 25 of my 18 November report was to provide security for international relief workers, protection for the storage and delivery of humanitarian assistance and safe passage to the Rwandese border for those refugees who wish to return to Rwanda. It was estimated that a force size of approximately 3,000 all ranks would be required to carry out these tasks in the camps north of Lake Kivu. A parallel operation, launched simultaneously in the area south of Lake Kivu, where conditions are marginally more secure, would require an additional 2,000 troops.

23. The proposed peace-keeping operation was to be conducted in two phases. During the first phase, two mechanized battalions would cordon off and establish secure areas in the camps, within which local security units would be formed and trained by international security experts. During the second phase of the operation, once reasonably secure conditions were deemed to have been created, the local forces would take over the security functions being performed by the peace-keeping troops, with back-up support provided by a smaller group of United Nations military personnel. The mechanized battalions would then move forward to create similar secure areas in other locations.

24. The joint technical mission confirmed the feasibility of such an approach, but considered that the operation would require more than the originally estimated 3,000 to 5,000 troops. It estimated that the tasks in the north Kivu region alone would require a force of 4,100, including military logistic support units, instead of 3,000 as indicated in my report of 18 November. The mission further concluded that a similar operation in the south Kivu region also would require a substantially stronger force than originally anticipated. The rules of engagement for such an operation would, in accordance with normal practice, authorize the use of force in self-defence, including against forcible attempts to impede the discharge of the operation's mandate. In addition, as foreseen for the United Nations Assistance Mission in Rwanda (UNAMIR) under resolution 918 (1994), the force would be authorized to take action against persons or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief.

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25. Since the adoption of the presidential statement of 30 November, I have consulted with about 60 potential troop-contributing countries to ascertain their readiness to make available the troops necessary to undertake such an operation. As of 23 January, only one country had formally offered a unit. Under these circumstances, it is clear that the option of deploying a peace-keeping force to address the security issues in the refugee camps in Zaire is not feasible. Accordingly, it has not been considered necessary to prepare cost estimates for this option.

### B. Alternative measures

#### 1. An international police/military observer group

26. In its presidential statement of 30 November, the Security Council also requested me to assess the possibility of interim measures aimed at providing immediate assistance to the Zairian security forces in protecting humanitarian operations in the camps, including the possibility of deploying security experts, from member Governments or through contractual arrangements, to train and monitor the local security forces. Towards this end, the joint Department of Peace-Keeping Operations/UNHCR technical mission explored the possibility of an approach based on the deployment of Zairian security forces, which would assume responsibility for improving security in the camps, with the support of a group of United Nations civilian police and military observers.

27. In order to enhance security in the camps, it was considered that the local security forces should perform the following tasks:

(a) Patrolling. As noted above, refugees suffer from the high incidence of common crime, in addition to intimidation. Relief workers can also be easily caught up in civil disturbances. A 24-hour patrolling presence of security personnel could help to maintain law and order, thus alleviating such threats. These personnel would gradually develop relations with the refugees and their governing structures and would work with them in controlling and abating the incidence of common crime;

(b) Escort and guarding of static points. Given the risks present in travelling to and from Goma, an escort capacity should be created to accompany relief workers when travelling at night and in the early morning. A security presence would also be of benefit at static positions in the camps, including, for example, at aid-distribution points, UNHCR and NGO focal sites, hospitals, feeding centres and dispensaries. A security presence would also be required to keep a sense of order and calm during the census and registration of the refugees, which UNHCR is planning to conduct in the camps in the near future;

(c) Storage and transport of humanitarian assistance. The main security issue related to the storage of relief assistance is the looting of warehouses. While these areas are currently guarded, the problem of looting has not been alleviated. An additional security presence, as well as increased lighting and fencing, are therefore required. The transport of assistance to and from the warehouses is deemed to be threatened at this time;



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(d) Security for repatriation. Enhanced security is of particular importance to facilitate the repatriation of refugees who have expressed the wish to return to Rwanda. At present, just indicating a desire to return to Rwanda can put refugees in considerable danger. It is therefore considered essential that, upon indicating to relief workers their desire to return to Rwanda, refugees should be offered security, including immediate transfer to transit camps. Such camps would be established in Zaire at some distance from the refugee camps to house refugees until they can be transported to the border. These camps would require a 24-hour security presence. Security for the transportation of refugees to the border, which is now provided, should be strengthened.

28. As indicated above, it was envisaged that these tasks could be carried out by a local security force. A group of approximately 150 to 200 United Nations civilian police officers would be required to train and monitor the local forces. In addition, about 30 to 50 military observers would be deployed to liaise with the local forces at the command level on issues related to the overall implementation of the operation. The military observers would also assist coordinate repatriation.

29. During my meeting with him on 15 December 1994, the Prime Minister of Zaire, H.E. Mr. Kengo Wa Dondo, confirmed to me his Government's readiness to provide the troops necessary to enhance security in the camps. I therefore instructed my Special Representative for Rwanda, Mr. Shaharyar Khan, to visit Kinshasa to discuss with Zairian officials the possibility of the Government of Zaire undertaking these tasks, on the understanding that the international community would be encouraged to assist with an appropriate level of logistic and financial support.

30. Mr. Khan visited Kinshasa from 28 to 31 December. He was accompanied by a representative of UNHCR as well as the UNAMIR Deputy Force Commander and logistic experts. In Kinshasa, Mr. Khan was received by the Prime Minister and met with the Ministers of Defence, Justice, Foreign Affairs and the Interior. Technical talks were also held at the working level. Zairian officials indicated their Government's hope that the refugees would soon return to Rwanda. They stressed that effective steps should be taken in Rwanda to ensure that repatriation could take place in conditions of safety and dignity. They also reiterated the Zairian Government's commitment to address the security situation in the camps and indicated its readiness to initiate prompt action in that regard, with the cooperation and support of the United Nations.

31. The Government of Zaire indicated that it would be prepared to deploy a national security force of about 1,500 to 2,500 troops to the camps. Through technical discussions, the modalities of the logistic and other external support needed for these troops were considered. The Government welcomed the proposal that international police and military observers be deployed to the area to provide technical advice to the local security force and to monitor and coordinate the operation. However, it pointed out that it did not favour deployment of United Nations peace-keeping troops to the camps.

32. In order to pursue this option, nearly 50 Member States were contacted to ascertain their willingness to provide police personnel, stressing the



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importance of French-speaking personnel. As of 23 January, only four countries had expressed an interest in providing civilian police personnel and only one of these countries was French-speaking. As regards military observers, it was felt that, in order to expedite implementation, the military observers could perhaps be provided by UNAMIR on a temporary basis, subject to the concurrence of the contributing countries concerned. These countries have been consulted in this regard. However, only one of them has so far responded that it would, in principle, be prepared to allow its military observers to operate in Zaire. It therefore seems that this second, more modest, approach to enhancing security in the camps in Zaire faces difficulties and cannot be pursued, at least at present.

33. Mr. Khan also visited the United Republic of Tanzania on 4 and 5 January 1995, where he was received by President Mwini and Prime Minister Msunya. While in Dar-es-Salaam, he also met with the Chief of Defence Staff of the Tanzanian Army and the Inspector-General of the Police. The Tanzanian Government also indicated its view that the refugees should return to Rwanda and that efforts should be continued to ensure that conditions conducive to voluntary repatriation of the refugees were created inside the country.

34. As noted above, at present, 310 Tanzanian police officers are providing security in the camps. The Government indicated that it would be prepared to increase this force to 500, but that it would require logistic and operational support from external sources in order to do so. Some support towards this end is currently being provided by the Government of the Netherlands through UNHCR.

## 2. Contractual arrangements

35. Another possibility, which has been explored by the Secretariat on a contingency basis, is the provision of training and monitoring support to the local security forces through contractual arrangements with a private organization. Under such arrangements, a local force would be trained by a team of 50 international instructors, 10 of whom would remain behind after the initial training was completed to provide further on-the-job training assistance. An additional 40 international experts would be required to monitor the operation and for liaison and coordination functions. It is estimated that the training programme would take a period of one month for each group of local personnel trained and that, within two months of the start of the operation, the first group of local personnel could be deployed to its area of operations. Within four months, the entire local force would be trained and deployed to the camps both north and south of Lake Kivu.

36. The possibility of undertaking such an operation, including the provision of logistic and other support to the local security forces, has been discussed with UNHCR. However, initial financial estimates show that an operation of this nature would be costly. Moreover, since it would have to be funded entirely through voluntary contributions, UNHCR does not feel that it would be able to mobilize the necessary resources, especially since some potential donor Governments have indicated that they would not be in favour of this approach.

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#### C. Security measures through UNHCR

37. Since the various options described above do not appear feasible, at least at the present stage, I have recently held further consultations on the problem of security in the refugee camps, especially those in Zaire, with the United Nations High Commissioner for Refugees, Mrs. Sadako Ogata. As a result of these consultations, it has been decided that UNHCR would follow up with the Government of Zaire on the discussions held by my Special Representative, with a view to concluding appropriate arrangements, under UNHCR's refugee protection and humanitarian assistance mandate, to enhance security in the camps. I have informed the Prime Minister of Zaire accordingly and have expressed to him the hope that these discussions would lead to the early definition and implementation of mutually acceptable arrangements to enhance the safety and security of the Rwandese refugees in Zaire.

38. UNHCR has dispatched a Special Envoy to Kinshasa for this purpose. UNHCR will keep me informed of the progress made in this regard and I shall advise the Security Council accordingly. UNHCR will also continue to explore means of augmenting support to the Tanzanian Government to enable it to increase the level of security it is currently providing in the camps. As regards the refugee camps in Burundi, UNHCR has indicated that, for the time being, the security situation in these camps is being adequately addressed through the measures described in paragraph 7 above. UNAMIR, for its part, will continue to coordinate closely with UNHCR in facilitating the safe and voluntary repatriation of the refugees to Rwanda.

#### IV. OBSERVATIONS

39. The scope and complexity of the problems in the Rwandese refugee camps, especially those in Zaire, represent an unprecedented challenge. It is therefore not surprising that the search for an appropriate solution to these problems has been a difficult process. As the present report demonstrates, the options aimed at enhancing security in the camps through a peace-keeping operation, under one form or another, do not appear viable, at least at the present time.

40. Peace-keeping is essentially an instrument for conflict management and resolution. It is true that in recent years it has undergone an important quantitative and qualitative evolution. However, it is not designed and has not generally been used to ensure security in refugee camps. Indeed, it has traditionally been the responsibility of the host countries to provide security to the refugees located on their territory, albeit with an appropriate level of support from the international community.

41. I therefore understand the hesitations of Member States regarding the idea of seeking a solution to the security problems in the camps through the instrument of peace-keeping. There is no doubt, however, that the innocent civilians, who fled Rwanda in the wake of a devastating civil war and are exposed daily to intimidation and violence in the camps, deserve the continued attention and assistance of the international community, both where they are now and in their efforts to return to their country. Furthermore, the humanitarian

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relief personnel, who are risking their lives to ensure that basic assistance reaches the refugees, should be provided with adequate security to be able to carry out their work effectively. I therefore strongly urge the international community to support the efforts of UNHCR, in cooperation with the Governments of Zaire and the United Republic of Tanzania, to put in place satisfactory security arrangements in the camps and to provide generously the resources required for this purpose.

42. Strengthening security in the camps is an indispensable step for creating conditions conducive to the voluntary repatriation of the refugees. However, as I stressed in my report of 18 November, any effort to provide security in the camps would be futile unless parallel steps are also taken inside Rwanda to ensure that the refugees can return to their home communities without fear of retribution or persecution and to promote genuine national reconciliation between all segments of Rwandese society. Until now the Government of Rwanda, which assumed power in a traumatized and shattered country, with its infrastructure virtually destroyed and its inhabitants severely dislocated, has been bereft of even the minimum resources to begin to restore normal conditions. The commitments made at the recent Round-table Conference on Rwanda and in response to the consolidated inter-agency appeal bring some hope that this process now can commence. This in turn would promote the prospects of reinvigorating the political process and providing a framework for the action to be taken to address security in the camps and repatriation of the refugees to Rwanda, as suggested by the Security Council in its statement of 30 November 1994.

43. The summit meeting of the leaders in the subregion, held in Nairobi on 7 January 1995, made a useful contribution towards the definition of such a framework. This meeting brought together the Presidents of Burundi, Kenya, Rwanda, the United Republic of Tanzania, Uganda and Zambia and the Prime Minister of Zaire. My Special Representative for Rwanda also attended the meeting. The regional leaders emphasized the close relationship between improving both security in the refugee camps and conditions inside Rwanda in order to create an environment conducive to the voluntary repatriation of the refugees. In this connection, they affirmed their support for the establishment and operationalization of the International Tribunal for Rwanda; the separation of suspected perpetrators of genocide from innocent refugees and the separation of intimidators from the refugee camps, as well as the establishment of safe corridors from refugee camps to the Rwandese border and of safe corridors and transit points inside Rwanda. They commended the Government of Rwanda for the steps it has so far taken to establish a broad-based government administration and urged the Government, towards this end, to deepen its efforts in the spirit of the Arusha peace accord. They further urged the Government of Rwanda to put in place additional confidence-building measures to encourage the voluntary return of refugees. The regional leaders also urged the international community to increase its economic support for the rehabilitation and reconstruction of Rwanda.

44. The progress achieved at the regional summit of 7 January should facilitate the work to be undertaken during the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region to be hosted by the Organization of African Unity and UNHCR in Bujumbura on 13-14 February.

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preparatory meeting for the Conference was held in Addis Ababa on 9 January. I hope that the Conference will lead to further progress in creating the conditions necessary for the refugees and displaced persons to return to their homes in safety and dignity and that it will open the way to the holding of a broader conference aimed at identifying long-term solutions to promote and ensure peace, security and development in the subregion. Preliminary consultations with interested Governments are currently under way to develop a consensus on the issues to be addressed by such a conference.

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ORIGINAL : ANGLAIS**DEUXIÈME RAPPORT DU SECRÉTAIRE GÉNÉRAL SUR LA SÉCURITÉ  
DANS LES CAMPS DE RÉFUGIÉS RWANDAIS****I. INTRODUCTION**

1. Le présent rapport a été établi comme suite à la déclaration du Président du Conseil de sécurité en date du 30 novembre 1994 (S/PRST/1994/75), dans laquelle le Conseil de sécurité soulignait que la communauté internationale devait faire un effort résolu pour favoriser le rapatriement des réfugiés rwandais, réduire les actes d'intimidation visant les candidats au rapatriement et améliorer la sécurité dans les camps de réfugiés rwandais, surtout au Zaïre. À cette fin, le Conseil de sécurité m'a prié, entre autres, de continuer de rechercher tous les moyens qui permettraient de régler les problèmes de sécurité qui se posent dans ces camps.

2. Certains faits nouveaux encourageants sont intervenus depuis mon rapport du 18 novembre 1994 (S/1994/1308) dans le sens de la création de conditions favorables au rapatriement, mais il est très préoccupant que près de 2 millions de réfugiés rwandais se trouvent toujours au Burundi, en Tanzanie et au Zaïre. D'une manière générale, la situation dans les camps reste dangereuse aussi bien pour les réfugiés que pour le personnel d'assistance. La situation présente aussi des risques d'instabilité pour les pays hôtes et pour l'ensemble de la sous-région. Le rapatriement sans danger et volontaire des réfugiés reste la seule solution efficace à ce problème. C'est pourquoi, étant donné que la situation au Rwanda s'améliore, le Haut Commissariat des Nations Unies pour les réfugiés (HCR) a rappelé en décembre 1994 qu'il aiderait dans la mesure du possible au retour volontaire de ces réfugiés au Rwanda.

3. Le Gouvernement rwandais a signé des accords tripartites avec le HCR et les Gouvernements burundais et zaïrois concernant le rapatriement volontaire des réfugiés. Ces accords définissent les conditions du rapatriement, y compris la protection des rapatriés et le régime d'occupation des terres. Les Gouvernements rwandais et tanzanien poursuivent par ailleurs un dialogue au sujet des réfugiés se trouvant en Tanzanie et de leur retour au Rwanda.

4. À ce jour, pas plus de 200 000 des personnes qui avaient quitté le pays après le 6 avril 1994 sont rentrées au Rwanda. Comme je l'indiquais dans mon rapport du 18 novembre, les mesures d'intimidation prises par les anciens dirigeants, militaires et miliciens à l'encontre des réfugiés qui souhaitent

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rentrer au Rwanda et la peur d'être exposés à des représailles ou de ne pouvoir rentrer en possession de leurs biens après leur retour viennent se conjuguer pour faire obstacle au rapatriement.

5. Comme suite à la déclaration du Président du Conseil de sécurité en date du 30 novembre, j'ai constitué une équipe technique mixte composée d'éléments du Département des opérations de maintien de la paix et du HCR qui a examiné la situation dans les camps de réfugiés au Rwanda, en Tanzanie et au Zaïre entre le 11 et le 19 décembre 1994. Les conclusions de l'équipe sont récapitulées ci-après.

## II. SITUATION ACTUELLE

### A. Réfugiés au Burundi

6. Il y a actuellement au Burundi, essentiellement dans le nord, environ 200 000 réfugiés, qui proviennent essentiellement du sud du Rwanda. Les déplacements de réfugiés sont constants dans cette région, les Rwandais continuant de chercher refuge au Burundi et Rwandais et Burundais ne cessant de rechercher de meilleures conditions de sécurité en Tanzanie.

7. Les problèmes de sécurité étant extrêmement délicats au Burundi, le HCR s'est attaché essentiellement, pour tenter d'améliorer la sécurité dans les camps de réfugiés, à l'amélioration du suivi de la situation en assurant une présence effective sur le terrain et en menant des démarches actives auprès des autorités civiles et militaires. Le HCR entend poursuivre dans cette voie et affecte de plus en plus de personnel expérimenté au Burundi, non seulement dans les régions où se trouvent des réfugiés, mais aussi dans la capitale.

### B. Réfugiés en Tanzanie

8. Quelque 600 000 réfugiés rwandais se trouvent actuellement dans huit camps différents en Tanzanie. La population de ces camps continue d'augmenter et comme on l'a noté plus haut, cet afflux concerne pour l'essentiel des réfugiés rwandais venant du Burundi et des ressortissants burundais à la recherche de meilleures conditions de sécurité.

9. Les camps situés en Tanzanie sont relativement plus sûrs et mieux organisés que les camps situés au Zaïre, du fait que la région a attiré moins de réfugiés et que les organismes de secours étaient déjà en place avant l'arrivée des réfugiés. Comme au Zaïre, les réfugiés se sont dotés de structures administratives semblables à celles du Rwanda, allant de l'échelon de la préfecture à celui de la commune. Ils se sont choisis des dirigeants qui exercent le pouvoir à tous les niveaux de cette structure. (Certains de ces dirigeants occupaient les mêmes fonctions avant la guerre.) Comme dans les autres camps de réfugiés, la structure administrative locale des camps de réfugiés rwandais au Zaïre et en Tanzanie donne une impression d'organisation et constitue un mécanisme de sécurité, ce qui facilite la fourniture des secours.

10. Les réfugiés qui se trouvent dans les camps tanzaniens ayant été immatriculés, l'aide leur est fournie directement, si bien qu'il n'est pas possible à leurs dirigeants de détourner les secours, comme ce fut le cas au

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Zaïre. Toutefois, on signale que des éléments extrémistes exercent une très forte influence sur les réfugiés des camps de Tanzanie, encore que dans un degré moindre qu'au Zaïre.

11. Le Gouvernement tanzanien et le HCR ont établi que le déploiement d'éléments de la police tanzanienne pouvait améliorer la sécurité dans les camps. Ces policiers doivent non seulement être en nombre suffisant, mais aussi être suffisamment équipés pour assurer le maintien de l'ordre. À ce jour, 310 policiers tanzaniens, dont des éléments des forces spéciales, ont été affectés aux camps de réfugiés. Ils reçoivent actuellement une aide du HCR sous forme de tentes et de rations alimentaires ainsi que de primes. En outre, le HCR a mis des véhicules et du matériel de télécommunications à la disposition de la police tanzanienne.

12. Les réfugiés ont également créé leur propre force de sécurité, les "réfugiés gardiens", qui travaillent en collaboration avec la police tanzanienne. La situation est actuellement stable dans les camps mais, étant donné le contrôle qu'exercent les dirigeants sur la population des camps, on craint qu'ils ne puissent laisser se détériorer la situation en matière de sécurité, si c'était dans leur intérêt.

#### C. Réfugiés au Zaïre

13. Il y a environ 1,4 million de réfugiés rwandais dans les camps du Zaïre. C'est dans ces camps que la situation reste la plus explosive, surtout dans ceux qui sont situés au nord du lac Kivu, dans la région de Goma, qui compte quelque 850 000 réfugiés. On estime par conséquent que s'il faut continuer de s'efforcer d'améliorer la sécurité dans les camps de Tanzanie et du Burundi, il faut accorder la priorité aux camps du Zaïre, surtout à ceux qui se trouvent dans la région de Goma.

14. La plupart des réfugiés qui se trouvent dans la région de Goma, au Zaïre, ont fui le Rwanda au milieu de 1994. Les ex-dirigeants et les anciennes forces et milices gouvernementales du Rwanda se sont réfugiés dans cette région en même temps que d'innombrables civils lorsque le Front patriotique rwandais (FPR) a pris le contrôle de la partie occidentale du Rwanda aux derniers jours de la guerre. C'est ce qui explique qu'il se trouve parmi les réfugiés au Zaïre davantage d'éléments politiques et militaires et de miliciens de l'ex-gouvernement que dans les camps de Tanzanie ou du Burundi, et que leur hostilité envers le Gouvernement de Kigali a donné lieu à des actes qui ont provoqué l'insécurité dans les camps.

15. En particulier, on dissuade les réfugiés d'exprimer publiquement leur désir de rentrer au Rwanda. Comme celles des réfugiés modérés ou de ceux qui ont épousé une personne d'une autre ethnie ou sont soupçonnés de noyautage, ces personnes sont gravement menacées et l'on sait que certaines ont été tuées. Il y a aussi un risque sérieux de troubles civils dans les camps, surtout en cas de forte concentration de réfugiés, par exemple lors de la distribution des secours. En outre, comme dans toute zone fortement peuplée de personnes démunies, la délinquance ordinaire est généralisée dans les camps.



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16. Le personnel de secours international est également sérieusement menacé. Il y a actuellement, rien que dans la région de Goma, 45 organisations non gouvernementales (ONG) et environ 1 600 agents de secours. Un important personnel de secours local, zaïrois et rwandais, travaille aussi dans les camps. Ces personnes sont souvent l'objet de tracasseries, surtout sur le chemin du travail, où elles sont fréquemment arrêtées, parfois sous la menace d'une arme, et contraintes de verser des redevances, ou menacées pour d'autres raisons. En outre, les agents de secours risquent sérieusement d'être pris dans des troubles civils ou des incidents entre réfugiés. Certains de ces agents ont été menacés par des réfugiés qui les considèrent à tort comme étant hostiles à leurs intérêts.

17. Au départ, on faisait appel aux dirigeants des camps pour faciliter la fourniture des secours. Malheureusement, ils ont abusé de la situation en contraignant les réfugiés à agir dans leur propre intérêt en échange de secours, et en stockant ou en vendant ceux-ci au lieu de les distribuer. C'est pourquoi les cas de malnutrition, surtout parmi les groupes les plus vulnérables - les femmes, les enfants et les personnes âgées - ont été au début beaucoup trop élevés en regard du niveau de l'aide fournie. Depuis peu, l'aide est toutefois fournie plus directement aux bénéficiaires, ce qui a permis de réduire la mauvaise influence des dirigeants des camps et les cas de malnutrition. En outre, le HCR a procédé à l'immatriculation des réfugiés dans les camps, ce qui contribuera à améliorer la fourniture des secours.

18. Le Gouvernement zaïrois a pris récemment des mesures pour améliorer la sécurité dans les camps, laquelle s'est quelque peu améliorée depuis mon dernier rapport. Il apparaît cependant que les risques de troubles graves restent extrêmement élevés.

19. Des sismologues venus du Japon et des États-Unis ont récemment décelé les signes précurseurs d'une éruption volcanique qui risque de se produire dans la région de Goma, qui est à forte sismicité. Une équipe spéciale du HCR prépare des plans d'urgence pour évacuer les camps qui risquent d'être touchés, notamment en désignant des sites temporaires pour reloger les réfugiés concernés. En attendant, l'activité sismique est suivie de près.

20. La majorité des réfugiés sont conscients qu'à long terme, ils n'ont d'autre choix que de rentrer au Rwanda et que l'aide ne peut leur être fournie indéfiniment dans les camps. Au moins 25 % des réfugiés ne devraient pas avoir de problème d'occupation des terres à leur retour au Rwanda et, dans l'état actuel des choses, 25 à 50 % d'entre eux pourraient rentrer chez eux dans les 6 à 12 mois à venir. Le HCR estime en outre que si le rapatriement pouvait avoir lieu sans danger, le taux de retour volontaire au Rwanda augmenterait.

### III. MESURES À PRENDRE POUR ASSURER LA SÉCURITÉ DANS LES CAMPS

#### A. Opération de maintien de la paix

21. Dans la déclaration de la Présidente du Conseil de sécurité, en date du 30 novembre 1994, le Conseil m'a demandé de consulter les pays qui pourraient fournir des contingents, afin de déterminer s'ils seraient disposés à participer à une éventuelle opération de maintien de la paix qui suivrait dans ses grandes

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lignes le schéma exposé aux paragraphes 18 à 25 de mon rapport du 18 novembre. Le Conseil m'a également demandé de lui donner dès que possible une description détaillée des objectifs, des règles d'engagement et du coût d'une telle opération. En conséquence, une équipe conjointe du Département des opérations de maintien de la paix et du HCR a été invitée à recueillir des informations pertinentes qui devraient être utilisées pour faire des recommandations allant dans le sens des demandes formulées par le Conseil de sécurité.

22. On se souviendra que l'objectif de l'opération de maintien de la paix décrite dans les paragraphes 18 à 25 de mon rapport du 18 novembre était d'assurer la sécurité du personnel des organisations humanitaires internationales, de protéger l'entrepôt et la distribution de l'aide humanitaire et de permettre aux réfugiés qui désirent rentrer chez eux de passer sans danger la frontière rwandaise. On estime qu'il faudrait disposer d'un effectif d'environ 3 000 hommes, tous grades confondus, pour accomplir ces tâches dans les camps au nord du lac Kivu. Une opération parallèle, menée simultanément dans la région au sud du lac Kivu, où les problèmes de sécurité sont moins aigus, nécessiterait 2 000 hommes supplémentaires.

23. L'opération de maintien de la paix proposée serait menée en deux phases. Au cours de la première phase, deux bataillons mécanisés contrôleraient l'accès aux camps, à l'intérieur desquels ils établiraient des zones de sécurité dans lesquelles des unités de sécurité locales seraient constituées et formées par des experts internationaux en matière de sécurité. Au cours de la deuxième phase de l'opération, une fois que des conditions de sécurité raisonnables auraient été assurées, les forces locales prendraient, en matière de sécurité, la relève du personnel de maintien de la paix, avec l'appui d'un petit groupe de personnel militaire des Nations Unies. Les bataillons mécanisés quitteraient alors la zone pour créer des zones de sécurité analogues dans d'autres lieux.

24. La mission technique conjointe a confirmé qu'il était possible de procéder de la sorte, mais a estimé qu'aux fins de l'opération il faudrait disposer d'effectifs plus nombreux que les 3 000 à 5 000 hommes estimés initialement. De l'avis de la mission, pour les seules tâches prévues dans la région au nord du lac Kivu, il faudrait disposer d'une force de 4 100 hommes, dont des unités d'appui logistique militaire, au lieu des 3 000 hommes indiqués dans mon rapport du 18 novembre. La mission a conclu en outre que, pour une opération analogue dans la région au sud du lac Kivu, il faudrait également disposer d'effectifs bien plus importants que ceux initialement prévus. Les règles d'engagement pour une telle opération autoriseraient, conformément à la pratique courante, le recours à la force en cas de légitime défense, notamment face à toute tentative violente d'empêcher l'opération de s'acquitter de son mandat. En outre, comme prévu aux fins de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR) en vertu de la résolution 918 (1994), la force serait autorisée à agir contre des personnes ou des groupes qui menacent des secteurs et populations protégés, le personnel des Nations Unies et d'autres personnels humanitaires ou les moyens utilisés pour acheminer et distribuer les secours humanitaires.

25. Depuis l'adoption de la déclaration de la Présidente du Conseil en date du 30 novembre, j'ai consulté une soixantaine de pays qui pourraient fournir des contingents, pour déterminer s'ils seraient disposés à fournir les hommes nécessaires pour mener une telle opération. Au 23 janvier, un seul pays av

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officiellement offert de mettre une unité à la disposition de l'opération. Dans ces conditions, il est évident que l'option qui consisterait à déployer une force de maintien de la paix pour régler les problèmes de sécurité dans les camps de réfugiés au Zaïre ne peut être retenue. En conséquence, il n'a pas été jugé nécessaire d'établir des prévisions de dépenses au titre de cette option.

#### B. Autres mesures envisageables

##### 1. Groupe de policiers/observateurs militaires internationaux

26. Dans la déclaration de la Présidente du Conseil de sécurité, en date du 30 novembre, le Conseil m'a également demandé d'étudier ce que pourrait être dans l'interim une première intervention en vue d'apporter une assistance immédiate aux forces de sécurité zaïroises pour la protection des opérations humanitaires dans les camps, et notamment d'envisager la possibilité de déployer des spécialistes de la sécurité, détachés par les gouvernements des États Membres ou recrutés par contrat, pour instruire et superviser les forces de sécurité locales. À cette fin, la mission technique conjointe du Département des opérations de maintien de la paix et du HCR a étudié la possibilité d'appliquer une formule en vertu de laquelle des forces de sécurité zaïroises seraient déployées pour assumer la responsabilité de l'amélioration de la sécurité dans les camps avec l'appui d'un groupe de policiers civils et d'observateurs militaires des Nations Unies.

27. Afin d'améliorer la sécurité dans les camps, on a estimé que les forces de sécurité locales devraient s'acquitter des tâches suivantes :

a) Patrouilles. Comme indiqué plus haut, les réfugiés sont très souvent victimes de délits de droit commun, qui viennent s'ajouter aux actes d'intimidation. Le personnel des organisations humanitaires peut lui aussi facilement devenir la proie des troubles civils. L'organisation de patrouilles, 24 heures sur 24, d'agents de sécurité pourrait contribuer au maintien de l'ordre, ce qui diminuerait le nombre de ces menaces. Ce personnel établirait progressivement des relations avec les réfugiés et leurs représentants et collaborerait avec eux afin de maîtriser les délits de droit commun et en réduire la fréquence;

b) Escortes et garde de points fixes. Étant donné les dangers dont s'accompagnent les déplacements à destination ou en provenance de Goma, il est essentiel de prévoir des escortes pour accompagner le personnel des organismes humanitaires, lorsque celui-ci se déplace la nuit ou tôt le matin. Il serait également utile d'assurer la sécurité de certains points fixes dans les camps, notamment, par exemple, les points de distribution de l'aide, les antennes du HCR et des ONG, les hôpitaux, les centres d'alimentation et les dispensaires. La présence de personnel de sécurité serait également nécessaire pour maintenir tant soit peu l'ordre pendant le recensement et l'inscription des réfugiés que le HCR compte organiser dans les camps dans un avenir proche;

c) Entreposage et acheminement de l'aide humanitaire. Le principal problème de sécurité concernant le stockage des secours est le pillage des entrepôts. Bien que ceux-ci soient actuellement gardés, le problème du pillage n'a pas été résolu. Il faudrait donc renforcer la sécurité, et notamment

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améliorer l'éclairage et installer davantage de clôtures. L'acheminement, en toute sécurité, de l'aide à destination et en provenance des entrepôts est également compromis à l'heure actuelle;

d) Sécurité des opérations de rapatriement. Il faut également, et cela est particulièrement important, améliorer la sécurité pour faciliter le rapatriement des réfugiés qui ont exprimé le souhait de rentrer au Rwanda. À l'heure actuelle, le simple fait d'émettre le vœu de rentrer au Rwanda expose les réfugiés à un danger considérable. On estime donc qu'il est essentiel que, lorsqu'ils communiquent au personnel des organismes humanitaires leur désir de rentrer au Rwanda, les réfugiés voient leur sécurité assurée et soient transférés immédiatement dans des camps de transit. Ces camps seraient établis au Zaïre à quelque distance des camps de réfugiés pour accueillir les intéressés jusqu'à ce qu'ils soient transportés jusqu'à la frontière. La sécurité de ces camps doit être assurée 24 heures sur 24. Il faudrait également renforcer les mesures de sécurité qui sont actuellement prises lors du transport des réfugiés jusqu'à la frontière.

28. Comme indiqué plus haut, on estime que ces tâches pourraient être exécutées par une force de sécurité locale. Il faudrait disposer d'un groupe d'environ 150 à 200 officiers de police civile des Nations Unies pour former et surveiller les forces locales. En outre, 30 à 50 observateurs militaires seraient déployés pour assurer la liaison avec les forces locales au niveau du commandement pour toutes les questions relatives au bon déroulement de l'opération. Les observateurs militaires aideraient également à coordonner les opérations de rapatriement.

29. Lors de la réunion que j'ai eue avec lui le 15 décembre 1994, le Premier Ministre zaïrois, S. E. M. Kengo Wa Dondo, a confirmé que son gouvernement était prêt à fournir les troupes nécessaires pour améliorer la sécurité dans les camps. J'ai donc chargé mon Représentant spécial pour le Rwanda, M. Shahryar Khan, à se rendre à Kinshasa pour s'y entretenir avec les autorités zaïroises de la possibilité, pour le Gouvernement zaïrois, d'assumer ces tâches, étant entendu que la communauté internationale serait encouragée à apporter son concours en fournissant un soutien logistique et financier suffisant.

30. M. Khan a séjourné à Kinshasa du 28 au 31 décembre. Il était accompagné d'un représentant du HCR ainsi que du commandant adjoint de la MINUAR et d'experts en logistique. À Kinshasa, M. Khan a été reçu par le Premier Ministre et s'est entretenu avec les Ministres de la défense, de la justice, des affaires étrangères et de l'intérieur. Il a également participé à des réunions de travail sur des questions techniques. Les responsables zaïrois ont indiqué que leur gouvernement espérait que les réfugiés rentreraient bientôt au Rwanda. Ils ont souligné que des mesures concrètes devaient être prises au Rwanda afin que le rapatriement puisse se dérouler dans des conditions de sécurité et dans la dignité. Ils ont également réaffirmé l'engagement pris par le Gouvernement zaïrois de s'occuper des problèmes de sécurité dans les camps et ont indiqué qu'il était disposé à prendre immédiatement des mesures dans ce sens avec la coopération et l'appui de l'ONU.

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31. Le Gouvernement zaïrois a indiqué qu'il serait disposé à déployer une force de sécurité nationale de 1 500 à 2 500 hommes dans les camps. Dans le cadre d'entretiens techniques, les modalités du soutien logistique et les autres services d'appui extérieur nécessaires pour l'envoi de ces troupes ont été examinés. Le Gouvernement a accueilli avec satisfaction la proposition tendant à déployer des éléments de police et des observateurs militaires internationaux dans la région pour y fournir des conseils techniques à la force de sécurité locale et pour surveiller et coordonner les opérations. Toutefois, il a souligné qu'il n'était pas favorable au déploiement d'une force de maintien de la paix des Nations Unies dans les camps.

32. Au titre de cette option, une cinquantaine d'États Membres ont été contactés afin de déterminer s'ils étaient disposés à fournir du personnel de police qui, a-t-on souligné, devrait de préférence être francophone. Au 23 janvier, quatre pays seulement se sont déclarés disposés à fournir du personnel de police civile et seul un de ces pays était francophone. En ce qui concerne les observateurs militaires, on a estimé qu'afin d'accélérer leur arrivée sur les lieux, des observateurs militaires pourraient peut-être être détachés provisoirement de la MINUAR sous réserve de l'approbation des pays dont ces observateurs étaient originaires. Ces pays ont été consultés à ce sujet. Toutefois, un seulement d'entre eux a jusqu'ici répondu qu'il serait, en principe, disposé à autoriser ses observateurs militaires à se rendre au Zaïre. Il semble donc que cette deuxième proposition, plus modeste, avancée pour améliorer la sécurité dans les camps au Zaïre soulève des difficultés et ne pourra pas être appliquée, du moins pour l'instant.

33. M. Khan a également séjourné les 4 et 5 janvier 1995 en République-Unie de Tanzanie, où il a été reçu par le Président Mwini et le Premier Ministre Msunya. Pendant son séjour à Dar es-Salaam, il s'est également entretenu avec le Chef d'état-major de l'armée tanzanienne et l'Inspecteur général de la police. Le Gouvernement tanzanien a également indiqué, qu'à son avis, les réfugiés devraient rentrer au Rwanda et qu'il fallait poursuivre les efforts en vue de créer, à l'intérieur du pays, des conditions favorisant le rapatriement volontaire des réfugiés.

34. Comme indiqué plus haut, à l'heure actuelle 310 officiers de police tanzaniens assurent la sécurité dans les camps. Le Gouvernement a indiqué qu'il serait disposé à porter les effectifs à 500 mais aurait, pour ce faire, besoin d'un appui logistique et opérationnel de sources extérieures. Un appui limité est déjà fourni à cette fin par le Gouvernement néerlandais par l'intermédiaire du HCR.

## 2. Arrangements contractuels

35. Le Secrétariat a exploré une autre possibilité, à savoir l'instruction et la supervision des forces de sécurité locales par un organisme privé travaillant sous contrat. Dans le cadre de cet arrangement, les forces locales seraient instruites par une équipe de 50 instructeurs internationaux, dont 10 resteraient sur place après la phase d'instruction initiale pour apporter un complément de formation sur le tas. Quarante experts internationaux supplémentaires seraient nécessaires pour contrôler l'opération et pour assurer les fonctions de liaison et de coordination. On estime que pour chaque groupe de personnel local, la

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programme d'instruction durerait un mois, et que, dans les deux mois suivant le début de l'opération, le premier groupe pourrait être déployé sur son théâtre d'opération. Au bout de quatre mois, toutes les forces locales auraient été formées et déployées dans les camps situés au nord et au sud du lac Kivu.

36. La possibilité d'entreprendre une telle opération, notamment l'apport d'un soutien logistique et autre aux forces de sécurité locales, a été discutée avec le HCR. Toutefois, les premières estimations financières font apparaître qu'une opération de cette nature serait coûteuse. De plus, elle devrait être entièrement financée par des contributions volontaires et le HCR ne pense pas pouvoir mobiliser les ressources nécessaires, d'autant plus que certains gouvernements donateurs potentiels ont fait savoir qu'ils n'étaient pas favorables à cette approche.

#### C. Mesures de sécurité par l'intermédiaire du HCR

37. Les diverses options décrites ci-dessus ne semblant pas viables, du moins à ce stade, j'ai récemment eu de nouvelles consultations sur le problème de la sécurité dans les camps de réfugiés, en particulier dans ceux du Zaïre, avec le Haut Commissaire des Nations Unies pour les réfugiés, Mme Sadako Ogata. À l'issue de ces consultations, il a été décidé que le HCR reprendrait les pourparlers engagés par mon Représentant spécial avec le Gouvernement du Zaïre en vue de conclure des arrangements appropriés, dans le cadre du mandat du HCR en matière de protection des réfugiés et d'aide humanitaire, pour renforcer la sécurité dans les camps. J'ai informé le Premier Ministre du Zaïre de cette décision et j'ai exprimé l'espoir que ces pourparlers aboutiraient, sans retard, à la conclusion et à la mise en œuvre d'arrangements acceptables aux deux parties pour renforcer la sécurité des réfugiés rwandais au Zaïre.

38. Le HCR a dépêché un Envoyé spécial à Kinshasa à cette fin. Il me tiendra au courant de la progression des pourparlers, et j'informerais à mon tour le Conseil de sécurité. Il étudiera aussi les moyens de mieux épauler le Gouvernement tanzanien pour lui permettre de renforcer la sécurité qu'il assure actuellement dans les camps. En ce qui concerne les camps de réfugiés au Burundi, le HCR a indiqué que, pour le moment, les mesures décrites au paragraphe 7 ci-dessus permettaient d'assurer la sécurité de façon satisfaisante. La MINUAR, pour sa part, continuera à coordonner étroitement son action avec celle du HCR pour faciliter le rapatriement volontaire des réfugiés au Rwanda dans des conditions de sécurité.

#### IV. OBSERVATIONS

39. L'ampleur et la complexité des problèmes qui se posent dans les camps de réfugiés rwandais, en particulier ceux situés au Zaïre, sont sans précédent. Il n'est donc pas surprenant que la recherche d'une solution appropriée à ces problèmes soit aussi laborieuse. Comme le démontre le présent rapport, les options visant à renforcer la sécurité dans les camps par le biais d'une opération de maintien de la paix, sous une forme ou sous une autre, ne semblent pas viables, du moins pour le moment.



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40. Les opérations de maintien de la paix servent essentiellement à la gestion et à la résolution des conflits. Il est vrai que ces dernières années, elles ont connu une évolution importante aux plans quantitatif et qualitatif. Toutefois, elles n'ont pas été conçues et elles n'ont généralement pas été utilisées pour assurer la sécurité dans des camps de réfugiés. En fait, traditionnellement, c'étaient les pays hôtes qui assumaient la responsabilité d'assurer la sécurité des réfugiés se trouvant sur leur territoire, avec il est vrai un certain appui de la part de la communauté internationale.

41. Je comprends donc que les États Membres répugnent à rechercher dans une opération de maintien de la paix une solution aux problèmes de sécurité dans les camps. Il est cependant indubitable que les civils innocents, qui ont fui le Rwanda en raison d'une guerre civile dévastatrice et qui sont quotidiennement en butte à l'intimidation et à la violence dans les camps, méritent que la communauté internationale ne cesse de leur prêter attention et assistance, là où ils se trouvent actuellement et pour les aider à retourner dans leur pays. En outre, le personnel des organismes humanitaires, qui risque sa vie pour que les réfugiés puissent bénéficier d'une assistance de base, doit, pour s'acquitter efficacement de sa tâche, se voir assurer des conditions de sécurité suffisantes. J'exhorte donc la communauté internationale à appuyer les efforts que déploie le HCR, en coopération avec les Gouvernements du Zaïre et de la République-Unie de Tanzanie, pour mettre en place dans les camps des arrangements de sécurité satisfaisants, et à faire montre de générosité de façon que le HCR dispose des ressources nécessaires à cette fin.

42. Il est indispensable de renforcer la sécurité dans les camps pour créer des conditions propices au rapatriement volontaire des réfugiés. Toutefois, comme je l'ai souligné dans mon rapport du 18 novembre, tout effort en vue d'assurer la sécurité dans les camps serait vain s'il ne s'accompagne pas de la prise de mesures au Rwanda pour faire en sorte que les réfugiés puissent retourner chez eux sans craindre des représailles ou des persécutions et pour promouvoir une véritable réconciliation nationale entre tous les segments de la société rwandaise. Jusqu'à présent, le Gouvernement rwandais, qui a pris le pouvoir dans un pays traumatisé et en ruine, dont les infrastructures sont pratiquement anéanties et dont les habitants sont gravement perturbés, a été privé de ce que du minimum de ressources pour commencer à restaurer des conditions normales. Les engagements pris lors de la récente table ronde sur le Rwanda et en réponse à l'appel global interinstitutions font naître quelque espoir que ce processus peut désormais démarrer. Cela, à son tour, ouvrirait des perspectives de relance du processus politique et de mise en place du cadre voulu pour la prise de mesures en vue de régler les problèmes de sécurité dans les camps et de permettre le rapatriement des réfugiés au Rwanda, comme suggéré dans la déclaration du Président du Conseil de sécurité en date du 30 novembre 1994.

43. La réunion au sommet des dirigeants de la sous-région, qui a eu lieu à Nairobi le 7 janvier 1995, a apporté une utile contribution à la définition d'un tel cadre. Cette réunion a rassemblé les Présidents du Burundi, du Kenya, de l'Ouganda, de la République-Unie de Tanzanie, du Rwanda et de la Zambie ainsi que le Premier Ministre du Zaïre. Mon Représentant spécial pour le Rwanda y a également participé. Les dirigeants de la région ont insisté sur la nécessité d'améliorer la sécurité dans les camps de réfugiés et les conditions à l'intérieur du Rwanda afin de créer un environnement favorable au rapatriement.



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volontaire des réfugiés. À cet égard, ils ont déclaré soutenir la mise en place et l'entrée en fonction du Tribunal international pour le Rwanda, la séparation des réfugiés innocents et de ceux soupçonnés de s'être rendus coupables de crimes de génocide et l'éloignement des camps de réfugiés de ceux qui se livrent à des actes d'intimidation, ainsi que la mise en place de couloirs de sécurité entre les camps de réfugiés et la frontière rwandaise et de couloirs de sécurité et de points de transit à l'intérieur du Rwanda. Ils ont félicité le Gouvernement rwandais des mesures qu'il a prises jusqu'à présent pour mettre en place une administration largement représentative et l'ont instamment prié d'accroître ses efforts en ce sens dans l'esprit de l'accord de paix d'Arusha. Ils ont en outre exhorté le Gouvernement rwandais à établir des mesures de confiance supplémentaires afin d'encourager le retour volontaire des réfugiés. Les dirigeants régionaux ont également demandé à la communauté internationale d'accroître son soutien économique en faveur du redressement et de la reconstruction du Rwanda.

44. Les progrès réalisés au sommet régional du 7 janvier devraient faciliter les travaux de la Conférence régionale d'assistance aux réfugiés, rapatriés et personnes déplacées dans la région des Grands Lacs qui sera convoquée par l'Organisation de l'unité africaine et le HCR à Bujumbura à la mi-février. Une réunion préparatoire a eu lieu à Addis-Abeba le 9 janvier. J'espère que cette conférence permettra de progresser davantage sur la voie de la création des conditions nécessaires pour que les réfugiés et les personnes déplacées puissent rentrer dans leurs foyers dans la sécurité et la dignité, et qu'elle ouvrira la voie à la tenue d'une conférence de portée plus étendue visant à trouver des solutions à long terme pour promouvoir et assurer la paix, la sécurité et le développement dans la sous-région. Des consultations préliminaires avec les gouvernements intéressés sont actuellement en cours en vue de dégager un consensus sur les questions à aborder lors d'une telle conférence.

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REPORT OF THE SECRETARY-GENERAL ON SECURITY IN THE  
RWANDESE REFUGEE CAMPS

I. INTRODUCTION

1. The present report is submitted in pursuance of the statement of the President of the Security Council dated 14 October 1994 (PRST/1994/59), which noted the Council's concern at the plight of the millions of Rwandese refugees and displaced persons, reiterated the view that their return to their homes was essential for the normalization of the situation in Rwanda and deplored the continuing acts of intimidation and violence within the refugee camps, which were designed to prevent the refugee population there from returning home.

2. In my report on the situation in Rwanda dated 6 October (S/1994/1133), I indicated that, as a result of his visit to Zaire from 12 to 14 September, my Special Representative for Rwanda, Mr. Shaharyar Khan, concluded that the most effective way of ensuring the safety of the refugees and their freedom to return to Rwanda would be the separation of political leaders, former Rwandese government forces and militia from the rest of the refugee population. I also noted, however, that that would be a difficult and complex undertaking, especially as those to be separated would be likely to resist, and incite others to resist, any attempt to relocate them. In order to address more fully the problems associated with separating the former Rwandese government forces' political leaders, military and militia from the refugees, and to evaluate the logistic and other requirements involved, a joint Zairian/United Nations working group was established, composed of officials of the Government of Zaire, the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Development Programme (UNDP). A technical team from the United Nations Assistance Mission for Rwanda (UNAMIR) was sent to Zaire to join the working group. In my report of 6 October, I also indicated that my Special Representative had recommended that attention be focused, as a matter of priority, on the camps in Zaire, where the problems were significantly more acute than in those established in the United Republic of Tanzania. Accordingly, the present report addresses mainly the issue of security in the camps located in Zaire.

3. In his statement of 14 October, the President of the Security Council noted that the Council looked forward to receiving a further report from me on this



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issue, based, inter alia, on the findings of the UNAMIR technical team participating in the joint Zairian/United Nations working group. The joint working group was established at Kinshasa on 26 September and concluded its site visits on 11 October. The UNAMIR technical team returned to Kigali on 14 October and subsequently submitted its report to my Special Representative.

4. Following consultations between the Secretariat and UNHCR on possible options for addressing the security situation in the camps, I convened a high-level meeting at Geneva on 8 November, which focused on various aspects of the crisis in Rwanda and most importantly on the situation in the refugee camps. The meeting was attended by the United Nations High Commissioner for Refugees and the United Nations High Commissioner for Human Rights, the Executive Director of the World Food Programme, the Under-Secretaries-General for Political Affairs and for Humanitarian Affairs, the Legal Counsel, one of my special advisers, my Special Representatives for Rwanda and Burundi, my Special Humanitarian Envoy for Rwanda and Burundi, the Military Adviser in the Department of Peace-keeping Operations and a representative of the United Nations Children's Fund (UNICEF).

5. The meeting concluded that the most urgent problems were the security in the camps and the Government's need for support to enable it to carry out its functions. It was agreed that those problems must be addressed under an overall strategy leading to the repatriation and reintegration of refugees and internally displaced persons. The meeting also concluded that longer-term efforts, including efforts on a regional basis, towards national reconciliation, rehabilitation and reconstruction of the country should contribute to the resolution of the more urgent problems related to the safe return of refugees and internally displaced persons.

## II. PRESENT SITUATION IN THE RWANDESE REFUGEE CAMPS IN ZAIRE

### A. Conditions in the camps

6. An estimated 1.2 million people fled Rwanda over a four-day period in mid-July to the Kivu region of Zaire, in one of the largest and most sudden movements of refugees in modern history. UNHCR estimates that there are 850,000 refugees in north Kivu, in the Goma areas of Mugunga, Kibumba and Katale, and about 370,000 in south Kivu, in the Bukavu and Uvira areas. The camps, which sprawl over miles, are overcrowded, chaotic and increasingly insecure. The refugees live in makeshift huts and are completely dependent on United Nations and relief agencies for basic needs assistance.

7. The former Rwandese political leaders, Rwandese government forces soldiers and militia control the camps, though the degree of control varies from area to area. They are determined to ensure by force, if necessary, that the refugees do not repatriate to Rwanda. They also make it difficult for relief agencies to carry out their work in safety, because they attempt to control the agencies' activities in the camps and prevent relief supplies from reaching those in need. It is believed that these elements may be preparing for an armed invasion of Rwanda and that they may be stockpiling and selling food distributed by relief agencies in preparation for such an invasion. There have already been some

cross border incursions. Security is further undermined by general lawlessness, extortion, banditry and gang warfare between groups fighting for control of the camps. As a result of these threats to security, non-governmental organizations responsible for the distribution of relief supplies in the camps have begun to withdraw.

8. There are approximately 230 Rwandese political leaders in Zaire, including former ministers, senior civilian and military officials, members of parliament and other political personalities, many of whom live in good conditions in hotels and houses outside the refugee camps. With their dependants, they amount to about 1,200 persons. These leaders exert a hold on the refugees through intimidation and the support of military personnel and militia members in the camps.

9. Estimates of the number of former Rwandese government forces personnel in Zaire differ but they probably amount to about 50,000 persons, including dependants. In south Kivu, they are located in two separate military camps. In north Kivu, on the other hand, they are living among the refugees and are often indistinguishable from them, since many no longer wear uniform. It seems to be their intention to regain power in Rwanda and there are reports of continuing military activity by them along the Zairian/Rwandese border in Kanganiro and Kamanyola. However, they have not so far been as significant a factor for insecurity in the camps as have the militia.

10. The militia have a significant presence in the camps in the Goma area, where they control access into and out of the camps and resort openly to intimidation and force to stop refugees who are inclined to return to Rwanda. Like the Rwandese government forces personnel, they possess firearms, as the Zairian authorities were unable to disarm all the Rwandese government forces and militia personnel when they sought refuge in Zaire in July 1994. They also possess vehicles and communication equipment. It is difficult to determine their exact number as they neither wear uniform nor carry any insignia that would distinguish them from the rest of the refugee population. However, an estimate of their number can be made by reference to the militia's pre-war organization. Each of the 147 communes in Rwanda had between 100 and 150 organized militia, which would represent a total of between 14,700 and 22,050 personnel. Allowing for war attrition, this number may have fallen as low as 10,000 when the refugee camps were established but, in view of the political activity in the camps, it could have risen since that time.

11. There is little information available on the former Presidential Guard, which is estimated to consist of 800 men located in both Goma and Bukavu. There are reports that it may be housed in clandestine camps.

#### B. Factors impeding repatriation

12. In August and early September, an estimated 200,000 refugees returned to Rwanda. This movement, however, was interrupted by the activity of militia and political leaders opposed to voluntary repatriation. Since September, the number of refugees returning home has fallen drastically, although small numbers of refugees continue to trickle back to Rwanda in spite of threats by the

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militia and dissuasion by political leaders. During the same period, some 400,000 refugees of mainly Tutsi origin, many of whom had been in exile in Uganda and Burundi for decades, have returned to Rwanda and, in many cases, settled on land belonging to those who have fled most recently, thus creating another problem relating to property rights. The Government has set up a land commission to resolve that problem but it is unable to provide alternative solutions for those refugees, because of a lack of funds.

13. The refugees' fear of reprisals by the Government for atrocities committed against Tutsis and moderate Hutus seems to be another main reason for their hesitancy about returning to Rwanda. While this fear has been exacerbated by efforts on the part of political leaders, Rwandese government forces elements and militia to dissuade the refugees from returning home, it also appears to be rooted in the history of the relationship between Hutus and Tutsis in Rwanda. In expressing their distrust of the Government, refugees have also indicated a desire for their security to be guaranteed by a neutral body or for their own leaders to participate in the new Government.

14. In the light of the above, the UNAMIR technical team sought the views of the political and military leaders in the camps on conditions that would enable them to allow refugees the freedom of choice to return to Rwanda. These conditions included negotiations with the new Government; involvement of the exiled leadership in all negotiation processes; involvement of the United Nations in facilitating negotiations between the Government and the leadership in exile; revival of acceptable elements of the Arusha Accord; power-sharing; setting up of an international tribunal that would address not only the atrocities and acts of genocide committed after the events of 6 April 1994, but also alleged massacres committed by forces of the Rwandese Patriotic Front (RPF) since 1990; organization of early elections; security guarantees, especially for the safe return of all refugees; and guarantees for the repossession by the refugees of their property.

### III. MEASURES FOR THE ESTABLISHMENT OF SECURE CONDITIONS IN THE CAMPS

#### A. Initial measures

15. In response to a request from the Government of Zaire, consideration has been given, in consultation with UNHCR, to measures aimed at providing immediate, but temporary, assistance to the Zairian security forces in protecting humanitarian operations in the camps. These measures would promote bilateral arrangements between the Government of Zaire and other Governments for the deployment of security experts to train and monitor the local security forces. An assessment mission would formulate recommendations on the number of security experts required and their organization, management and modus operandi. The mission would also estimate the financial support to be provided to the local security forces.

16. In this connection, it is relevant that UNHCR is already assisting the Government of the United Republic of Tanzania to strengthen its local capacity to provide security in the camps through the provision of incentives and

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logistic support. An assessment of the additional support that the Government of the United Republic of Tanzania may require in this regard will be made as soon as possible. Such measures would not, by themselves, be sufficient to address the more difficult problems in the camps in Zaire. If adopted in Zaire, they would need to be taken in conjunction with and in support of one of the options described below.

17. Efforts to improve security in the camps should also be supported by a public information campaign that would provide factual information on the situation both in the camps and in Rwanda. To this end, as indicated in my report of 6 October, UNAMIR is building a broadcasting capacity that can reach the camps. However, the Government of Rwanda has yet to grant the necessary authorizations for UNAMIR to begin broadcasting and for a frequency allocation. It is important that these authorizations should be forthcoming soon.

#### B. Deployment of a United Nations peace-keeping operation

18. In order to improve security, one option would be to deploy a United Nations peace-keeping force to the camps in Zaire, with the consent of the Government of Zaire, as is the established practice for such operations. The task of such a force would be to provide security for international relief workers, protection for the storage and delivery of humanitarian assistance and safe passage to the Rwandese border for those refugees who wish to return. From the border, UNAMIR troops would then provide assistance in returning the refugees to their home communities. Such a force would have a mandate separate from that of UNAMIR but would be under the operational control of, and supported logistically by, UNAMIR.

##### 1. First phase

19. In the first phase, two well-trained and well-equipped mechanized battalions would spearhead the operation in the camps north of Lake Kivu. Each battalion would establish secure areas within large camp sites, providing safe conditions for the refugees in those areas. The force would establish screening procedures to keep weapons out of the secure areas. Humanitarian assistance operations would be intensified within these secure areas. The aim during this first phase would be to create conditions conducive to the voluntary repatriation to Rwanda of as many refugees as possible from each secure area. This, of course, would depend on the establishment within Rwanda of conditions under which the refugees could return to their homes in safety and dignity.

20. Within each secure area, local security units would be formed and trained to take over the security functions being performed by the peace-keeping force when reasonably secure conditions were deemed to have been created. At that time, the United Nations contingents would move forward to create similar secure areas in other locations. In planning such movement, consideration would be given to the likely impact of ongoing operations on conditions and attitudes in the camps that were to be secured in subsequent operations.

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21. The local security units would include guards from either the Zairian security forces or former Rwandese gendarmerie present in the camps (who were proved not to have been involved in the atrocities), depending upon the situation in the particular area. Security experts, as envisaged in paragraph 15 above, would be made available (either as United Nations civilian police or through a private security firm) to train and monitor the local units in carrying out their security duties. The requisite equipment and financial assistance would also be provided for the local security units. The intention would be to ensure that the local security unit in each area would be capable of providing reasonable security, under the supervision of a minimal number of United Nations personnel, until the remaining refugees could be repatriated during the second phase of the operation, after which the area would be closed.

## 2. Second phase

22. In the second phase, lightly equipped motorized units would be deployed in the areas rendered secure during the first phase. Their main task would be to escort refugees to the Rwandese border and, in the meantime, to ensure that these areas continued to enjoy secure conditions. In this phase, self-contained company groups would be deployed to each secure area, cumulatively reaching battalion level. As the areas were closed upon completion of repatriation, each company group would be rotated to another secure area which was ready to move into the second phase.

23. Under this option, it is estimated that a force of 3,000 all ranks would be required. A parallel operation, launched simultaneously in the area south of Lake Kivu, where conditions are marginally better, could have a stabilizing effect on Burundi where the situation is still very fragile. To conduct such an operation, an additional 2,000 troops would be required.

24. After progressively establishing security in the camps both north and south of Lake Kivu, the mechanized battalions would be withdrawn from the force. The second phase units would also be gradually withdrawn as secure areas were closed down. This operation would be fully coordinated with the measures for strengthening security conditions in the camps mentioned in paragraph 15 above.

25. The incremental approach to establishing security proposed under this option is unavoidable as the dimensions of the problem are such as to make it impossible to address all refugee camps at the same time. Depending on the situation in the camps and the rate of repatriation, it is estimated that, given a force strength of 3,000 all ranks, it would take 24 to 30 months to complete the operation. However, with the additional 2,000 troops mentioned in paragraph 23, it is estimated that the duration of the operation could be reduced by about 10 months.

## C. Action under Chapter VII of the Charter

26. The option outlined above does not provide for the separation of the political leaders, former Rwandese government forces troops and militia from the rest of the camp population, which, as indicated in my report of 5 October, is



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considered to be the most effective way of ensuring the safety of refugees and their freedom to exercise their right to return to Rwanda. That report also noted that the Government of Zaire had expressed its commitment to addressing the refugee crisis and to improving security in the camps. To this end, it has indicated that the military and militia elements could be moved to new camps at a distance from the present refugee camps. It has also indicated that it would prefer the political leadership of the former Government of Rwanda to be located in third countries, although they could stay in Kinshasa while awaiting relocation.

27. The political leaders, the military hierarchy of the Rwandese government forces and the militia have made evident their opposition to either their removal from Goma and Bukavu or their separation from the refugee population prior to an overall settlement of the conflict. It is difficult to determine how far these groups would resist attempts to relocate them. Given their expressed opposition, however, and their proven propensity for violence, it can be assumed that they would not move voluntarily and would be likely to use force to resist being moved.

28. Should it be decided to undertake the separation of former political leaders, military and militia, the operation would also be undertaken in phases. In the first phase, while the new camps were being prepared, a strong, well-trained and well-equipped force would be deployed inside the existing refugee camps with the initial mandate of ensuring the security of international relief workers and the delivery of humanitarian assistance. During the second phase, once the new camps were established, the former political leaders, Rwandese government forces personnel and militia would be moved to the new sites, on a voluntary basis if possible, with force being used only where voluntary separation was resisted.

29. The UNAMIR technical team visited several sites recommended by the Government of Zaire, most of them in remote locations. The team analysed in detail the logistic difficulties that would have to be overcome in order to move the political leaders, Rwandese government forces personnel and militia to these new camps. The team concluded that the camps would require considerable infrastructure repair (airfields, roads, buildings, etc.), which would take at least six months to complete from the date of commissioning.

30. Taking all these factors into consideration, especially the likelihood that forcible action would be required, it is evident that this would be a risky, complex and very expensive endeavour. Given the need to provide security in both the existing camps and in the new sites to which the Rwandese government forces personnel and militia would be moved, it is estimated that a force level of two brigade groups (10,000-12,000 men), operating under a Chapter VII mandate, would be required. A United Nations force could conceivably be established for this purpose, either linked to UNAMIR or, preferably, as a separate operation. However, it will be recalled how difficult it was for the United Nations to obtain the necessary troops for the expansion of UNAMIR. It is, thus, clear that the United Nations could not be assured of obtaining expeditiously the personnel required to establish a force capable of undertaking this operation. Should the Security Council favour the establishment of such an operation, it may therefore wish to authorize a Member State, or a group of

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Member States, to take the lead in organizing it, using all necessary means to achieve the aims outlined above.

#### IV. CONCLUDING OBSERVATIONS

31. The preceding section of this report has identified three major military options for tackling the problem of security in the camps, namely:

(a) A United Nations peace-keeping operation, set up in accordance with normal procedures, to establish security progressively in the camps, area by area, over a period of time;

(b) A United Nations force, set up under Chapter VII of the Charter, to separate the former political leaders, military personnel and militia from the ordinary refugee population of the camps, thereby ensuring their security;

(c) A multinational force, authorized by the Security Council under Chapter VII of the Charter but not under United Nations command, to carry out the functions set out in subparagraph (b) above.

Other measures which could be associated with any of the above options would be the provision of foreign security experts to train and monitor the local security forces and appropriate public information campaigns.

32. In considering the above options, it is important to bear in mind that any operation conducted without parallel efforts towards national reconciliation in Rwanda will be futile. Indeed, it might merely have the effect of intensifying extremist activities in the refugee camps in Zaire and also those in other countries bordering Rwanda. It is evident that national reconciliation will require both a political understanding between the former leadership of the country and the present Government and the establishment of conditions in the camps, and in Rwanda itself, conducive to the return of the refugees. Neither is imminent. Any operation that encouraged the repatriation of refugees who were then not able to return to their home communities would merely add to the 1.5 to 2 million persons who are already internally displaced persons inside Rwanda and should therefore be avoided.

33. I am convinced that the first step must be a determined effort by the international community to improve security in the Rwandese refugee camps, especially those in Zaire. On the basis of the information provided by my Special Representative and of the preparatory work undertaken by the Secretariat, I feel that the peace-keeping operation envisaged above (paragraph 31 (a)) may be, under the present circumstances, the most realistic way of achieving a progressive improvement of security in the camps. This will be a difficult, complex and, to some extent, unprecedented enterprise. Should the Security Council favour such an approach, it would be essential that Member States be prepared to provide, in a timely manner, the full human, financial and logistic resources which would be required to carry it out effectively.

34. In determining the measures that need to be taken, the Security Council may wish to keep in mind that establishing security in the refugee camps must be

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seen as only the first step in an overall strategy to establish long-term security and durable peace in Rwanda. A two-pronged approach must be adopted of addressing security issues in the camps and, at the same time, helping the Government to create conditions in Rwanda under which large-scale repatriation and reintegration of refugees and internally displaced people can take place. This twin approach is the only means of achieving the environment necessary for national reconciliation and sustainable peace.

35. The Government must assume its responsibilities for establishing the conditions necessary for the return of refugees to Rwanda in safety and dignity. However, in the wake of the cataclysm that has overtaken Rwanda, it finds itself without even the minimal resources to run an administration, much less reconstruct a shattered country and nation. The Government has indicated its commitment to creating conditions for the safe repatriation of refugees and has requested assistance from the international community for this purpose. This will require the rehabilitation of the basic economic and social infrastructure. Measures to be taken inside Rwanda must include the establishment of a fair and effective judicial system and the issue of property rights. As mentioned above, large numbers of longer-term refugees are returning to Rwanda and, in some cases, are occupying the land of those who have recently fled. The Government needs immediate and major financial and technical assistance from the international community to reintegrate the earlier refugees who are now returning and to ensure that those who recently left the country are able to reclaim their properties upon their return.

36. The Government and the international community must be equally committed to cooperating with one another in ensuring that special measures are taken in regard to security, the maintenance of law and order, the administration of justice, economic and social rehabilitation and national reconciliation for the benefit of all Rwandese, especially in those communities to which refugees and displaced people will return. In this regard, about 60 human rights monitors have been deployed in the country to monitor the conditions of returning refugees and internally displaced people. Furthermore, UNAMIR is planning to deploy political affairs officers to its five sectors of operation, specifically to assist the Government, through the local administrations, in promoting national reconciliation and re-establishing civil administration and to facilitate coordination between the activities of UNAMIR and those of other United Nations agencies and programmes.

37. As noted in my report of 6 October, it is fully recognized how difficult it is for the Government to undertake nation-building activities when it suffers from a severe lack of basic resources, including cash reserves. While the international community is calling on it to undertake such activities, the Government is becoming increasingly frustrated with the international community's slow pace in providing the resources necessary for it to do so. Furthermore, there are signs that the security situation in the country is becoming unstable as the Government is not in a position to strengthen local civil administrations or even to pay the salaries of its army. As a result, there is increasing tension between the Rwandese military and UNAMIR and incidents obstructing UNAMIR's ability to carry out its mandate are becoming more frequent. It is therefore essential for the international community to provide immediate assistance to the Government so that it can, for its part,

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take the measures necessary to help improve the situation in the country and create the conditions necessary to encourage refugees to return.

38. My Special Representative has formulated and presented to potential donors a Rwanda emergency normalization plan, outlining areas in which such assistance is urgently required. At the request of the Government of Rwanda, UNDP has begun consultations with the donor community leading to a round-table meeting designed to establish a policy framework and to formulate reconstruction and rehabilitation requirements, a process that should also assist the international community to identify areas requiring immediate response. Finally, the Department of Humanitarian Affairs is preparing a new consolidated inter-agency appeal which will cover both continuing emergency requirements and short-term rehabilitation needs. The international community is urged to respond in an adequate and timely manner to these initiatives as part of a comprehensive approach to the problem of Rwanda. In this connection, I would like to recall that, pursuant to Security Council resolution 925 (1994), a trust fund has been established to finance humanitarian relief and rehabilitation programmes in Rwanda. The Trust Fund could serve as a useful conduit for contributions to meet the immediate needs of the Government of Rwanda.

39. Given the crucial importance of establishing secure conditions in the Rwandese refugee camps in Zaire, as well as the pressing need for financial and technical assistance to reach the Government of Rwanda, it is my intention to concentrate all the efforts of the United Nations system on these immediate priorities. Once progress has been made on these two fronts, I shall work with the Organization of African Unity (OAU) to address the wider problems of the subregion.

40. The first step in that direction will be the convening of the regional conference on assistance to refugees, returnees and displaced persons in the Great Lakes region, which was decided upon by the Assembly of Heads of State and Government of OAU at its thirtieth ordinary session, held at Tunis in June 1994. This conference was recently endorsed by the General Assembly (resolution 49/7) and is to be jointly organized by OAU and UNHCR at Bujumbura in the near future.

41. I believe that, at a later stage, a broader conference should be convened jointly by the United Nations and OAU to address a range of political and other issues, including national reconciliation and land-related questions, in order to identify long-term solutions which will ensure peace, security and development in the subregion. Work has begun in the Secretariat to define the scope and modalities of such a conference and I have asked my Special Humanitarian Envoy, Mr. Robert Dillon, who is currently visiting the region, to explore the matter with the countries concerned.

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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS  
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL  
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Report on the situation of human rights in Rwanda submitted by  
Mr. René Degni-Séqui, Special Rapporteur of the Commission on  
Human Rights, under paragraph 20 of resolution S-3/1 of  
25 May 1994

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## INTRODUCTION

1. In accordance with the mandate entrusted to him by the Commission on Human Rights in resolution S-3/1 of 25 May 1994, the Special Rapporteur made a third visit to Rwanda from 14 to 25 October 1994. The purpose of this visit was to update, supplement and clarify the information contained in the first two reports published on 20 June 1994 (E/CN.4/1995/7 and Corr.1) and on 12 August 1994 (E/CN.4/1995/12) respectively.

2. In the course of his visit, the Special Rapporteur:

(a) Travelled to Kigali, Kibungu, Butaré, Gisenyi and Cyangugu (Rwanda); to Goma and Bukavu (Zaire); to Benaco (United Republic of Tanzania); to Brussels and to Paris;

(b) Visited the refugee camps at Goma, Bukavu and Benaco, the camp for displaced persons at Kibeho in the former Turquoise zone, the Nyarubuye parish, the Bishopric, parish and small seminary of Nyundo, the Gisenyi cemetery, Chamvuzo village and Kigali prison;

(c) Held talks with:

(i) The following political personalities of Rwanda:

Mr. Paul Kagamé, Vice-President of the Republic and Minister of Defence, Mr. Faustin Twagiramungu, Prime Minister, Mr. Seth Sendashonga, Minister of the Interior and Mr. Alphonse-Marie Nkubito, Garde des Sceaux, Minister of Justice;

(ii) High-placed officials of bodies comprising the United Nations system, namely, Mr. Shahryar Khan, Special Representative of the Secretary-General in Rwanda, Major-General Claude Toussignant, Force Commander of the United Nations Assistance Mission to Rwanda (UNAMIR), and representatives of the United Nations High Commissioner for Refugees (UNHCR), of the United Nations Development Programme (UNDP) and of the United Nations Rwanda Emergency Office (UNREO);

(iii) Foreign personages: Mr. Vandenbroecke, Minister of Foreign Affairs of Belgium; the Apostolic Nuncio; the Ambassador of the United States in Kigali; the Conseil permanent de la Francophonie, a branch of the Cultural and Technical Cooperation Agency, Mr. Jean Gol, the Swiss Chargé d'affaires in Rwanda, Professor Filip Reyntjens, former Belgian Minister of State of Antwerp University (Belgium) and Mr. Eric Gillet and Mr. Bavo Cool, Belgian lawyers;

(iv) Representatives of non-governmental organizations, as well as Rwandese and foreign journalists (press conference).



3. The Special Rapporteur wishes to express his sincere thanks to all of the above and in particular his gratitude to the Special Representative of the Secretary-General and the Commander of UNAMIR who provided him with all necessary assistance and facilitated his visit through their logistical support. Thanks also go to Mr. William Clarence, Chief of the Human Rights Field Operation in Rwanda and his team of human rights observers who, internal contradictions and difficulties notwithstanding, displayed a spirit of devotion and dynamism.

4. This on-the-spot visit enabled the Special Rapporteur once again to take stock of the situation prevailing in Rwanda. The conclusion he reached was that the three basic concerns of this country are the problems of genocide, insecurity and the return of refugees and displaced persons.

#### I. GENOCIDE

5. The inhabitants of Rwandese towns are returning gradually and quite rapidly. Economic activity is also resuming. The dead are being mourned but there is rejoicing whenever a lost relative, a brother, a sister or a child is found. It would appear that the major concern of the Rwandese is knowing whether those responsible for the genocide - "généocidaires" as they are called in the country - will be tried and punished. They wonder what is keeping the United Nations from establishing an international tribunal, and in this context tongues become loosened. But although the existence of genocide has been confirmed, there is considerable delay in conducting the investigation.

##### A. Confirmation of the facts

6. The various elements constituting genocide appear to be increasingly confirmed by the on-the-spot investigation that has been carried out. Such elements include the discovery of mass graves, the existence of evidence and proof indicating that the massacre of the Tutsi was planned and the identification of those primarily responsible.

##### 1. The discovery of mass graves

7. Several mass graves have been found throughout the country as a result of the various investigations carried out - there being one or two in each commune. A provisional list of about 50 mass graves has thus been drawn up, with more than 6 in towns such as Gitarama and Cyangungu. The Special Rapporteur and several members of the observer team were personally able to identify several mass graves, namely, at Chamvuzo, Nyundo, in the Gisenyi communal cemetery and in Cyangungu. At Nyundo, three septic tanks were later used to inter those massacred, who numbered over 300. The inhabitants of Nyarubuye and the surrounding area were not, however, entitled to burial. The bodies of some lie strewn about the courtyard and alleys of the parish and others are piled one upon the other in the classrooms of the parish school and in the church, while yet others were discovered in the neighbouring village, some having had their hands bound behind their backs before being executed. Skeletons of persons of all ages abound: women, men, old persons and even babies. The senses - sight, smell and touch - are all revolted by the spectacle.

2. Proof or evidence indicating that the genocide  
of the Tutsi was planned

8. Since the question of genocide was discussed at sufficient length in the preliminary report it will not be dealt with in detail below. Attention is simply drawn to the following:

(a) The existence of several audio cassettes of broadcasts by Radio Rwanda and Radio Television des Mille Collines which are available and will be placed at the disposal of the courts and tribunals as proof of incitement to the extermination of the Tutsi;

(b) The issue by the authorities of unequivocal orders for the massacre of the Tutsi.

9. Concordant and reliable testimony indicate that these orders, carried out by the interahamwe ("those who attack together") and the inhabitants themselves can be traced back to the Government via local political and administrative authorities. A militiaman from Kibungo explained to a priest who tried to persuade him not to take part in the massacres that he liked his job as a taxi (moto) driver and did not want to be soldier. But, he added, "If I am told to kill, I kill the enemies of the people; they are bad". Another person, a Catholic from Kabgayi parish who was about to kill people in a church and who was asked by the priest what had happened to his "Christian way of life", replied: "You're not with it, Father. We're carrying out a plan". And in reply to the question what he would get out of the plan, he said without beating about the bush: "Salvation". The Prefect of Cyangungu, who was unable to provide protection for the Tutsi and who was asked by the Bishop of the Diocese to open up the frontiers, said that he could not allow the Tutsis to flee towards the frontier with Zaire since he had received "orders from above". The lieutenant who directed the attack against the Bishopric of Kibungo on 15 April 1994, following the massacre of over 1,200 Tutsi by militiamen and soldiers, reassured the Bishop and a few priests whom he had spared that "It's finished. We've sent a message to Kigali saying that the operation was a success". In other words, he had informed Kigali that everyone had been exterminated at Kibungo.

10. By far the most topical example is offered by the speech of Mr. Sindikubwabo, the President of the Interim Republic of Rwanda, on the occasion of the installation of the Prefect of Butaré on 19 April 1994. In this speech, which has been confirmed by a number of reliable sources, he addressed an appeal to the inhabitants of Butaré, stating that they should not act as they had in the past - a past characterized by apathy - and urged them to engage in a manhunt. "You, people of Butaré, you are adopting a 'its none of your business attitude'; the enemies are among you, get rid of them", he is said to have declared in kinyarwanda. And later on he added: "If you cultivate a field and then fail to weed it, what you have done is pointless". He is said to have concluded with "Analyse each one of my words and you will discover the meaning of the message I am conveying to you".

3. Identification and prosecution of persons  
primarily responsible for the genocide

11. Although the identification and even the prosecution of those responsible for carrying out such orders raise difficulties owing to the number involved, this is not true of those who issued the orders, namely, those primarily responsible against whom "sufficient charges" have been brought. Abundant and concordant testimony is available on the part they played, and each witness possesses a list which sometimes classifies the perpetration of genocide in hierarchical order. Proof is also available. On the other hand the prosecution of those primarily responsible raises a problem namely, that of the tribunals before which they should be brought, and in particular the international tribunal. The victims, the wounded and those entitled to compensation, are becoming impatient. Apart from the actual establishment of the international tribunal, divergencies of views might well emerge between the United Nations and the Rwandese Government concerning its seat, the detention of the accused or those sentenced and the penalties imposed.

12. The Rwandese Government would like the tribunal to sit in the place where the massacres were perpetrated, namely, at Kigali in Rwanda. Will the United Nations accede to its wishes?

13. The same problem arises in connection with the place of detention which, in the case of those who carried out the orders, would probably be Rwanda and, in the case of those who issued the orders, outside the national territory. The Rwandese Government is questioning the justification of this kind of "double standard" discrimination.

14. Lastly, with respect to punishment, the Rwandese Government, under pressure from national public opinion, is in favour of the strict application of the Rwandese Criminal Code which provides for capital punishment, whereas the United Nations, following the example of the Statute of the International Tribunal for the former Yugoslavia (S/25704) adopted by the Security Council in resolution 827 (1993) of 25 May 1993 and in accordance with the Statute of the International Tribunal for Rwanda (S/1994/1168), contained in Council resolution 955 (1994) of 8 November prescribes life imprisonment as the maximum sentence. In this context and apart from the discrimination made between the two categories of persons, the paradox of punishing those who carried out the orders more severely than those who issued them is to be deplored. Nor is it out of the question, that, as a result of certain events, those who issued the orders might be released a few years later. It is no doubt because these various divergencies of views and contradictions have not been reconciled that the Rwandese Government has proposed to the Security Council, as reported in Le Monde of Tuesday, 1 November 1994, that international jurisdiction should be replaced by a national tribunal "enjoying international assistance and the death penalty instead of life imprisonment ...".

B. Delay in carrying out the investigation

15. The investigation, which should be conducted on the spot by human rights observers in accordance with paragraph 21 of Commission on Human Rights resolution S-3/1 of 25 May 1994, has not yet really begun. This is clear if a

distinction is made between two different periods. The first is characterized by the absence of observers and the second by the presence of undeployed observers.

1. Absence of observers in the field

16. The Special Rapporteur's first two visits, which took place from 9 to 20 June 1994 and from 29 to 31 July 1994 respectively, do not call for any particular comment, since at that time the investigation proper had not yet begun. The first two reports were prepared on the basis of documents and testimony provided by officials of intergovernmental and non-governmental organizations, as well as a few survivors of the massacres. Moreover, the Special Rapporteur refrained from questioning displaced persons or refugees in the camps for fear that reprisals would be taken against them. This period was that of the war and the cease-fire. It lasted for two months (June and July 1994) and observers had not yet been deployed, mainly because the war was still raging. It was at the end of the armed conflict that the deployment of observers was envisaged.

2. The presence of undeployed observers

17. Following his second visit, the Special Rapporteur proposed, in accordance with a strategy described in the second report, the deployment of 150 to 200 observers for the period of national reconstruction. The United Nations decided upon 147, a figure agreed with the Government and corresponding to the number of communes in the country.

18. On Saturday, 22 October 1994, 37 of the 147 agreed upon had taken up their duties at Kigali. The fact that the observers - the first four - began arriving at Kigali at the beginning of August 1994 gives an indication of the difficulties encountered in organizing this mission. On the same date, the observers present had not yet been deployed in the field.

19. It should, however, be mentioned that spot investigations have been conducted by human rights observers as well as by the specialized investigation team, although the general deployment plan will be embarked upon only on 22 October.

20. The reason usually given is the absence of material and logistical facilities, namely, the lack of liaison vehicles and particularly communication radios that are vital for the security of the observers. Moreover, according to the United Nations Centre for Human Rights, "only provisional instructions have been received in respect of the field operation during the initial phase, based on similar directives applied during United Nations operations in the former Yugoslavia, El Salvador and Haiti". And it will only be after the arrival of the chief of the operation at Kigali on 10 September 1994 and when the head of the specialized investigation team assumes his functions that "complete instructions for field personnel, based strictly on the experience acquired during the first few weeks of the operation" will be drawn up. However, to these reasons must be added others reflecting personality clashes and the vagueness of the instructions provided.

21. These various reasons may well explain why two observers have resigned and, in part, the failure of two other observers to renew their contracts. There is nothing to say that yet other observers may resign, although the Special Rapporteur, during his third visit, tried to persuade them not to do so. The delay in the deployment of observers is all the more unfortunate in view of the insecurity that is becoming increasingly apparent in Rwanda.

## II. INSECURITY

22. Insecurity, which has already been condemned in the second report, is again on the increase. As a consequence of the armed conflict and particularly the massacres that have taken place, it is a source of human rights violations taking the form of serious violations of property rights, the right to personal safety and the right to life.

### A. Violations of property rights

23. Violations of property rights consist in the illegal occupation of property - a problem to which the Government is trying in vain to find a solution.

#### 1. Illegal occupation of property

24. On returning to Rwanda, many refugees illegally occupy houses - dwelling houses or business premises - as well as land abandoned by its owners or tenants who have fled. The situation is particularly complex in that this return flow is of an anarchical nature and that the majority of these refugees constituted the Diaspora of the 1960s. According to well-informed sources, it appears that over half of the property of the Hutu is occupied by the new repatriates. This is the case in Kigali as well as in Rusumo commune. The most telling example is offered by the Massaka sector in the vicinity of Kigali, where 4,000 of the 5,000 inhabitants, namely, 80 per cent of the total population, are new arrivals.

25. The new arrivals settle in without thinking that the owners might return, so that when they do and claim their property rights, conflicts arise and in many cases assume unexpected proportions. Since they belong to the Hutu ethnic group, they are reported to the military as having participated in the genocide or in cruel and inhuman treatment or summary executions. The Government has informed the Special Rapporteur that it is concerned by this delicate problem and the Prime Minister, who has pointed out that it is difficult to evict and rehouse the refugees, recognizes that conflicts "are being resolved in an increasingly violent manner".

#### 2. Solutions to the problem

26. The Government of Rwanda has taken the following steps to solve the sensitive problem of the illegal occupation of the property of persons who fled by persons who have returned, which is primarily the result of the shortage of dwellings and the large-scale and spontaneous return of refugees:

(a) Only refugees who have been out of the country for less than 10 years may recover their right of ownership; they are the real owners of the property they abandoned during the armed conflict and the massacres; it is stressed that this principle is in keeping with the Arusha Agreements;

(b) Refugees who have been outside the country for more than 10 years may temporarily occupy abandoned and vacant houses, on the understanding that such occupation does not create any right of ownership; they are in a precarious and revocable situation;

(c) The property of persons responsible for the genocide will be seized and sold to establish a fund for the compensation of the victims;

(d) An Inter-Ministerial Committee presided over by the Minister of the Interior has been set up to implement these measures.

27. The Minister of the Interior recognizes that this Committee faces resistance by many persons served with eviction notices. This resistance is all the stronger in that, in some cases, it is put up by officers of the Rwandese Patriotic Army (APR). It explains why, according to the Minister, the Committee can be successful in only 30 per cent of cases. He therefore intends to use a gendarmerie unit to have "the notices served by force whenever the occupants have shown obvious signs of bad faith".

28. The measures adopted are still not enough because they simply shift problems instead of solving them. The eviction of illegal occupants whether they like it or not is tantamount to inviting them to take over other unoccupied houses, shops or plantations, where they can expect the same sequence of events to take place. In order to put an end to this awkward and uncertain situation, the Special Rapporteur proposed that a national policy to take care of former refugees should be adopted and implemented on the basis of the Arusha Agreements and under the auspices of the Government of Rwanda, the Office of the United Nations High Commissioner for Refugees and the Organization of African Unity. The formulation of a plan of this nature requires the international community's support within the shortest possible time in order to put an end to other violations of human rights.

#### B. Violations of personal safety

29. The arbitrary arrests and detentions committed in Rwandese territory are justified by the shortage of resources.

##### 1. Arbitrary arrests and detentions

30. Insecurity is also reflected in violations of personal safety which primarily take the form of arbitrary arrests and detentions. The Special Rapporteur has been informed of several cases of searches and particularly of arbitrary arrests and detentions. He was able to confirm this information for himself when he visited Kigali prison, where he met several thousand prisoners, including men, women, children and elderly people. He counted about 40 children under 15 years of age, including several as young as 12.

31. These persons had been arrested and detained in violation of basic procedural rules. No arrest warrant is issued and the persons concerned are kept in places of detention, especially in police stations, for longer than the lawful period of police custody, which is 48 hours, renewable once. What is worse, persons released by the judicial authorities for lack of evidence are arrested again by soldiers and detained in police stations or barracks.

32. Conditions of detention are extremely rudimentary. Prisoners are piled in practically on top of one another. The hunt for the "génocidaires" has filled Rwanda's prisons. On 18 October 1994, ICRC counted over 7,000, including 800 in Gitarama, 2,000 in Butaré and 4,200 in Kigali. The result is overcrowding. For example, Kigali prison, which has room for 1,500 prisoners, had 4,305 on Friday, 21 October 1994. The situation is likely to get even worse because large numbers of persons are being admitted to prison, whereas few, if any, are leaving. In Kigali, an average of between 50 and 100 persons are admitted every day. The prison also does not have enough beds and many inmates therefore have to sleep on the floor. There is no open-air area. Prisoners have only one skimpy meal a day consisting of no more than maize and beans.

## 2. The lack of resources

33. The Government of Rwanda gives more or less connected reasons both to justify the arrests and detentions and to explain the irregularities that characterize them. There are three such reasons.

34. The first is the need to prosecute the persons responsible for the genocide so that they do not escape justice. We are told that the Government and the urban population are firmly determined to prosecute the perpetrators. The Government wants to punish those responsible for the massacres at any price and does not wish in any way to countenance impunity, which is a recurrent cause of the successive waves of massacres in Rwanda. This is why it informed the Special Rapporteur on several occasions that the "génocidaires" are being arrested pending the establishment of the international tribunal and the reorganization of Rwandese judicial machinery. Moreover, the urban population is putting strong pressure on the authorities to make sure that the crimes against humanity that have been committed will not go unpunished because otherwise they would have to take revenge themselves.

35. The second reason is the need to protect the persons concerned against reprisals by the victims. Prisons and other places of detention are, we are told, safe places for protecting the lives of persons who have been reported to be responsible for the massacres, but who do not seem to have been informed that this is the purpose of their detention and obviously do not have any choice in the matter.

36. The third reason is the lack of administrative structures and judicial personnel. The Government says that it is aware of violations of the right to personal safety and complains of the acute shortage of the basic elements needed to ensure the smooth operation of the criminal investigation police and the law. For example, it stresses that only 27 of the more than 150 persons employed by the Ministry of Justice are at their posts, after having escaped



death or exile. It also points out that the lack of training of military personnel and their ignorance of legal procedures are causes of human rights violations. These reasons also explain violations of the right to life.

C. Violations of the right to life

37. Violations of the right to life are the result of summary executions, which are said to be justified by revenge taken by the victims.

1. Summary executions

38. The Special Rapporteur has been informed of several cases of summary executions and even massacres and involuntary disappearances of persons for which civilians and, in particular, APR soldiers are alleged to be responsible. This information was supplied to him both by the relatives of victims and by humanitarian non-governmental organizations. They refer not only to thousands of anonymous deaths, but also to lists of persons who are few in number, but mentioned by name.

39. The Special Rapporteur personally went to Chamvuzo (Butaré prefecture) to identify a mass grave containing almost 50 bodies for which APR is alleged to be responsible. Many rumours bordering on disinformation are, of course, circulating in the refugee camps, to the effect that thousands of Hutu have been massacred. APR soldiers and civilians are indeed guilty of massacres of Hutu in various places in Rwanda. Investigations are being conducted.

40. Persons suspected of having taken part in the massacres have been executed either by the civilian population itself, by soldiers at the civilian population's request or on their own initiative. Concordant and reliable testimony describes nearly the same scenario. Men, children and elderly people have been accused of being traitors and massacred following so-called information meetings convened by APR elements. Massacres have allegedly taken place in various parts of the country, and particularly in the south. In addition to the mass graves for which APR is responsible we therefore have all those for which the militia and the Rwandese Armed Forces are responsible, so that it is now difficult to tell them apart. Investigations are under way to clarify the situation and determine where responsibility lies.

2. Private revenge

41. The Government presents reasons and describes the measures it has taken in explanation of recently reported massacres and thus relieves itself of responsibility. Two reasons are given.

42. The main reason is private revenge taken by Tutsi civilians and by soldiers. We are told that, in Rwanda, all those who live on the same hill know one another and, in many cases, the executioners operated openly and killed people in full view of everyone because they were convinced that they enjoyed impunity, which has become a tradition. Similarly, soldiers who had joined the ranks of the Rwandese Patriotic Front (RPF) saw their relatives executed simply because they had joined up. And they, in turn, carry out acts of reprisal.

43. The second, subsidiary, reason is that, in the second phase of the war, the RPF hastily recruited juvenile delinquents and even former militiamen on what was not a very selective basis. It is a great temptation for these young persons who have tasted victory and who are not receiving any pay to seize other people's property, killing them if necessary. Officers also abuse their powers by unlawfully occupying houses at gunpoint. The question is thus whether the RPF really controls all its APR elements.

44. In view of this situation, the Government has adopted a number of measures, including:

(a) The establishment of a military police force commanded by a colonel who is responsible for supervising and arresting delinquent military personnel;

(b) The quartering of undisciplined soldiers in a training camp;

(c) The adoption of a decree embodying the Code of Military Justice, which provides for the establishment of two competent courts to try military personnel: the Court Martial and the Military Court. The latter's decision may be appealed under the conditions provided for by Rwandese law. The Government of Rwanda has already arrested military personnel, including officers (majors and lieutenants). A fax sent to the Special Rapporteur by the Minister of Justice refers to 100 members of the military who have been arrested, and lists 20 cases in which "the investigation has been completed".

45. It may be added that the United Nations is helping the Government of Rwanda to organize a new national police force intended to guarantee security in the country. In a favourable response to an urgent request by the Government of Rwanda, UNAMIR has started a training programme for 103 police cadets who were chosen by the Government and who will be trained in normal police work and investigation procedures. There is a programme developed by the Secretary-General in his progress report of 6 October 1994 on the United Nations Assistance Mission for Rwanda (S/1994/1133).

46. It is obvious that these measures are not enough in themselves to establish security in Rwanda. They will therefore have to be expanded to provide comprehensive assistance covering both national reconstruction and legal assistance lato sensu. These measures, taken together, may also help to promote the return of refugees.

### III. THE RETURN OF REFUGEES AND DISPLACED PERSONS

47. The return of refugees and displaced persons to Rwanda and the hills where they live continues to be the international community's main concern. Their return, which has been slowed down by considerable pressure on the part of the former authorities, nevertheless seems to imply new solutions.

#### A. The slow-down in the number of returns

48. The refugees' situation has persisted too long. What was temporary is becoming permanent despite difficult living conditions, which have improved only slightly (mainly in terms of health and nutrition).

49. Although the international community has been making untiring efforts to ensure the repatriation of refugees and displaced persons, the situation has hardly changed. In October 1994, UNHCR estimated that there were about 1.5 million Rwandese refugees in neighbouring countries, including 850,000 in North Kivu, 300,000 in South Kivu (Zaire) and 460,000 in the United Republic of Tanzania. It should be mentioned that at least 50,000 refugees have died of diseases and particularly the cholera epidemic that spread throughout the camps. In addition, the same number of persons was displaced inside Rwanda. The Kibeho and N'Dago camps for displaced persons had a population of 60,000 and 40,000 respectively.

50. These numbers are levelling off as a result of the slow-down in repatriations, in contrast to the large-scale repatriations that took place immediately after the cease-fire entered into force. For example, in the Prefecture of Giseny in UNAMIR sector No. 5, there were 3,368 returnees from Zaire on 27 July 1994. On 28 July, 4,233 persons returned by the same border posts. On 29 July, however, there was a sharp drop in the number of repatriations, to 1,592; and on 18 August it fell to 922 and then to 268 on 6 October. So that whereas the number of repatriations in the sector amounted to 12,433 for the last five days of July (an average of 2,486 a day), it dropped to 36,600 (an average of 1,180 a day) in August, to 32,925 (an average of 1,097 a day) in September and to 10,337 (a daily average of 607) in the first half of October. This decline in the number of returning refugees became noticeable and significant on 17 September and even sharper in October.

51. There are two factors pulling in opposite directions. The first is that most of the refugees who returned to Rwanda during the same period comprised the old Tutsi Diaspora and are probably not taken into account in the refugee figures. The second is that the figures do not include arrivals by dugouts or other clandestine means.

52. Moreover, there have also been far fewer arrivals than departures. UNHCR reports that, from 8 to 14 September 1994 in the Goma area, there were 15,662 returnees and no new arrivals in the camps; from 15 to 21 September, 11,728 returnees as against 1,868 arrivals; from 22 to 30 September, 6,477 returnees as against 1,868 arrivals; and from 1 to 17 October, 12,106 returnees and 1,731 arrivals. In general, there has been if not a halt at least a gradual slow-down in departures from the camps, largely attributable to action by the former leaders.

#### B. Taking refugees hostage

53. The slow-down in repatriations of refugees and displaced persons may be due to various reasons. The first, which is immediately apparent, is the insecurity prevailing in Rwanda and, in particular, the fear of reprisals by the Tutsi. The second, which is closely related, is the fear of those who took part in the massacres of being executed by the RPF Government. Yet other reasons include the reassuring presence of United Nations observers and soldiers and the improvement in nutritional and health conditions.

54. However, the decisive - or at least most important - reason is that the refugees and displaced persons are being held hostage by the former political authorities, if the strong pressure being exerted on them "in an appropriate framework" is anything to go by.

1. Strong pressure

55. The former leaders, with assistance from local officials and military personnel and militiamen, continue to wage a vigorous campaign against the return of refugees and displaced persons to Rwanda and their hills. These authorities have no qualms about going from camp to camp making political speeches conveying two messages: disinformation and threats.

56. The first message tells refugees and displaced persons to remain in the camps rather than return to Rwanda for fear of being massacred by the Tutsi and the FPR Government. Then there are also reports of thousands of Hutu being massacred by the latter, and many people are prepared to testify to the fact. This disinformation campaign is so forceful that it is no longer possible to establish the truth, particularly bearing in mind the climate of insecurity that does indeed prevail in Rwanda.

57. The second message is in the nature of a permanent threat to refugees or displaced persons who expressly or tacitly indicate a desire to be repatriated. It is clear from this campaign that return will be possible only as a result of political negotiations entailing a general amnesty or, otherwise, a resumption of civil war to reconquer power. Those who do not take the advice offered and return would be at risk of being the first targets in the event of a reconquest of power.

58. These campaigns are organized thanks to the freedom of action enjoyed by members of the former Government team to engage in political activities contrary to international norms on Zairian territory. On 18 October 1994, for example, Mr. Jean Kambanda, ex-Prime Minister of the former Rwandese Government, visited refugees at the Mugunga (Goma) camp. He talked for more than an hour and a half with representatives of the refugees and then with the refugees themselves, who turned out in large numbers to listen to him. In substance, the message he conveyed was that the Rwandese Government in exile would shortly be starting discussions with the Government of Kigali. If that Government refused or stood in the way of a prompt solution, military action would be taken. Echoing the "Prime Minister", General Bizimungu stated on Saturday, 22 October 1994, that, if there were no negotiations between the new and the former Governments with a view to power-sharing, his troops would attack Rwanda. Unfortunately, those were no vain threats, since the former Government still has the means to pursue its policy.

2. An appropriate framework

59. The former Government team has been able to devise and set up in the various refugee camps a framework that is ideally suited for maintaining its pressure on the refugees and displaced persons. This framework is both institutional, political and administrative.

60. The institutional framework involves reconstituting in the camps the political and administrative structures that exist in Rwanda. These structures are mainly prefectures and communes. In other camps, there are even sectors. For instance, in the Kibumba camp at Goma, 8 of the 10 Rwandese prefectures are represented, together with several communes and a few sectors. Sometimes these reconstituted local units are even headed by the same local

authorities, prefects or prefecture chiefs and burgomasters. Thus, at Benaco in the United Republic of Tanzania, the Prefect of Kibungo has reportedly resumed his functions at the head of the prefecture.

61. These reconstituted prefectures, sectors and communes are undoubtedly structures enabling the former Rwandese authorities to control the civilian population. This control is all the more effective in that, in several camps, it is in practice they who are responsible for conducting a census of refugees.

62. The system of control thus devised and put into effect confers substantial or political and administrative powers on the former Government team through the intermediary of prefects or heads of prefectures, burgomasters and militiamen, particularly the power over food and the power to punish.

63. The power over food is tacitly recognized to belong to these local authorities when aid organizations relinquish to them the responsibility of ensuring the distribution of foodstuffs and other relief supplies. These authorities do not hesitate to use and abuse the power over food, as thus recognized, to punish those who do not go along with their policy and to divert stocks of food which are sold on the markets of the host countries.

64. The second power, which they quickly and forcibly acquired, is that of executing all those who do not fall in with their policy of keeping people in the camps. However, capital punishment is not confined to the political sphere but is also applied in connection with mere domestic matters, or indeed acts of vandalism. There is permanent insecurity in the camps. Not a day passes without a refugee being killed. The militiamen and armed bandits impose their own law, the law of arms. There are even persistent rumours of soldiers and militiamen being trained to attack the Rwandese State and to regain power there. The growing insecurity in the camps is the reason why the staff of UNHCR and humanitarian organizations no longer sleep there and why some of them threaten to withdraw. This necessitates the adoption of further measures to ensure security in the camps.

#### C. New solutions

65. To cope with the situation in the camps for Rwandese refugees and displaced persons, the United Nations and its various partners have envisaged new solutions to supplement those which already exist. Among them, the two main solutions that should be adopted are the separation of refugees from politicians and their repatriation.

##### 1. The separation of refugees from politicians

66. The policy of separating refugees or displaced persons from politicians is advocated by the United Nations Secretary-General in his report of 6 October 1994 (S/1994/1133). The final report of the United Nations Technical Mission on the state of security in the camps gives details of this operation. To sum up, two main points may be mentioned:

(a) The distinctions made in the Secretary-General's report between Rwandese refugees, particularly in Zaire:

- (i) The former leaders, comprising some 50 families lodged in villas at Bukavu;
- (ii) An estimated 16,000 military elements of the former RGF who, together with their families, form a group of 80,000 persons;
- (iii) The militiamen, who are difficult to enumerate, since they have mingled with ordinary refugees; and
- (iv) The ordinary refugees, estimated at more than 1 million.

(b) The aim of the operation is to separate the vast majority of refugees from those who yesterday masterminded or participated in the massacres and today are taking the Hutu survivors hostage. The latter fall into the first three categories. It is nevertheless difficult to identify the third category - the militiamen - in order to separate them from the general population. This operation will be conducted through the formation of an international isolation or interposition force estimated at some 2,000 to 3,000 policemen, the imminent establishment of which has been announced by the Secretary-General. However, this force will doubtless have to begin by exploring peaceful solutions and encouraging repatriation, force being used only in cases of extreme emergency.

## 2. Repatriation

67. Voluntary repatriation of refugees is covered by the relevant provisions of various United Nations conventions and the Protocol of Agreement concluded at Arusha on 9 June 1993 between the Government of the Rwandese Republic and the Rwandese Patriotic Front on the repatriation of Rwandese refugees and the resettlement of displaced persons. This was the basis for the tripartite Agreement on the repatriation of Rwandese refugees from Zaire which was concluded at Kinshasa, Zaire, on 24 October 1994 by the Government of the Rwandese Republic, the Government of the Republic of Zaire and the Office of the United Nations High Commissioner for Refugees.

68. The preamble to the Agreement defines "the procedures and specific modalities for the voluntary repatriation and definitive reintegration in Rwanda of Rwandese refugees at present in Zaire, with the assistance of the international community and through UNHCR and, if necessary, with the support of other United Nations agencies and intergovernmental and non-governmental organizations".

69. It imposes a number of obligations on the contracting parties, specifically:

(a) Zaire, the country of asylum, undertakes to respect the relevant clauses of various United Nations and OAU conventions on refugees and to take appropriate measures to ensure that the latter are not unduly influenced in their decisions;

(b) Rwanda, the country of origin, undertakes to adopt political, administrative and possibly customs measures to ensure and facilitate the return and reintegration of refugees in dignity and security, as well as social peace and national reconciliation;

(c) The Office of the United Nations High Commissioner for Refugees undertakes to monitor and supervise any repatriation operation from start to finish, placing particular emphasis on the voluntary nature of the returnees' decision, as well as on their security and dignity.

70. It is to be hoped that this Agreement, which refers to the communiqué of 26 July 1994 marking the meeting between the President of the Rwandese Republic and the President of the Republic of Zaire, will not experience the same fate as that communiqué and will be respected.

#### IV. RECOMMENDATIONS

71. The Special Rapporteur deplores the tendency to use the current insecurity in Rwanda as a pretext for suggesting that genocide is commonplace and justifying inaction. To do so is to confuse cause and effect. It overlooks the fact that genocide is to a great extent the cause of insecurity. A correct diagnosis is essential if the right medicine likely to heal the Rwandese sickness is to be found. Without in any way neglecting existing human rights violations, they must be viewed in context and their sources identified so that efforts can be made to eliminate them before it is too late. Rapid, indeed very rapid, action is required if we are not to be the powerless spectators of a second war and further massacres. It is in order to avoid a disaster of this nature that the following recommendations, addressed respectively to the Rwandese Government, the governments hosting refugees and the United Nations, are formulated.

##### A. Cessation of human rights violations

72. The United Nations should require the Rwandese Government to put an end to the serious violations of human rights which are being perpetrated in its territory and which comprise searches, arrests, arbitrary detentions, disappearances and summary executions.

73. The United Nations should recommend the following to the Rwandese Government:

(a) The organization of wide-ranging campaigns to make the population aware of the need to respect the physical integrity and property of others, as well as to prepare for a life in common and on good terms;

(b) The adoption, as advocated in the second report of the Special Rapporteur, of forceful administrative measures designed to deter acts of reprisal and at the same time to ensure respect for fundamental rights of anyone who may commit such acts;

(c) Observance of the prerogatives and decisions of the judicial authorities, which is an essential condition for the sound administration of justice.



B. The situation of refugees

74. The United Nations should recommend that the Governments of countries hosting Rwandese refugees, and particularly the Zairian Government which has accepted the greatest number, take appropriate action to ensure that:

(a) The voluntary repatriation of refugees is effectively assured and facilitated;

(b) The refugees are not unduly influenced in one way or another - i.e., either to leave or to remain in the host country;

(c) Systematic information campaigns are organized for this purpose, so that the people concerned can take a fully informed decision;

(d) These Governments abide by their international commitments, particularly those deriving from the relevant provisions of international conventions on asylum and refugees;

(e) Their territories are not used as a base for destabilizing Rwanda or committing acts of aggression against that State.

75. The United Nations should assist in:

(a) Compensating those States for the losses they have suffered as a result of the installation of refugees and the deterioration of their crops and land;

(b) Financing refugee repatriation operations.

C. International assistance to Rwanda

76. The United Nations should formally appeal to Member States, particularly the great Powers and the African States, to provide substantial assistance for the reconstruction of the Rwandese State as a matter of urgency.

77. Such assistance, which should take various forms and be provided in all economic, political, social and cultural sectors, implies a prior overall assessment of needs.

78. In the immediate future, it appears especially urgent to provide the people concerned with food and health assistance designed to enable them to survive, as well as the means to save their crops, livestock and land and to produce the minimum needed to survive.

79. The United Nations should participate actively in this assistance operation and help to organize it. In particular, it should provide the Rwandese State with:

(a) Financial or material assistance in reconstituting the infrastructure of the administrative police, the criminal police, the gendarmerie and the judiciary;

(b) Assistance in judicial and law-enforcement personnel, including the training of policemen, gendarmes and judges, while helping local judges to render justice. In this connection, the United Nations might expand the Special Rapporteur's mandate to embrace technical assistance. Under this proposal, a specialized team of observers would be responsible for training policemen, judges, lawyers and court officers and establishing a Bar with a view to safeguarding the independence of the judiciary.

80. The United Nations should take the initiative in ensuring improved coordination of activities in Rwandese territory, - not only measures to promote human rights or humanitarian law but also other activities such as those involving food or military operations. Such coordination is essential in view of the large number and diversity of field activities. It would have the advantage of providing an integrated view of problems and avoiding overlapping, duplication of effort and aid waste.

81. The United Nations should, as soon as possible:

(a) Increase the number of human rights experts and their actual deployment in the field, some of them acting as observers, investigators and instructors at one and the same time;

(b) Launching the International Court which has just been set up, as well as the local courts that are to be established to try persons responsible for genocide, in order to stop, or at least reduce, acts of reprisal;

(c) Establish an appropriate legal framework to ensure the protection of widows and unaccompanied children and guarantee their fundamental rights. For this purpose, it would be appropriate to provide compensation for damage attributable to the perpetrators of massacres or their accomplices;

(d) Create an international force responsible for ensuring security in camps for refugees and displaced persons, as well as arrangements for their repatriation in appropriate conditions of security and dignity.

82. In cooperation with OAU, the United Nations should take steps to:

(a) Create conditions and a framework for a dialogue between various Rwandese political groups both inside and outside the country. This dialogue might lay the basis for a political settlement of the conflict in place of a military settlement;

(b) Convene an international conference on Rwanda designed, as initially recommended in the interim report, to induce the parties to the conflict to negotiate in good faith, taking due account of the Arusha Agreements of 4 August 1993, the conditions for peace, democratic transition, and national reconciliation and unity.

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**UNITED  
NATIONS****S****Security Council**Distr.  
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14 October 1994

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**STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL**

At the 3436th meeting of the Security Council, held on 14 October 1994, in connection with the Council's consideration of the item entitled "The situation concerning Rwanda", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council has considered the Secretary-General's progress report on the United Nations Assistance Mission for Rwanda (UNAMIR) (S/1994/1133). The Council stresses the importance it attaches to the role of UNAMIR, whose neutral and independent presence is crucial to creating conditions of security. It welcomes the Secretary-General's revised deployment schedule for UNAMIR which is intended to promote security in all sectors of the country and create conditions conducive to the return of refugees. It also welcomes the assistance being provided by UNAMIR to the Government of Rwanda's efforts to establish a new integrated police force. It encourages UNAMIR to continue that assistance and asks the Secretary-General to provide it with detailed information on this programme.

"The Security Council remains extremely concerned at the plight of the millions of refugees and displaced persons in Rwanda and the countries of the region. It reiterates its view that their return to their homes is essential for the normalization of the situation in Rwanda and for the stabilization of the region. It deplores the continuing acts of intimidation and violence within the refugee camps which are designed to prevent the refugee population there from returning home. It welcomes the commitment of the Governments of Zaire, Tanzania and Burundi to help resolve the problems facing the refugees, and calls upon them to do all in their power to ensure the safety both of the refugees and of the international personnel providing humanitarian assistance to the refugees.

"The Security Council notes the view expressed in the report that the most effective way of ensuring the safety of the refugees and their freedom to return to Rwanda would be the separation of political leaders, former RGF soldiers and militias from the rest of the refugee population, and looks forward to receiving a further report from the Secretary-General on this issue, as soon as possible, based inter alia on the findings of the United Nations team participating in the joint Zairian/United Nations

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working group. It stresses once again the responsibilities which fall upon the neighbouring countries, including that of ensuring that their territories are not used to destabilize the situation.

"The return of refugees is also crucially dependent upon the situation within Rwanda itself, including the existence of a climate of confidence and the establishment of a more secure environment. The Security Council notes the important role human rights monitors and their speedy deployment will have in this context and notes also the importance of cooperation between them and UNAMIR. The Security Council stresses the importance it attaches to UNAMIR having an effective broadcasting service to provide objective information. It hopes that the Government of Rwanda will assist in enabling the proposed United Nations radio station to come into operation as soon as possible.

"The Security Council welcomes the efforts being made by the Rwandan Government to facilitate the return of refugees and to begin the difficult process of national reconciliation and reconstruction in the country. It notes with concern reports that some reprisals may have occurred and affirms the importance it attaches to the avoidance of reprisals against returnees and to the safeguarding of their property rights. It welcomes the speed with which the United Nations and the Government of Rwanda responded to allegations that some RPA soldiers might have been responsible for systematic killings. It underlines the importance it attaches to the thorough and expeditious investigation of these allegations.

"The Security Council welcomes the assurance given to Council members by President Bizimungu of his Government's commitment to achieving national reconciliation and promoting respect for the fundamental rights of individuals. The Security Council stresses the importance it attaches to the Government of Rwanda implementing this commitment. In this context it endorses the Secretary-General's call to the Government of Rwanda to maintain an open dialogue with all political interest groups in Rwanda in an effort to achieve genuine reconciliation between all elements of Rwandan society, within the frame of reference of the Arusha Peace Agreement. In particular, the Security Council encourages the Rwandan Government to continue its efforts to invite members of the MRND who were not involved in the massacres to participate in the Government and to absorb members of the former RGF into the new army.

"The Security Council reaffirms its view that those responsible for serious breaches of international humanitarian law and acts of genocide must be brought to justice. It stresses that persons involved in such acts cannot achieve immunity from prosecution by fleeing the country and notes that the provisions of the Convention relating to the status of refugees do not apply to such persons. In this context, the Council is currently considering the recommendations of the Commission of Experts in respect of the establishment of an international tribunal and will act expeditiously in the matter.

"The Security Council commends the assistance given by the international community, the United Nations agencies and non-governmental

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organizations in response to the crisis in Rwanda. It calls on them to maintain their support during the difficult transition period and to begin to redirect their support from relief to rehabilitation and reconstruction. It endorses the Secretary-General's views as to the importance of immediate and coordinated assistance, in particular to the restoration of civil administration and the reconstruction of the social and economic infrastructure of the country.

"The Security Council agrees with the Secretary-General that developments in Rwanda strengthen the case for a broader approach to the question of national reconciliation and other key aspects of the crisis. It encourages him to continue his consultations on how the United Nations can assist in the preparation and convening of an international conference to look into the problems of the subregion.

"The Security Council will remain seized of the matter."

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IN 3490

TO: KHAN UNAMIR, KIGALI	FROM: ANNAN, UNATIONS, NEW YORK
DATE: 7 October 1994	Fax No. (212) 963-9222
SUBJECT: Rwanda report	
TOTAL NUMBER OF TRANSMITTED PAGES INCLUDING THIS PAGE: 30	

Please find attached copies, in English and French, of the Progress report of the Secretary-General which was approved last night and issued this morning as document S/1994/1133.

Additional copies in both languages are being pouched to you.

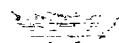
Regards.

Rob Adw  
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**UNITED  
NATIONS****S****Security Council**Distr.  
GENERALS/1994/1133  
6 October 1994

ORIGINAL: ENGLISH

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**PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE  
UNITED NATIONS ASSISTANCE MISSION FOR RWANDA****I. INTRODUCTION**

1. The present report is submitted in pursuance of paragraph 17 of Security Council resolution 925 (1994) of 8 June 1994, by which the Council requested me to report by 9 August and by 9 October 1994 on progress made by the United Nations Assistance Mission for Rwanda (UNAMIR) in the discharge of its mandate, the safety of populations at risk, the humanitarian situation and progress towards a cease-fire and political reconciliation.

2. Since my last report on the situation in Rwanda, dated 3 August 1994 (S/1994/924), the Secretariat has provided the Security Council with oral updates on relevant developments, especially with regard to the Mission's support for humanitarian operations, efforts to accelerate the return of refugees, progress made in the deployment of the expanded UNAMIR and the UNAMIR take-over from Operation Turquoise.

**II. POLITICAL ASPECTS**

3. As members of the Security Council are aware, since the cease-fire declared on 18 July 1994, the fighting in Rwanda has all but ceased. The Broad-based Government of National Unity (BBGNU), installed at Kigali on 19 July, has established control over the whole of the national territory. While over two million Rwandese refugees remain in the neighbouring countries, the Government has undertaken efforts, in coordination with my Special Representative and other United Nations officials on the ground, to encourage their safe and voluntary return to Rwanda. At the same time, there is steady progress in efforts to normalize the situation inside Rwanda, with the gradual re-establishment of such basic services as water, electricity and communications facilities, particularly at Kigali. The Government has also begun to put civilian administrative structures in place at the central, provincial and local levels. My Special Representative has circulated to donor countries, United Nations agencies and non-governmental organizations, a Rwanda Emergency Normalization Plan, outlining the priority services for which both technical and financial assistance are required.

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4. While initial progress has been made in normalizing the situation, the Government is faced with the arduous task of rebuilding a country where the social and physical infrastructure has been almost totally destroyed and where a deep mistrust continues to prevail between the various political and ethnic groups that make up Rwandese society. The Government has a difficult road ahead in establishing safety and security for all and in creating a climate where those who have participated in the genocide can be held accountable while others rebuild their lives without fear of revenge or retribution. Furthermore, the Government suffers from a severe lack of basic resources, including cash reserves to pay the salaries of its civil servants, banks having been looted during the fighting. This is a serious problem, as civil servants and the military may turn to other means of ensuring an income.

5. In order to create stability and lasting peace in Rwanda, the Government seems to recognize the need to include all its citizenry, regardless of ethnicity, within its administrative and security structures. The President of Rwanda has assured my Special Representative that efforts are continuing to make the Government more inclusive by inviting some members of the Mouvement républicain national pour le développement (MRND), which is the only major political party not presently represented in the BBGNU, to join the Government. However, these efforts have not yet produced positive results.

6. In a further effort towards national reconciliation, members of the former Rwandese Government Forces (RGF) are being encouraged to join the new national army. These soldiers have the choice of registering at specified centres, set up by the Government, or with UNAMIR personnel deployed in the country. It seems, however, that the response to this government initiative remains limited.

7. In order to promote national reconciliation and assure the population that their civil and human rights will be respected, the Government has continued to organize mass rallies in several cities, including Ruhengeri, Kibungo, Byumba, Kibuye, Gikongoro, Cyangugu and Butare. Through these rallies, the Government has attempted to address the population's concerns with regard to such issues as property rights and the fair treatment by the Rwandese judicial system of those accused of crimes against humanity.

8. During the month of August, members of the Government made several visits to refugee camps in Zaire in an attempt to encourage the refugees to return voluntarily to their places of origin. Those efforts have caused some increase in the numbers of returning refugees. Some 360,000 refugees have returned to Rwanda spontaneously since the cease-fire on 18 July. The Government has expressed its concern about the presence in the camps of elements who continue to incite people to flee from Rwanda and to threaten those in the camps from returning to their homes and farms in Rwanda. In September, reports and preliminary investigations pointed to the possibility that refugees returning to Rwanda might have been subjected to reprisals by government troops; further investigations are in progress (paras. 14 and 15 below).

9. The misinformation propagated during and after the hostilities is considered to have been a major factor in inciting the massacres and subsequent exodus of refugees into neighbouring countries. Information remains an important element in creating both stability in the country and a climate

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conducive to the safe and voluntary return of refugees and displaced persons. Rwanda has no newspapers or television, and radio is the only medium of information. UNAMIR, in association with concerned United Nations agencies, is therefore developing a broadcasting capability in order to provide the Rwandese people with factual information on the situation in their country, to assist in explaining UNAMIR's mandate and to disseminate information on humanitarian programmes. UNAMIR is currently installing at Kigali an FM broadcasting capability with a 20-kilometre range. Additional equipment, which would enable UNAMIR broadcasts to cover the whole country, is being procured and the necessary specialists recruited. UNAMIR has also asked the Rwandese authorities for formal authorization to begin broadcasting and for a frequency allocation. I hope the Government will respond positively to those requests in the near future.

### III. HUMAN RIGHTS ASPECTS

10. A Commission of Experts was established on 26 July 1994 under Security Council resolution 935 (1994) of 1 July 1994 to examine and analyse information concerning grave violations of international humanitarian law committed in the territory of Rwanda, including evidence of possible acts of genocide. The Commission started its work on 15 August 1994 and visited Rwanda as well as Burundi, the United Republic of Tanzania and Zaire from 29 August to 17 September. In accordance with resolution 935 (1994), the Commission is to report its findings to me by 30 November 1994. I have, however, asked the Commission to expedite the preparation of its report. Accordingly, the Commission submitted to me on 30 September a preliminary report which I have made available to the Council (S/1994/1125).

11. During the Commission's visit to Rwanda, the Government urged the Commission to conclude its work expeditiously and also urged that an international tribunal, along the lines of that organized for the former Yugoslavia, be created. The Government expressed the view that the trial of those accused of serious breaches of international humanitarian law and acts of genocide by an external impartial body would help promote peace and reconciliation among the parties and contribute to the stabilization of the situation in Rwanda. The Government has given assurances that it will make every effort to prevent summary trials, revenge executions and other acts of violence and that it will arrest those accused of such crimes.

12. On 25 May 1994, the Commission on Human Rights, in its resolution S-3/1, appointed a Special Rapporteur to report on the root causes of the recent atrocities and on the ongoing human rights situation in Rwanda. Under this mandate, the United Nations High Commissioner for Human Rights has deployed human rights officers to Rwanda to assist the Special Rapporteur in the implementation of his functions. Following the establishment of the Commission of Experts, I reported to the Security Council, on 26 July 1994 (S/1994/879), that the Commission would be based at Geneva and benefit from the resources of the High Commissioner for Human Rights and, in particular, those already made available to the Special Rapporteur. Subsequently, it became apparent that a much larger number of human rights staff would be required to deal with the extremely complex situation in Rwanda. Therefore, the High Commissioner for

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Human Rights, on 2 August 1994, launched an appeal to the international community for voluntary contributions to expand human rights activities in the field. As at 30 September 1994, the High Commissioner had deployed 31 human rights officers to Rwanda. In accordance with an agreement reached with the Government during his second visit to the country on 19 and 20 August 1994, he intends to increase that number to 147 as soon as possible so as to cover each one of the communes in Rwanda.

13. The objective of the human rights field operation in Rwanda is to carry out investigations into violations of human rights and humanitarian law; to monitor the ongoing human rights situation and, through the presence of human rights officers, help redress existing problems and prevent possible human rights violations from occurring; to cooperate with other international agencies in re-establishing confidence and thus facilitate the return of refugees and displaced persons and the rebuilding of civil society; and to implement programmes of technical cooperation in the field of human rights, particularly in the area of administration of justice. Following a request from the High Commissioner, UNAMIR is providing assistance within its existing resources in order to enable the human rights officers already deployed to become fully operational. That assistance will continue as further human rights staff are deployed.

14. The United Nations High Commissioner for Refugees sent a mission to Rwanda in August to assess how far conditions existed for the safe return to that country of refugees who had fled to Burundi, the United Republic of Tanzania and Zaire. In the course of its work, the mission of the Office of the United Nations High Commissioner for Refugees (UNHCR) obtained certain information that appeared to indicate that soldiers of the RPF might have been engaged in systematic killings of members of the majority community in Rwanda.

15. On 16 September, the High Commissioner briefed senior officials of the United Nations on the matter. On the basis of that briefing, I directed that the allegations should be immediately taken up with the Government of Rwanda. This was done by the Under-Secretary-General for Peace-keeping Operations, Mr. Kofi Annan, who was in Rwanda on mission at that time, and my Special Representative for Rwanda, Mr. Shaharyar Khan. The Government of Rwanda undertook to investigate the matter urgently and a team consisting of four government ministers, representatives of UNAMIR and UNHCR and a United Nations human rights monitor, paid a visit on 23 September to some of the places where the killings were alleged to have taken place. Those allegations have been reported to the Commission of Experts and to the Special Rapporteur and arrangements are now being made for a thorough investigation to be carried out under the mandate of those two mechanisms.

#### IV. MISSION OF MY SPECIAL REPRESENTATIVE TO ZAIRE AND THE UNITED REPUBLIC OF TANZANIA

16. The presence of former RGF political leaders, military elements and militia in the Rwandese refugee camps, especially those in Zaire, have had a destabilizing effect on security in the camps and a number of violent incidents have occurred. Refugees suspected of favouring a return to Rwanda have

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frequently been attacked. The humanitarian agencies are reviewing how they can continue to deliver assistance in this insecure environment. There are also signs that ex-RGF troops located in the camps may be preparing to make incursions into Rwanda.

17. In view of that situation, I instructed my Special Representative for Rwanda to undertake a mission to Zaire and the United Republic of Tanzania to explore with the authorities of both countries ways in which the problem can be addressed. Mr. Shaharyar Khan visited Zaire from 12 to 14 September and the United Republic of Tanzania on 16 September. In Zaire, he met with President Mobutu and Prime Minister Kengo Wa Dongo. In the United Republic of Tanzania, he was received by President Mwinyi.

18. My Special Representative has reported that the Government of Zaire expressed its commitment to address the refugee crisis and to improve security in the camps. The Government of the United Republic of Tanzania had already undertaken to move certain unruly elements away from places where refugees were located. On the basis of his discussions with the Governments of Zaire and the United Republic of Tanzania, my Special Representative has recommended that attention be focused, as a matter of priority, on the camps in Zaire where the problems are significantly more acute than in the United Republic of Tanzania.

19. The population of the camps in Zaire fall into the following categories:  
(a) political leaders, estimated at approximately 50 heads of family;  
(b) uniformed military elements of the RGF, estimated at 16,000 and accompanied by their families, bringing the total to approximately 80,000; (c) militia, whose number is unknown since they have mingled with the refugees; and  
(d) ordinary refugees, estimated at about 1 million persons.

20. It was agreed with the Zairian authorities that the only effective way of ensuring the safety of the refugees and their freedom to exercise their right to return to Rwanda would be the separation of those in categories (a), (b) and (c) from the rest of the population of the refugee camps. The militia (category (c)) represent the greatest threat for the refugees. However, their separation from the others would be a difficult and complex undertaking, especially as they would be likely to resist, and incite others to resist, any attempt to relocate them. A strong security mechanism would be needed in order to protect both the refugees and those carrying out the operation. The separation of these persons is, however, the only means of providing security for the refugees and allowing them to choose freely to return to Rwanda.

21. While the Government of Zaire has indicated its desire to address these issues, it has also indicated that it would require substantial assistance from the international community both in financial and logistic support and in the provision of security for such an operation.

22. The Secretariat has examined my Special Representative's recommendations in consultation with UNHCR. In order to address more fully the problems of separating former RGF political leaders, military and militia from the others in the camps, and to evaluate the financial, logistic and security requirements, it was decided, during the visit of my Special Representative to Zaire, to establish a Joint Zairian/United Nations working group. The group, composed of

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representatives of the Government of Zaire, UNAMIR, UNHCR and the United Nations Development Programme (UNDP), has already begun its work. A technical team from UNAMIR has been sent to Zaire to join the working group and will submit a report to my Special Representative as soon as possible.

#### V. MILITARY ASPECTS

23. Since the 18 July 1994 cease-fire and the formation of the BBGNU a day later, the military situation in Rwanda has been relatively calm. At that time, the armed forces of the new Government, the Rwandese Patriotic Army (RPA), had established control over the entire country, with the exception of a "humanitarian protection zone" in the south-west. That zone was under the control of Operation Turquoise, the multinational operation launched by the French Government in pursuance of Security Council resolution 929 (1994) of 22 June 1994.

24. UNAMIR maintained close cooperation at all levels with Operation Turquoise and developed a detailed plan for taking over from it on 22 August, the date of its scheduled withdrawal. On 10 August, UNAMIR began deploying troops in the zone and on 21 August it assumed responsibility from Operation Turquoise. Arrangements were made with the French Government for the continuation of logistic support until UNAMIR could assume full responsibility. The French Government has submitted to the Security Council a final report, which has been circulated as document S/1994/1100.

25. UNAMIR troops established a presence throughout the zone, ensuring stability and security and providing support for humanitarian relief operations. The Government of Rwanda also launched a concerted effort to reassure the population. As a result of those efforts, a major exodus of civilians to Zaire was averted.

26. The Government's civilian and military take-over of the south-western zone was fully coordinated with UNAMIR. The civil administration in the zone is being restored as a first priority and RPA troops are gradually being deployed there. The Government installed prefects at Kibuye, Gikongoro and Cyangugu on 6 and 7 September and in cooperation with UNAMIR deployed RPA platoons in each location. Through successive incremental deployments, those elements were increased to company- and battalion-size units. The gradual establishment of the Government's authority in the south-west zone has now been completed without incident.

27. At the same time, former RGF troops in the south-western zone are being encouraged to enlist in the new national army. In addition, a programme was started on 2 September to encourage elements of the local gendarmerie to surrender their arms voluntarily. UNAMIR has collected nearly 600 arms under the programme.

28. The RPA now operates throughout the country, conducting patrols and manning roadblocks and checkpoints to monitor personnel and vehicle movement. Occasionally, it conducts cordon and search operations for weapons or personnel checks. It also protects vital points, such as infrastructure and all major

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border crossings. Additionally, in the absence of a police force, RPA troops perform policing functions to the extent possible.

29. Relations between UNAMIR and the RPA have been cordial and cooperative. However, movement restrictions have sometimes been imposed on UNAMIR troops. The formal understanding between UNAMIR and the BBGNU, particularly with reference to the United Nations Status-of-Forces Agreement with Rwanda, is that there should be no restrictions on the movement or deployment of UNAMIR personnel and vehicles throughout Rwanda. However, as illustrated by the three-week delay in providing clearance to occupy accommodation and concurrently deploy troops in the north-east and south-east (sectors 1 and 2), as well as periodic, local limitations placed on movements of UNAMIR troops in the south and north-west (sectors 3 and 5), the reality on the ground is sometimes different. In addition, some local RPA commanders have sometimes indicated that they are under instructions to deny UNAMIR access to areas where RPA troops are deployed. When such incidents are brought to the attention of senior government officials, they are usually quickly resolved.

30. The rapid reinforcement of UNAMIR in early August has contributed significantly to the improvement of the security situation in Rwanda. In accordance with its mandate, UNAMIR has continued to provide security support to all humanitarian operations in Rwanda. It has also provided support in re-establishing basic services and in the provision of relief supplies. None the less, delays in reaching the full authorized force level are hampering UNAMIR's further efforts in that regard. As at 3 October, UNAMIR's troop strength consisted of 4,270 all ranks (out of its total authorized strength of 5,500). On 19 August, the new Force Commander, Major-General Guy Tousignant (Canada), took over from Major-General Romeo Dallaire (Canada).

31. As noted above, the successful deployment of UNAMIR troops in the former humanitarian protection zone (sector 4) has provided the stability necessary to commence the gradual introduction of RPA forces to the south-west of the country. In order to facilitate that introduction, however, it has been necessary for UNAMIR to concentrate its efforts in this potentially volatile area. Accordingly, the requirement to extend UNAMIR presence throughout Rwanda is yet to be fulfilled.

32. As stability in Rwanda improves, emphasis in UNAMIR activities is shifting from purely military security-related tasks to the support of humanitarian operations aimed at assisting the population in need and facilitating the return of refugees and displaced persons to their homes.

33. In the expectation that the remaining troops committed to UNAMIR will be deployed during the coming weeks, the Force Commander plans to deploy the force in six sectors, as indicated on the map annexed to the present report. The current and planned deployment schedules are as follows:

Sector 1 (north-east) Deployment of the Nigerian independent infantry company group is in progress.

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Sector 2 (south-east) Two platoon groups from Canada and Ghana currently operate in this sector, which presently includes Kigali). Planned deployment in the sector will consist of one infantry battalion (Ghana).

Sector 3 (south) An independent infantry company from Malawi operates in the sector. Planned deployment will consist of two independent infantry companies, one each from Malawi and Mali.

Sector 4 (south-west) Current deployment consists of the Ghanaian Battalion, a United Kingdom field ambulance capability, the Ethiopian battalion and the inter-African battalion, composed of troops from Chad, the Congo, Guinea-Bissau, the Niger and Senegal. Planned deployment will consist of three mechanized/motorized infantry battalions (Zambia, Ethiopia and the inter-African contingent).

Sector 5 (north-west) Although not part of UNAMIR, a Canadian field ambulance capability is currently operating in this sector. Planned deployment will consist of one infantry battalion from Tunisia, which is scheduled to commence deployment in early October.

Sector 6 (Kigali City) Planned deployment will consist of one composite infantry battalion from India. This battalion is scheduled to be fully deployed by the end of October.

34. The main objective of the UNAMIR deployment schedule is to promote security in all sectors and to create a climate conducive to the safe return of refugees and displaced persons, as well as to support humanitarian operations. The Force Headquarters continues to operate from Kigali along with specialized communications, logistics and medical support units from Canada, the United Kingdom and Australia respectively. The United Kingdom contingent is scheduled to withdraw by 1 December and the Canadian contingent by mid-January.

35. The deployment of UNAMIR has been a difficult process, as many contingents were in need of major equipment items and as the United Nations has neither the resources in stock nor an advance budget which would ensure that the required equipment could be made available in a timely manner. It was for this reason that, in paragraph 24 of my report of 13 May (S/1994/565), I underlined the necessity for Member States to agree to make arrangements on a bilateral basis to provide the troops, equipment and airlift required for UNAMIR. As this did not occur, the Secretariat was required to identify sources of equipment and to arrange for its transport. This was a time-consuming task, which significantly delayed deployment. It also restricted the initial operational capability of UNAMIR, as contingents were in some cases unfamiliar with equipment supplied to them. One way of achieving a more rapid response in such circumstances would be the extension of the standby forces concept to include equipment, whereby a Member State would hold equipment on standby at a high state of readiness for deployment on lease terms.

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36. With the induction of new contingents, the UNAMIR force strength is expected to exceed temporarily the authorized level during the period from November 1994 to January 1995. However, as at February 1995, the expected withdrawal of some contingents and normal rotations will bring it back to its authorized level. The fact that UNAMIR will exceed its authorized strength for a short period will have no financial implications for its budget, as the excess expenditure would be offset by the savings resulting from a force strength below the authorized level up to October 1994.

37. The UNAMIR authorized strength of 320 military observers has been met and military observers are deployed in all sectors. They are engaged primarily in supporting humanitarian activities and liaising with the RPA.

#### VI. CIVILIAN POLICE

38. As indicated in the concept of operations set out in my report of 13 May to the Security Council (S/1994/565, chap. 4), it was initially envisaged that the main task of the civilian police component of the expanded UNAMIR would be to maintain liaison with the local civilian authorities on matters relating to public security, with a total authorized strength of 90 civilian police observers.

39. However, as a result of the civil war and the ensuing collapse of the country's administrative structures, no real police force or gendarmerie remained in place when the new Government was established on 19 July. Police functions were entrusted to an embryonic gendarmerie consisting mainly of RPA soldiers. At the same time, the Government sought the urgent assistance of UNAMIR in establishing a new, integrated, national police force. Given the importance to Rwanda's security and stability of creating a professional national police force, UNAMIR responded positively to that request, within its existing resources. Accordingly, on 16 August, UNAMIR initiated a training programme with 103 students selected by the Government as volunteers from different social and ethnic groups. The aim of the programme is to provide trainees with the basic knowledge of routine and investigative police work, thus enabling them to address the immediate law and order problems at Kigali. I recommend that the Security Council authorize UNAMIR to pursue these efforts.

40. The activities of the UNAMIR civilian police component have thus evolved from liaison with local authorities to assisting the Government in the creation of a new police/gendarmerie. The component is also charged with monitoring the activities of local police and gendarmerie, monitoring the activities of the civil authorities with regard to human rights violations and assisting UNAMIR military observers and troops in dealing with police matters.

41. The headquarters and training activities of the UNAMIR civilian police component are based at Kigali. A two-phase deployment of police observers is being implemented. Under phase I, which has been completed, police observers have been deployed at the civilian police headquarters, training centre and the prefectures of Kigali, Gikongoro, Cyangugu, Kibuye, Gitarama and Butare. Phase II will be executed once the full strength of police observers is reached.

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Under this phase, civilian police monitors will be deployed in all prefectures of the country.

42. To date, the component has a total strength of 30 police observers, with 10 each from Ghana, Mali and Nigeria. More observers are scheduled to be deployed shortly, although the Secretariat is having difficulties in obtaining from Member States a sufficient number of French-speaking police personnel.

#### VII. HUMANITARIAN ASPECTS

43. Current estimates suggest that Rwanda's pre-war population of 7.9 million has fallen to 5 million. Estimates of internally displaced persons range from 800,000 to 2 million. There are more than 2 million refugees in Zaire, the United Republic of Tanzania, Burundi and Uganda. At the same time, it is estimated that more than 200,000 former refugees have returned to Rwanda from Burundi and Uganda. The victims of genocidal slaughter could number as many as 1 million.

44. The humanitarian demands of the Rwandan emergency continue to stretch the capacity of the international community. In addition to the refugee crisis at Goma, the humanitarian community has had to address several crucial issues: the withdrawal of Operation Turquoise from the south-west; assistance to the internally displaced people; the transition from emergency relief to rehabilitation; the humanitarian implications of human rights violations; and the need to examine the Rwanda crisis in a regional context.

45. Prior to the withdrawal of Operation Turquoise, there was extreme concern among the international community that fear of reprisals by the RPA would drive thousands of Hutus across the border into Zaire. With poor road conditions, large distances to the camp-sites and other logistic difficulties, the scenarios were recognized by the humanitarian community as being cataclysmic, with the potential for refugee movement exceeding even that to Goma.

46. Under the coordination of the United Nations Rwanda Emergency Office, the international community adopted a policy of confidence-building in the south-west to encourage the internally displaced not to flee across the borders. At the political level, the RPA agreed not to occupy the south-west until conditions had stabilized. The timely and large-scale influx of United Nations and non-governmental organization resources, combined with the deployment of UNAMIR troops into the area, defused the situation. Some 350,000 people did cross the border into camps around Bukavu in Zaire; however, the majority remained within Rwanda.

47. It is agreed that the return of refugees to Rwanda is the only lasting solution and that it is critical to the resumption of normal economic and social life. However, the intimidation of refugees by former militia and army elements in the camps and the fact that those former soldiers and militia have not been disarmed are serious obstacles to the implementation of a repatriation programme. UNHCR does not feel at the present stage that it is in a position to encourage refugees to return home, partially because of deteriorating security for the returnee candidates in the camps and also because of concerns about

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security conditions in parts of Rwanda. UNHCR is none the less facilitating and assisting the return of spontaneous returnees.

48. As for the internally displaced persons, agreement has been reached among the humanitarian agencies to focus on facilitating their return to their areas of origin. By strengthening community capacity-building, providing rehabilitation support and improving security, the aim is to provide an attractive return option for those in the displaced persons' camps.

49. This policy of voluntary return of the internally displaced is vital. Many camps will become uninhabitable during the rainy season because of contamination of water supplies by sewage, inadequate shelter and poor access for relief convoys. In addition, if people stay in the camps, the fields are untended. Already the harvest has been missed and it is likely that the planting season will also be missed in many areas. This will mean that the international community will have to provide food aid for a second season. The resettlement of the displaced and the resumption of agricultural production are critical to the Government's efforts to rehabilitate the country. The longer people stay in camps, the longer rehabilitation is likely to take. There are now regular convoys carrying those who wish to return from Cyangugu in the south-west to Butare, Gikongoro and Kigali. Between 7 September and 23 September, some 3,337 people were transported home from Cyangugu. Returnees have also been transported from the north-west.

50. As the country strives to return to normalcy, increasing attention must be given to the transition from emergency relief to rehabilitation. The Government faces the huge challenge of rebuilding the country after a devastating war with almost no financial and human resources. It is vital that the international community provide quick and efficient rehabilitation assistance. In that connection, the Special Representative and the Under-Secretary-General for Humanitarian Affairs have distributed among donor countries, agencies and non-governmental organizations the Rwanda Emergency Normalization Plan, which outlines the initial areas requiring both financial and technical assistance. UNDP has begun initial projects to support the capacity-building of government ministries. Other United Nations organizations are contributing to the process in their respective areas of competence. As a result of those efforts, the infrastructure is improving. Essential services such as electricity and water supply have been restored at Kigali and services are being repaired around the country.

51. One major impediment for rehabilitation is the presence of mines. It is believed that there are 50,000 to 60,000 uncleared land-mines in Rwanda, with an average of two civilian mine casualties a day. United Nations de-mining experts have visited Rwanda to assess the scope of the problem. As the security situation stabilizes and de-mining can begin, the United Nations will coordinate with all concerned in providing assistance in that area.

52. Without reconciliation among the various parties to the conflict, it is likely that humanitarian operations will be protracted and difficult and will ultimately require greater commitments from the international community. This is directly linked to the human rights activities discussed in chapter III above.

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53. It is apparent that the Rwanda crisis and its spill-over into neighbouring countries has serious political, economic, social and environmental implications for Burundi, the United Republic of Tanzania, Zaire and Uganda. In order to examine the merits of a broader and more comprehensive regional approach to the Rwanda problem, I appointed Mr. Robert Dillon as my Special Humanitarian Envoy for Rwanda and Burundi. The Special Envoy made a visit to the area from 8 to 22 September and has submitted his recommendations to me.

54. The United Nations Consolidated Appeal for Persons Affected by the Crisis in Rwanda was launched on 22 July 1994. It requested a total of \$435 million to enable United Nations organizations to carry out their humanitarian programmes. This figure was revised upwards in the light of increasing needs to \$552 million. As at 1 September, contributions received amounted to \$384 million, covering 70 per cent of the total requirement. Based on information received by the Department of Humanitarian Affairs, bilateral and other direct contributions for the Rwanda crisis, including those in response to the Appeal, bring the total contributions up to \$762 million.

55. The response of the international community to the crisis in Rwanda has been encouraging and has served to avert what could have been a major humanitarian disaster in the south-west. It is essential that this support be maintained as we enter into a delicate period of reconciliation and rehabilitation. For its part, the United Nations will continue its efforts to provide an appropriate framework for coordination of humanitarian assistance and the transition to reconstruction and development.

#### VIII. FINANCIAL ASPECTS

56. By its resolution 48/248 of 5 April 1994, the General Assembly authorized me to enter into commitments for UNAMIR, at a rate not to exceed \$9,082,600 gross (\$8,881,000 net) per month for the period from 5 April to 31 October 1994. This authorization was subject to the decision of the Security Council to extend the mandate of the Assistance Mission beyond 4 April 1994. In its resolution 925 (1994) of 8 June 1994, the Council, inter alia, decided to extend the mandate of UNAMIR until 9 December 1994.

57. By its decision 48/479 B of 14 September 1994, the General Assembly authorized me to enter into commitments in the amount of \$37,182,100 gross (\$38,043,200 net) to meet the immediate operational requirements of UNAMIR for the period from 5 April to 30 September 1994, this amount being in addition to the full commitment authority of \$62,367,187 gross (\$60,982,867 net) already provided by resolution 48/248.

58. My report on the financing of UNAMIR to the General Assembly at its forty-ninth session includes the cost estimate for the period from 5 April to 9 December 1994 in the amount of \$179.6 million, after taking into consideration voluntary contributions in kind of \$4.5 million pledged by Member States. My report also estimates costs for the period from 10 December 1994 to 9 December 1995 at \$20 million per month, based on the current authorized strength and mandate of UNAMIR. On the basis of this cost estimate, I have requested the Assembly to provide the necessary resources for the maintenance of

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UNAMIR, should the Security Council decide to extend its mandate beyond 9 December 1994.

59. As at 27 September 1994, unpaid assessed contributions to the UNAMIR special account since the inception of the Mission amounted to \$30 million. The total unpaid assessed contributions for all peace-keeping operations at that date amounted to \$1.9 billion.

#### IX. OBSERVATIONS AND RECOMMENDATIONS

60. There are signs that the situation in Rwanda is stabilizing and slowly returning to more normal conditions. Inevitably, there are serious obstacles to be overcome in the long road to recovery from the war and carnage that have devastated the country, inflicted trauma and hardship on its people and destroyed its institutions. The first priority remains the resolution of the massive humanitarian crisis, including the problems faced by the Rwandese refugees in Zaire and the United Republic of Tanzania. Acts of intimidation and violence within the refugee camps have inhibited the refugee population from choosing to return home. The Government is engaged in efforts to find a solution to these problems, with the support of United Nations agencies and programmes on the ground, coordinated by my Special Representative. Determined efforts will have to be made by the Government to create conditions under which the refugees and displaced persons can return to their homes in safety and dignity. Indeed, without the assurance that their human rights will be respected, it is unlikely that the refugees and displaced persons will return. In this regard, I have conveyed to the Government of Rwanda, through my Special Representative, the need to undertake broader efforts towards national reconciliation. I am encouraged that the Government has taken concrete steps in this direction and I urge the international community to support its efforts and encourage it to ensure that these efforts are both genuine and comprehensive.

61. I endorse the recommendation made by the Commission of Experts in its preliminary report that trials of individuals suspected of serious breaches of international humanitarian law, crimes against humanity and acts of genocide be carried out by an international criminal tribunal. The Commission considers it preferable that the jurisdiction of the International Criminal Tribunal for the Former Yugoslavia be expanded to cover international crimes committed in Rwanda from 6 April rather than to create a separate ad hoc international criminal tribunal. It is now for the Security Council to decide on the course of action to be adopted.

62. Among the many tasks facing the new Government and the Rwandese people is the reconstruction of the social and economic infrastructure of the country. Rwanda will require massive amounts of external technical and financial assistance on an urgent basis in order to create stability and re-establish basic services and a functioning economy. Donor agencies have undertaken the initial planning required before assistance can be released for reconstruction projects, and some small-scale rehabilitation of basic infrastructure is taking place. I urge donor Governments and international bodies to ensure that their programmes of assistance for Rwanda are implemented urgently. One aspect that is rapidly assuming the dimensions of an emergency is the Government's total

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lack of funds to re-establish even the most rudimentary administration and pay its employees. It is essential that at least bridging assistance be devised to provide relief bilaterally or by international financial institutions. In that connection, I should like to appeal to bilateral donors to consider ways and means to help the Government resolve the problem of its arrears with the World Bank, so as to secure access to the resources of that institution. I should also like to urge Member States to contribute generously to the Trust Fund which I established on 14 July 1994 in order to finance humanitarian relief and rehabilitation programmes in Rwanda. It would also be helpful if Governments could share with the United Nations information about their bilateral programmes of assistance so that there can be a coordinated response to Rwanda's needs.

63. Long-term peace and stability in Rwanda require genuine reconciliation between all elements of Rwandese society. Refugees and displaced persons must have the opportunity to return to their homes in peace, safety and dignity. The human and civic rights of all Rwandese people must be respected. I urge the new Government to maintain an open dialogue with all other political interest groups in Rwanda, including former government officials, except for individuals who are found, through due process, to have been directly implicated in acts of genocide. This is the only way the country can achieve durable political stability, within the principles of the Arusha Accords.

64. The evolving developments in and around Rwanda strengthen the case for a broader approach to the question of national reconciliation and the other aspects of the crisis. The Council will recall that the Mission it dispatched to Burundi from 13 to 14 August 1994 recommended, inter alia, that an international conference be convened to look into the problems of the subregion. I shall continue to consult with all relevant parties with a view to determining how the United Nations could assist in the preparation and convening of such a conference.

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## Conseil de sécurité

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### TROISIÈME RAPPORT INTÉRIMAIRE DU SECRÉTAIRE GÉNÉRAL SUR LA MISSION D'OBSERVATION DES NATIONS UNIES OUGANDA-RWANDA

#### I. INTRODUCTION

1. Le présent rapport est soumis en application des paragraphes 2 et 3 de la résolution 928 (1994) du Conseil de sécurité, en date du 20 juin 1994, dans laquelle le Conseil prorogeait le mandat de la Mission d'observation des Nations Unies Ouganda-Rwanda (MONUOR) pour une dernière période de trois mois, jusqu'au 21 septembre 1994, et priait le Secrétaire général de lui faire rapport sur l'achèvement des opérations de la MONUOR avant l'expiration de son mandat. Le présent rapport couvre la période écoulée depuis mon dernier rapport au Conseil de sécurité sur la MONUOR, en date du 16 juin 1994 (S/1994/715).

2. On se souviendra que la MONUOR a été établie par la résolution 846 (1993) du Conseil de sécurité en date du 22 juin 1993, et qu'elle a reçu pour mandat de se déployer du côté ougandais de la frontière avec le Rwanda, afin de vérifier qu'aucune assistance militaire ne parvenait au Rwanda. Le Conseil a décidé aussi que, dans ses activités de vérification, la MONUOR mettrait l'accent essentiellement sur le transit et le transport à travers la frontière, par des routes et des pistes où peuvent passer des véhicules, d'armes meurtrières et de munitions, ainsi que de tout autre matériel pouvant être utilisé à des fins militaires.

#### II. DÉPLOIEMENT ET ACTIVITÉS

3. Comme je l'indiquais dans mon rapport précédent (S/1994/715), une fois le cessez-le-feu rompu et avec la reprise de la guerre civile au Rwanda après le 6 avril 1994, la MONUOR s'est trouvée contrainte d'élargir ses activités de vérification en Ouganda, des zones contrôlées par le Front patriotique rwandais (FPR) à la totalité de la zone frontalière entre les deux pays. Malgré le plan de réduction échelonnée de la Mission, présenté au paragraphe 9 du présent rapport, la surveillance élargie de 170 kilomètres de zone frontalière s'est poursuivie pendant la période considérée.

4. La MONUOR a rempli sa tâche essentiellement par des patrouilles et par la surveillance de l'ensemble de la zone d'opération au moyen d'observations aussi bien mobiles que fixes, ainsi que par des enquêtes sur place en cas de soupçon de trafic transfrontalier. La Mission a pour cela eu recours à des opérations de surveillance et des patrouilles hélicoptées, ainsi que par le transport, par

hélicoptère, d'observateurs militaires jusqu'aux zones d'altitude élevée, pour qu'ils y contrôlent les routes menant à la frontière.

6. Depuis mon dernier rapport, la situation concernant le trafic transfrontalier entre l'Ouganda et le Rwanda n'a pas évolué et la MONUOR n'a détecté aucun mouvement important d'armes ou d'hommes armés.

7. Indépendamment de ses activités de surveillance de la frontière, la MONUOR a, plus récemment, joué un rôle important en aidant au déploiement progressif de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR) et en coordonnant les activités humanitaires en faveur des personnes déplacées et autres civils touchés par les hostilités au Rwanda. Elle a accompli cette tâche à un moment critique, alors que la reprise des combats au Rwanda rendait difficile, puis impossible, l'utilisation de l'aéroport de Kigali. Dans le but d'atténuer les souffrances de la population civile au Rwanda, ces activités de la MONUOR se sont poursuivies après la proclamation unilatérale d'un cessez-le-feu, par le FPR, le 18 juillet.

8. Après que le Conseil de sécurité eut adopté, le 17 mai, la résolution 918 (1994) dans laquelle il autorisait que les effectifs de la MINUAR soient portés à 5 500 hommes, tous grades confondus, la Mission est devenue une base avancée pour appuyer le mouvement du personnel, du matériel et des fournitures au Rwanda. Tant que l'aéroport de Kigali est resté fermé, l'aéroport ougandais d'Entebbe, a été la seule base aérienne à partir de laquelle le personnel et les fournitures ont pu être acheminés, par voie terrestre, vers le Rwanda. Une équipe d'observateurs militaires de la MONUOR est restée stationnée à Entebbe pour coordonner les activités logistiques. La MONUOR a escorté 60 véhicules blindés de transport de troupes ainsi que des convois de transport de matériel logistique et de vivres entre Entebbe et la frontière ougando-rwandaise, à destination de la MINUAR. Un camp temporaire de transit pouvant recevoir au moins 100 hommes a été établi au poste de contrôle de Mirama Hills pour assurer le bon déroulement de l'entrée au Rwanda des forces de la MINUAR nouvellement arrivées.

9. La MONUOR a contribué à l'évacuation des blessés de la MINUAR. Durant la période examinée, les hélicoptères de la MONUOR ont également effectué au total 12 sorties entre Kabale et Entebbe, ainsi qu'entre Kabale et les villes zaïroises de Goma et de Bukavu, pour transporter du personnel de la MINUAR et des Nations Unies.

10. Conformément au paragraphe 2 de la résolution 928 (1994) du Conseil de sécurité, j'ai commencé l'exécution du plan suivant afin de réduire les effectifs de la MONUOR en quatre étapes, les activités de surveillance étant progressivement limitées. Les trois premières étapes ont déjà été achevées.

11. La première étape a commencé le 15 août et l'effectif total de la Mission, de 80 observateurs militaires, a été réduit de 25 personnes. En conséquence, l'état-major du secteur ouest et les postes d'observation à Lubirizi et Kafunzo ont mis fin à leurs activités. Au cours de la deuxième étape, qui a commencé le 30 août, la Mission s'est séparée de neuf autres observateurs militaires.

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11. Au cours de la troisième étape, qui a commencé le 6 septembre, 12 autres observateurs militaires ont quitté la Mission, laissant un effectif total de 34 observateurs militaires. L'état-major du secteur est a cessé son activité et l'équipe de la MONUOR en poste à Entebbe a été retirée. Au 12 septembre 1994, outre les observateurs militaires restants, la Mission comprenait également 11 fonctionnaires internationaux et 7 agents locaux, qui seront progressivement retirés. Au cours de la dernière étape, qui doit s'achever à la fin du mandat de la Mission, le 21 septembre, tous les observateurs militaires restants quitteront la zone des opérations. La Mission de la MONUOR prendra officiellement fin à cette date, au cours d'une petite cérémonie présidée par le Secrétaire général adjoint aux opérations de maintien de la paix, M. Kofi Annan, qui se trouvera alors dans la région.

### III. ASPECTS FINANCIERS

12. Ainsi qu'il est indiqué dans mon rapport sur le financement de la MINUAR (A/48/837 et Corr.1), les dépenses d'administration relatives aux observateurs militaires et au personnel civil de la MONUOR, à compter du 22 décembre 1993, sont incluses dans les prévisions de dépenses afférentes au fonctionnement de la MINUAR. L'Assemblée générale, dans sa résolution 48/248 du 5 avril 1994, m'a autorisé à engager mensuellement pour le fonctionnement de la mission d'assistance pendant la période allant du 5 avril au 31 octobre 1994, des dépenses jusqu'à concurrence d'un montant brut de 9 082 600 dollars, pour le fonctionnement des deux opérations.

### IV. OBSERVATIONS

13. La MONUOR a été établie en 1993 pour aider à créer un climat propice à un règlement négocié du conflit rwandais. Bien que la tournure tragique des événements au Rwanda ait empêché la MONUOR de contribuer à cet objectif, la Mission d'observation n'a pas manqué de jouer un rôle utile en tant que mécanisme destiné à renforcer la confiance au cours des mois qui ont suivi la conclusion, le 4 août 1993, de l'Accord de paix d'Arusha, ainsi que durant les premiers efforts entrepris par la MINUAR pour réduire les tensions entre les parties rwandaises et faciliter l'application de cet accord. À la suite de la reprise de la guerre civile au Rwanda, la MONUOR a également joué un rôle d'appui important en facilitant le déploiement de la MINUAR renforcée et la coordination des activités d'aide humanitaire dans ce pays.

14. En conclusion, je voudrais remercier de nouveau le Gouvernement ougandais pour la coopération et l'aide qu'il a apportées à la MONUOR. Je tiens également à féliciter le personnel militaire et civil de la MONUOR pour le dévouement et le professionnalisme avec lesquels il s'est acquitté de sa tâche.

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## Security Council

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## REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN RWANDA

## I. INTRODUCTION

1. The present report is submitted in pursuance of paragraphs 17 and 11 of Security Council resolutions 925 (1994) of 8 June 1994 and 929 (1994) of 22 June 1994 respectively, by which the Council requested the Secretary-General to report to it by 9 August on the progress made by the United Nations Assistance Mission for Rwanda (UNAMIR) in the discharge of its mandate, the safety of the population at risk, the humanitarian situation and progress towards a cease-fire and political reconciliation, as well as the deployment of the expanded UNAMIR. The Secretariat presented an oral report to the Council on 7 July pursuant to paragraph 10 of resolution 929 (1994), when the Council was also informed of the arrival at Kigali on 4 July of my new Special Representative, Mr. Shiharyar Khan. Members of the Council have also seen my letter of 1 August 1994 to the President of the Council (S/1994/923) about UNAMIR'S requirements for additional troops and equipment. The present report is based on information available to the Secretariat up to 1 August 1994.

2. Since the adoption of resolutions 925 (1994) and 929 (1994), the situation in Rwanda has been transformed. The Rwandese Patriotic Front (RPF) has established military control over most of the country. About 1.5 million Rwandese sought refuge in Zaire over a two-week period in July creating a humanitarian crisis of catastrophic proportions. The former "interim Government" fled, and on 19 July a broad-based Government of national unity was formed.

## II. MILITARY SITUATION

3. The RPF forces took full control of Kigali, the capital, on 4 July, of Butare, the second largest city, on 5 July, and of the former Government's stronghold, Ruhengeri, on 14 July. The retreating Rwandese Government forces concentrated in and around Gisenyi in the north-west, soon withdrawing into Zaire. On 17 July RPF took Gisenyi and on 18 July it unilaterally declared a cease-fire, effectively ending the civil war which had broken out immediately after the death of the presidents of Rwanda and Burundi in a suspicious air crash, on 6 April, which led to country-wide massacres of the Hutu opposition.

and intelligentsia, as well as members of the Tutsi minority and other RPF supporters.

4. As the Security Council is aware, the foremost priority of UNAMIR since the start of the crisis was to bring about a cease-fire and a halt to the carnage. The Force Commander, Major-General Romeo Dallaire, had intensified those efforts since early June, when the two sides initiated cease-fire talks at the military level under UNAMIR's auspices. My new Special Representative made this his first priority upon his arrival at Kigali, establishing direct contact with the leadership of both parties and emphasizing the importance of achieving an immediate cease-fire, especially with a view to preventing further exacerbation of the humanitarian crisis. However, cease-fire negotiations remained stalled until the fall of Gisenyi on 17 July, by which time over a million Rwandese refugees had crossed into Zaire.

5. Although the Deputy Force Commander, Brigadier General Henry Anyidoho, had previously succeeded in bringing the two sides together on most of the requirements for a cease-fire, their insistence on including rigid conditions prevented the conclusion of an agreement. On the side of the Rwandese government forces, guarantees were demanded that RPF was not willing to give, while RPF insisted on prior measures to halt the continuing massacres, which the Rwandese government forces professed themselves unable to take. There was also a strong indication that RPF was not prepared for a cease-fire until it had secured its military goals. While at first these appeared to be the control of as much territory as it could secure, the crumbling of the fighting capacity of the Rwandese government forces from late June onwards evidently encouraged RPF to intensify its offensive and take control not only of the capital, but also of the rear areas of the Rwandese government forces up to the Zairian border. Only the "humanitarian protected zone" established by the French task force, "Operation Turquoise" (see para. 7 below), did not come under the control of RPF.

6. The swift RPF advance had the effect of causing large numbers of civilians to take flight from the areas of combat. This displacement of the population might well have been containable, had not panic been caused by deliberately inflammatory broadcasts from radio stations controlled by the "interim Government". These provoked a massive stampede of refugees across the border into Zaire in the north-west, overwhelming humanitarian agencies and non-governmental organizations (NGOs) whose preparations had anticipated the simultaneous movement of refugees further south. Virtually all the Rwandese government forces retreated in disarray into Zaire, where they no longer comprise an organized fighting force, most of the personnel reportedly having been disarmed by the Zairian authorities, though there are disturbing reports that they are trying to prevent refugees from returning to Rwanda. Thus, for the present, the fighting in Rwanda has ended, with no significant military operations being reported since 18 July.

7. In the course of these events, the Government of France announced on 20 June 1994 its intention to dispatch a force to the region, based in Zaire but operating inside Rwanda, to provide protection to the large number of civilians uprooted from their homes by the fighting, many of whom had fled into Zaire. This operation was authorized by the Security Council, under Chapter VII of the

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Charter of the United Nations, in resolution 929 (1994). On 2 July, France announced that Operation Turquoise would establish a "humanitarian protected zone" in the Cyangugu-Kibuye-Gikongoro triangle in south-western Rwanda, covering about one fifth of Rwandese territory. While expressing its strong opposition to the French move, RPF did not seek confrontation with French forces which, on their side, avoided provocation. From the start, close cooperation at all levels was established between UNAMIR and Operation Turquoise with frequent contact between both force commanders. UNAMIR liaison officers were immediately stationed at the headquarters of the French force at Goma, Zaire, with a French liaison office later being established at UNAMIR headquarters at Kigali. Resolution 929 (1994) had authorized the deployment of the French force until 21 August 1994, and, on 11 July, the Prime Minister of France informed the Council and me of the French Government's decision to commence its withdrawal by 31 July.

### III. HUMANITARIAN SITUATION

8. The protracted violence in Rwanda has created an almost unprecedented humanitarian crisis. Of a total population of approximately 7 million, as many as 500,000 people have been killed, 3 million displaced internally and more than 2 million have fled to neighbouring countries. Although the flight of people seems to have slowed, the situation remains volatile and extremely fluid. Of particular concern is the possibility of another massive outflow from the humanitarian protected zone in south-west Rwanda when the French forces withdraw.

9. The international community is confronted with four basic humanitarian challenges: to respond to the immediate life-saving needs of refugees; to facilitate the early return of those who have fled their homes; to restore basic infrastructure in Rwanda; and to ensure a smooth transition in the humanitarian protected zone established by French forces.

10. It is hard to describe the horrors faced by those who have fled Rwanda, many of them inspired by propaganda radio broadcasts whose purpose has been to spread fear among the population. The pace of developments and the sheer number of people overwhelmed the capacities of the humanitarian organizations, which were striving valiantly against impossible odds. An outbreak of cholera has already claimed as many as 20,000 lives and remains a continuing threat. Thousands of corpses remain unburied, posing health hazards and endangering ground water sources in the area. The logistics of arranging the daily supply and distribution of 30 million litres of drinking water and 1,000 tons of food are daunting.

11. There is consensus on the necessity of promoting and facilitating the early return of Rwandese to their homes. This is essential given the conditions in the refugee camps and the need within the next two weeks to harvest the crops which traditionally supply 60 per cent of Rwanda's yearly caloric intake. This will require confidence-building measures among the refugees, the establishment of transit depots and the prepositioning of humanitarian supplies. I am deeply disturbed by reports that persons and groups from the former "interim Government" and the Rwandese government forces are intimidating refugees in the

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Goma camps to prevent them from returning to Rwanda by telling them that they face torture and death at the hands of RPF troops if they do so.

12. The civil conflict in Rwanda has destroyed the country's infrastructure. Short- and medium-term rehabilitation is essential for the absorption of the returnee population as well as the resettlement of the internally displaced. The restoration of electricity, the water supply and telecommunications are the minimum actions needed. It is also important to restore the capacity of the Government to carry out its responsibilities.

13. It is estimated that there are as many as 2 million internally displaced persons in the humanitarian protected zone in south-west Rwanda. An outflow of this group into Zaire would eclipse the current horrors of Goma. To prevent this from happening, it is necessary to ensure the capacity of UNAMIR to take over responsibility in this area and to increase the humanitarian presence and activities there.

14. The actions outlined above must be pursued simultaneously. Failure to respond adequately in any one area of need will weaken the effectiveness of actions in the other interrelated areas.

15. To respond to this complex situation, the United Nations humanitarian organizations, under the leadership of the United Nations Rwanda Emergency Office, have prepared a United Nations Consolidated Inter-Agency Appeal for Persons Affected by the Crisis in Rwanda covering emergency and rehabilitation needs until the end of the current year. To support these urgent activities US\$ 434.8 million are required. In launching this appeal on 22 July, I urged the international community to contribute generously and in a timely manner to ensure that vital humanitarian programmes could be implemented. A pledging conference was convened in Geneva on 2 August. I am encouraged by the initial positive response from Governments and, indeed, from ordinary people willing to help, and would like to thank those countries that have already made significant contributions.

16. At my request, the Under-Secretary-General for Humanitarian Affairs, Mr. Peter Hansen, undertook a mission to Rwanda and to the neighbouring region from 24 to 28 July. He was accompanied by senior representatives of all principal United Nations humanitarian organizations as well as from the NGO community. During his mission, Mr. Hansen carried out an assessment of the humanitarian situation and took a number of measures to ensure that the necessary coordination arrangements were in place. These include a clear division of responsibilities among the organizations of the United Nations system, an overall strategy to meet this extraordinary humanitarian challenge, as well as a decision to move the headquarters of the United Nations Rwanda Emergency Office from Nairobi to Kigali.

17. Along with my Special Representative in Rwanda, Mr. Hansen met with Vice President Kagame and other senior officials of the new Government in Rwanda to discuss how humanitarian aid could be delivered to all parts of the country and the urgent steps required to re-establish a climate conducive to the return of refugees and displaced persons. It is reassuring that the new Government has indicated its commitment to encourage people to return to Rwanda, to ensure

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their protection and to permit full access to all those in need throughout the country. Refugees have already started to return to Rwanda.

18. I should like to express my appreciation to all the relief personnel, who are working in extremely difficult conditions to meet a humanitarian challenge of this scale. The courageous staff of UNAMIR and the French-led multinational force have played and continue to play a critical role in saving lives and protecting people. I would also like to pay tribute to those neighbouring countries that have accepted and protected Rwandese refugees. Their generosity has made a difference between life and death for millions of fellow human beings in need. At this time, it is essential that the international community mobilize the necessary resources to enable humanitarian organizations to maintain and increase deliveries of urgently needed assistance.

#### IV. REVISED OPERATIONAL PLANS OF UNAMIR

19. I have already informed the Council in my letter of 1 August of the deplorable delays in the reinforcement of UNAMIR as authorized by resolution 918 (1994) of 17 May 1994. I shall not repeat my comments beyond stressing that the failure of Member States to reinforce the military component of UNAMIR with the necessary speed severely limited its capacity to reduce the human suffering that accompanied the civil conflict and the deliberate massacres of civilians, mainly members of the Hutu opposition and supporters of RPF.

20. With the situation on the ground in Rwanda having changed radically over the past few weeks, UNAMIR has adjusted its operational plans to cope with the altered circumstances within the framework of the mandate established by the Security Council in its resolution 925 (1994). UNAMIR's principal tasks are now as follows:

(a) To ensure stability and security in the north-western and south-western regions of Rwanda;

(b) To stabilize and monitor the situation in all regions of Rwanda in order to encourage the return of refugees and the displaced population;

(c) To provide security and support for humanitarian assistance operations inside Rwanda as humanitarian organizations arrange the return of refugees;

(d) To promote, through mediation and good offices, national reconciliation in Rwanda.

21. Even with the severely limited resources possessed by UNAMIR, the Mission has already taken action. It has deployed a company along the border near Goma, Zaire as well as a number of observers in that region and in the zone controlled by Operation Turquoise. In the expectation that UNAMIR will eventually receive the 5,500 troops authorized by the Security Council, the Force Commander has planned deployment in five sectors, as indicated in the map annexed to the present report and as follows:

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- (a) Sector I (north-east): 1 engineer company;
- (b) Sector II (south-east): 1 reinforced motorized company;
- (c) Sector III (south): 1 reinforced motorized company;
- (d) Sector IV (south-west): 3 mechanized/motorized infantry battalions;
- (e) Sector V (north-west): 1 mechanized/motorized infantry battalion.

22. The Force headquarters would remain at Kigali, with the minimum units required for protection, along with specialized units for communications and logistics, as well as the field hospital. United Nations military observers and United Nations civilian police monitors would be deployed in all sectors according to operational requirements.

23. The principal areas of concern are in the north-west to resettle returning refugees, and in the south-west to avert possible outbreaks of violence. The north-western sector borders Zaire near the vast throng of over a million Rwandese refugees assembled there in the harshest of conditions. It is known that substantial numbers of the former Rwandese government forces and militia, as well as extremist elements suspected of involvement in the massacres of the Hutu opposition and RPF supporters, are mingled with the refugees in Zaire and are reportedly trying to prevent their return. A more volatile situation prevails in the south-west, where armed elements of the Rwandese government forces have sought refuge in the French-protected zone. Furthermore, these are the two regions through which refugees will transit as they return from Zaire. Large numbers of refugees are also expected to return from Tanzania into sectors I and II, and a substantial number from Burundi into sectors II and III, but these three sectors are not expected to present the problems anticipated in sectors IV and V.

24. The situation in sector IV is particularly pressing in view of the anxiety of the French Government to complete its withdrawal by 21 August. In discussions with UNAMIR, the new Rwandese Government has indicated that it will not insist on taking control of this area immediately, provided that UNAMIR will ensure its stability. For this purpose, it would be imperative that UNAMIR be able to deploy the three battalions intended for this sector. Should they not be available, UNAMIR would have to go into the zone with depleted strength and threadbare equipment. The new Government, so far, has refused to accept that UNAMIR should include troops from some African countries participating in Operation Turquoise, but it may be possible to persuade it to permit these troops, along with their equipment, to remain. In that case, it is hoped that France will be prepared to lease some of the equipment being used by Operation Turquoise.

#### V. POLITICAL ASPECTS

25. The Arusha Peace Agreement (see A/48/824-S/26915) was signed a year ago in the hope that the political balance it stipulated would bring lasting stability to Rwanda through a pluralist approach of a transitional government, which would

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include the numerous parties that had emerged, leading to elections. Both the "interim Government", established immediately after the death of President Habyarimana on 6 April, as well as RPF, professed some commitment to the principles of the Arusha agreement. However, the "interim Government" took the position that the agreement was based on the fallacious premise that the historic ethnic animosity between the majority Hutu and the minority Tutsi could be resolved by a political formula; the only solution would be an arrangement which could guarantee the rights not only of the minority but also of the majority so that one would not fear domination by the other; this could be achieved neither through military means nor through simple elections. For its part, RPF maintained that while it remained committed to the Arusha principles of a pluralist political compromise, the deliberate subversion of the Arusha process by extremist Hutu elements and their planned and deliberate massacres of Tutsi and moderate Hutu called for changes in the Arusha formula to ensure that this could not occur again.

26. For the present, RPF has not only military but also political control of the country, other than the area controlled by Operation Turquoise, and it installed a broad-based Government of National Unity on 19 July 1994 for a transitional period of five years. It has excluded the former governing party, the Mouvement révolutionnaire national pour le développement, as well as an openly anti-Tutsi party the Coalition pour la défense de la République, which was not included in the transitional government established by the Arusha agreement. In the present transitional Government, the post of President, reserved for the Mouvement révolutionnaire national pour le développement in the Arusha agreement, has been allocated to Mr. Pasteur Bizimungu of RPF, and the post of Vice President, not provided for in the Arusha agreement, has been allocated to Major-General Paul Kagame, military commander of RPF who is also Minister of Defence. The Prime Minister is Mr. Faustin Twagiramungu of the Mouvement démocratique républicain and the Deputy Prime Minister is Colonel Alexis Kanyarengwe of RPF. Other portfolios have been allocated to these two parties as well as the Parti socialiste démocrate, the Parti démocrate chrétien and the Parti libéral, all of which were members of the previous transitional Government.

27. Since taking office, President Bizimungu has met with President Mobutu of Zaire, President Mwinyi of Tanzania, President Museveni of Uganda and the Interim President of Burundi, Mr. Ntibantunganya. The Rwandese leadership is encouraging refugees to return to Rwanda by publicizing the following assurances:

(a) Refugees need not fear persecution or reprisals. Refugees returning from Goma will not be screened;

(b) Refugees and displaced persons can return to their homes, properties, farms, etc. If these have been occupied by others, unauthorized occupants will be forcibly ejected. Uganda-based refugees returning to Rwanda have no right to assert their claims by dispossessing Rwandese of their legal rights;

(c) Criminals will be prosecuted according to a process of law. The United Nations should appoint the Commission of Experts established by resolution 935 (1994), which should urgently begin its investigation;

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(d) The Government is encouraging civilian officials and army personnel to return;

(e) The Government will give full cooperation to United Nations efforts to encourage refugee return by reopening Kigali airport, permitting the establishment of a United Nations radio station and facilitating freedom of movement for United Nations personnel carrying out their functions.

28. It is evident that the highest priority at the moment is the resolution of the massive humanitarian crisis caused by the refugees in Zaire and the displaced persons in Rwanda and the establishment of conditions of security and normalcy to encourage and enable these unfortunate people to return to their homes. Only then can the new Government ensure stable conditions in the country. Political discussions with moderate elements of the Mouvement révolutionnaire national pour le développement to work out political arrangements for the long-term stability of Rwanda should, however, begin as soon as possible.

#### VI. OBSERVATIONS

29. The agony of a small country which is having to endure the massacre of a substantial portion of its population and the displacement of half the survivors is one of the most hideous events in recent times. It is all the more tragic that the international community hesitated for so long to intervene, despite the fact that most of its Member States have signed the Convention on the Prevention and Punishment of the Crime of Genocide. As I remarked in my report of 31 May (S/1994/640), by our failure we have acquiesced in the horrifying loss of human life and the suffering of an entire people. To make amends, the international community, at the very least, must ensure that, through the efforts of the Commission on Human Rights, the United Nations High Commissioner for Human Rights and the Commission of Experts established by Security Council resolution 935 (1994) of 1 July 1994, those individuals responsible in their personal and official capacities for unleashing and instigating this cataclysm are brought to justice.

30. As regards the Commission of Experts, my report of 26 July 1994 (S/1994/879) set out its mandate. I have requested it to provide me, not later than 30 November 1994, with its conclusions on evidence of specific violations of international humanitarian law and acts of genocide, on the basis of which identification of the persons responsible for those violations could be made. The Commission is also empowered to examine the question of the jurisdiction, international or national, before which such persons should be brought to trial. I have appointed the following persons to serve as members of the Commission: Mr. Atsu-Koffi Amega, Chairman (Togo), Mrs. Habi Dieng (Guinea) and Mr. Salifou Fomba (Mali).

31. It is incumbent upon the international community to do everything in its power to alleviate the appalling human suffering in the refugee camps in Zaire, as well as in Tanzania, Uganda and Burundi, and to enable refugees and displaced persons to return to their homes or other safe areas in reasonable security. In this connection, I am grateful to those Governments that have decided to deploy

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troops to Rwanda and/or Zaire in order to provide critically needed logistic support to the humanitarian effort. At the same time, I am becoming concerned by the problems of coordination that will arise if several foreign forces under national command are working along side UNAMIR, which is under United Nations command, and the forces loyal to the new Government. Ideally, all foreign forces engaged in support of the humanitarian effort should be part of UNAMIR. If this is not possible, I would urge that the deployment of the foreign forces should be authorized by the Security Council, even if their mandate is purely humanitarian, and that formal liaison arrangements should be established between them and UNAMIR, as has been the case with Operation Turquoise.

32. Governments which possess the necessary resources are also urged to apply them toward the reconstruction and rehabilitation needed to bring Rwanda to its feet again. I commend those Governments that are already beginning to provide these forms of tangible assistance.

33. The recently installed Government in Rwanda also bears responsibility for bringing its people together again in national reconciliation. Even in the wake of the tragedy that it has confronted, it must show magnanimity and not allow its military success to create a desire for permanent dominance. It must ensure that there are no reprisals. It must enable families to regain their homes and individuals to return to their professions and livelihoods. It must accept in the national army those soldiers of the former armed forces and gendarmerie who did not deliberately engage in wanton killings. It must install an equitable and transparent system of justice to try those suspected of instigating or participating in the massacres of their compatriots.

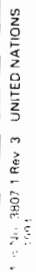
34. These are overwhelming tasks for a fledgling Government which has taken power in a wrecked and devastated country. In addition to the urgent humanitarian needs and help in reconstruction and rehabilitation, the Government will also require assistance in re-establishing systems of administration, justice, police, finance, education and health and all the other responsibilities a Government must discharge. I hope that Governments will make this available on a bilateral basis or through the United Nations system. But, ultimately, it is the Rwandese who must assume these tasks, and this can only be done if the Government commits itself to genuine and full reconciliation.

35. The ultimate political aim must be the installation of a broad-based system of government that will give all elements of society, irrespective of ethnic origin or social level, a sense of security and a stake in the country. The Arusha agreement still provides principles and a broad framework for establishing such a system. The Organization of African Unity and the United Republic of Tanzania, which were instrumental in the negotiation of the Arusha agreement, will have a special role to play. Rwanda's four neighbours also have a special responsibility to promote stability in this recuperating country and to ensure that their territories are not used for further destabilization. It is gratifying to note that the new Government has established cordial contacts with all four neighbours. All countries in the region must work to ensure that the repercussions of the crisis in Rwanda do not strike at Burundi, for this could destabilize the entire region.

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36. In conclusion, I should like to commend my former Special Representative, Mr. Jacques-Roger Booh-Booh, and my new Special Representative, Mr. Shaharyar Khan, as well as the personnel of UNAMIR, who have worked with dedication under the most demanding conditions. I must especially commend the Force Commander, Major-General Dallaire, for his outstanding leadership. In ending, I extend on my own behalf and on behalf of all members of the United Nations our heartfelt condolences to all in Rwanda who have lost members of their families in what would have been a nightmare had it not actually come to pass.

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**NATIONS  
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ORIGINAL : ANGLAIS**RAPPORT DU SECRÉTAIRE GÉNÉRAL SUR LA SITUATION AU RWANDA****I. INTRODUCTION**

1. Le présent rapport est soumis en application du paragraphe 17 de la résolution 925 (1994) du Conseil de sécurité, en date du 8 juin 1994, et du paragraphe 11 de la résolution 929 (1994) du 22 juin 1994, dans lesquels le Conseil a prié le Secrétaire général de lui faire rapport le 9 août au plus tard sur les progrès accomplis par la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR) dans l'exécution de son mandat, la sécurité des populations en danger, la situation humanitaire et les progrès enregistrés sur la voie d'un cessez-le-feu et de la réconciliation politique, ainsi que le déploiement de la MINUAR renforcée. Le Secrétariat a présenté le 7 juillet un rapport oral au Conseil conformément au paragraphe 10 de la résolution 929 (1994) et le Conseil a été informé à la même date de l'arrivée à Kigali, le 4 juillet, de mon nouveau Représentant spécial, M. Shaharyar Khan. Les membres du Conseil ont été également saisis de la lettre que j'ai adressée le 1er août 1994 au Président du Conseil (S/1994/923) au sujet des troupes et du matériel supplémentaires dont avait besoin la MINUAR. Le présent rapport a été établi en fonction des renseignements dont disposait le Secrétariat au 1er août 1994.

2. Depuis l'adoption des résolutions 925 (1994) et 929 (1994), le cours des événements s'est modifié au Rwanda. Le Front patriotique rwandais (FPR) s'est rendu militairement maître de la plupart du pays. En deux semaines, durant le mois de juillet, environ 1,5 million de Rwandais se sont réfugiés au Zaïre, ce qui a provoqué une crise humanitaire de dimension catastrophique. L'ancien "gouvernement intérimaire" a pris la fuite et, le 19 juillet, un gouvernement d'unité nationale a été constitué sur une base largement représentative.

**II. SITUATION MILITAIRE**

3. Le 4 juillet, les forces du FPR se sont emparées de Kigali, la capitale, pour prendre ensuite, le 5 juillet, Butare, la deuxième ville du pays, et, le 14 juillet, Ruhengeri, le bastion de l'ancien gouvernement. Les forces gouvernementales ont battu en retraite et se sont regroupées à Gisenyi et dans les environs, au nord-ouest, pour refluer peu après au Zaïre. Le 17 juillet, le FPR a pris Gisenyi et, le lendemain, a déclaré unilatéralement un cessez-le-feu mettant effectivement fin à la guerre civile déclenchée immédiatement après la mort des Présidents du Rwanda et du Burundi dans un accident d'avion suspect, le 6 avril, à la suite de quoi avaient été massacrés dans tout le pays l'opposition et l'intelligentsia hutues ainsi que des membres de la minorité tutsie et d'autres partisans du FPR.

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4. Comme le sait le Conseil de sécurité, la MINUAR, depuis le début de la crise, s'est attachée en priorité à parvenir à un cessez-le-feu et à mettre fin au carnage. Le commandant de la Force, le général de division Roméo Dallaire, avait intensifié les efforts dans ce sens depuis le début de juin lorsque les deux parties avaient entamé au niveau militaire des pourparlers en vue d'un cessez-le-feu sous les auspices de la MINUAR. Mon Représentant spécial a donné à cette question la priorité absolue dès son arrivée à Kigali et s'est mis directement en rapport avec les dirigeants des deux parties, en soulignant qu'il importait de parvenir à un cessez-le-feu immédiat, afin d'empêcher en particulier que la crise humanitaire ne s'aggrave davantage. Toutefois, les négociations en vue d'un cessez-le-feu ont marqué le pas jusqu'à la chute de Gisenyi, le 17 juillet, alors que plus d'un million de Rwandais s'étaient réfugiés au Zaïre.

Le commandant en second de la Force, le général de brigade Henry Anyidoho, avait auparavant réussi à ce que les deux parties s'entendent sur la plupart des éléments d'un cessez-le-feu, mais l'accord n'a pu se faire en raison de l'intransigeance des parties. Les forces gouvernementales exigeaient des garanties que le FPR n'était pas disposé à fournir, tandis que le FPR insistait sur l'adoption de mesures préalables pour arrêter les massacres persistants, que les forces gouvernementales se déclaraient incapables de prendre. Il apparaissait également que le FPR n'était pas prêt à cesser le feu avant d'avoir atteint ses objectifs militaires. Alors que ceux-ci semblaient tout d'abord consister à contrôler le plus de territoire possible, l'effondrement des forces gouvernementales à partir de la fin juin a évidemment encouragé le FPR à intensifier son offensive et à s'emparer non seulement de la capitale, mais aussi des arrières des forces gouvernementales jusqu'à la frontière zaïroise. Seule la "zone de protection humanitaire" créée par le groupement de forces français - l'opération "Turquoise" (voir par. 7 ci-après) - n'est pas tombée aux mains du FPR.

6. La poussée rapide du FPR a eu pour conséquence d'amener la population civile à fuir en masse les zones de combat. Cet exode aurait sans doute pu être contenu si la radio aux mains du "gouvernement intérimaire" n'avait pas diffusé intentionnellement des propos alarmants. Les réfugiés ont alors afflué vers le Zaïre, au nord-ouest, ce qui a pris de court les organismes humanitaires et les organisations non gouvernementales qui avaient prévu des déplacements plus au sud. Presque toutes les forces gouvernementales ont battu en retraite dans le désordre au Zaïre, où elles se sont débandées et auraient été pour la plupart désarmées par les autorités zaïroises; toutefois, selon des informations préoccupantes, elles essaieraient d'empêcher les réfugiés de retourner au Rwanda. Ainsi, les combats au Rwanda ont pris fin pour le moment, aucune opération militaire importante n'ayant été signalée depuis le 18 juillet.

7. Au cours de ces événements, le Gouvernement français a annoncé le 20 juin 1994 son intention d'envoyer une force dans la région, stationnée au Zaïre mais opérant à l'intérieur du Rwanda, afin de fournir une protection aux populations civiles arrachées en masse de leurs foyers par les combats, dont un grand nombre s'était enfui au Zaïre. Cette opération a été autorisée par le Conseil de sécurité, en vertu du Chapitre VII de la Charte des Nations Unies, dans sa résolution 929 (1994). Le 2 juillet, la France a annoncé que l'opération Turquoise créerait une "zone de protection humanitaire" dans le triangle Cyangugu-Kibuye-Gikongoro au sud-ouest du Rwanda, couvrant environ un cinquième du territoire rwandais. Tout en exprimant sa vive opposition à

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12. Le conflit civil au Rwanda a détruit l'infrastructure du pays. Le relèvement à court et à moyen terme est essentiel pour absorber la population des rapatriés ainsi que pour réinstaller les personnes déplacées à l'intérieur du pays. Il faut au minimum rétablir l'électricité, l'eau et les télécommunications. Il est également important de redonner au Gouvernement les moyens de s'acquitter de ses responsabilités.

13. On estime que jusqu'à 2 millions de personnes déplacées à l'intérieur du pays se trouvent dans la zone de protection humanitaire au sud-ouest du Rwanda. L'exode de cette population au Zaïre éclipserait l'horreur de la situation qui règne actuellement à Goma. Afin d'empêcher que cela ne se produise, il est nécessaire de faire en sorte que la MINUAR ait les moyens de prendre le relais dans cette zone et d'y renforcer la présence et les activités humanitaires.

14. Les mesures indiquées ci-dessus doivent être prises simultanément. Le fait de ne pas réussir à répondre comme il convient aux besoins dans un domaine donné se répercutera sur les autres domaines et affaiblira l'efficacité de l'action entreprise.

15. Devant cette situation complexe, les organisations humanitaires des Nations Unies, sous la direction du Bureau d'urgence de l'ONU pour le Rwanda, ont mis au point un appel interinstitutions commun des Nations Unies en faveur des personnes touchées par la crise au Rwanda afin de répondre aux besoins d'aide urgente et de relèvement jusqu'à la fin de l'année. Une somme de 434,8 millions de dollars des États-Unis est nécessaire pour appuyer ces activités urgentes. En lançant cet appel le 22 juillet, j'ai exhorté la communauté internationale à apporter en temps voulu des contributions généreuses afin que les programmes humanitaires essentiels puissent être exécutés. Une conférence d'annonce de contributions a été convoquée à Genève le 2 août. Je suis encouragé par l'accueil positif que des gouvernements ainsi que des particuliers désireux d'offrir leur aide ont réservé dès le départ à cet appel et je tiens à remercier les pays qui ont déjà apporté des contributions importantes.

16. Le Secrétaire général adjoint aux affaires humanitaires, M. Peter Hansen, s'est dernièrement (24 au 28 juillet) rendu à ma demande en mission au Rwanda et dans la région avoisinante. Il était accompagné de hauts responsables des principales organisations humanitaires des Nations Unies ainsi que de la communauté des ONG. Durant sa mission, M. Hansen a évalué la situation humanitaire et pris un certain nombre de mesures pour s'assurer que les arrangements de coordination voulus étaient en place; ceux-ci visaient notamment à établir une claire division des responsabilités entre les divers organismes des Nations Unies et une stratégie globale pour faire face à ce problème humanitaire d'une envergure exceptionnelle; et à transférer de Nairobi à Kigali le siège du Bureau des Nations Unies pour les secours d'urgence au Rwanda.

17. M. Hansen s'est entretenu avec mon Représentant spécial au Rwanda, mais aussi avec le Vice-Président Kagame, et d'autres hauts fonctionnaires du nouveau Gouvernement afin d'étudier ce qu'il convenait de faire pour pouvoir fournir une aide humanitaire à toutes les parties du pays et les mesures qu'il fallait prendre d'urgence pour rétablir un climat propice au retour des réfugiés et des personnes déplacées. Il est rassurant que le nouveau Gouvernement se soit

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déclaré prêt à encourager le retour de la population, à assurer sa protection et à permettre aux secours d'arriver jusqu'à ceux qui en ont besoin partout dans le pays. Des réfugiés ont déjà commencé à retourner au Rwanda.

18. Je tiens à remercier tous ceux qui travaillent dans des conditions extrêmement difficiles pour apporter des secours afin de faire face à un problème humanitaire de cette ampleur. Le personnel courageux de la MINUAR et les forces multinationales sous commandement de la France ont joué et continuent de jouer un rôle critique en sauvant des vies et en protégeant la population. Je voudrais également rendre hommage aux pays voisins qui ont accepté et protégé les réfugiés rwandais. Leur générosité a permis à des millions d'autres êtres humains dans le besoin de survivre. À l'heure actuelle, il importe au plus haut point que la communauté internationale mobilise les ressources nécessaires pour permettre aux organisations humanitaires de continuer à fournir l'aide dont la population a si cruellement besoin et même d'en accroître le volume.

#### IV. PLANS OPÉRATIONNELS RÉVISÉS DE LA MINUAR

19. J'ai déjà informé le Conseil dans ma lettre du 1er août des retards déplorables dans le renforcement de la MINUAR, autorisé par la résolution 918 (1994) du 17 mai 1994. Sans répéter mes observations, je me contenterai de souligner que les États Membres, en ne renforçant pas la composante militaire de la MINUAR avec la rapidité nécessaire, ont empêché la Mission de tenter de soulager les énormes souffrances humaines qui ont accompagné le conflit civil et les massacres délibérés de civils, principalement des membres de l'opposition hutue et des partisans des FPR.

20. La situation sur le terrain ayant changé radicalement dans les quelques dernières semaines, la MINUAR a ajusté ses plans opérationnels pour faire face à l'évolution de la situation dans le cadre du mandat donné par le Conseil de sécurité dans sa résolution 925 (1994). Les tâches principales de la MINUAR sont actuellement les suivantes :

a) Assurer la stabilité et la sécurité dans le nord-ouest et le sud-ouest du Rwanda;

b) Stabiliser et surveiller la situation dans toutes les régions du Rwanda de manière à encourager le retour des réfugiés et des personnes déplacées;

c) Apporter sécurité et appui aux opérations d'assistance humanitaire au Rwanda même, pendant que les organisations humanitaires s'occupent d'assurer le retour des réfugiés;

d) Favoriser, par la médiation et les bons offices, une réconciliation nationale au Rwanda.

21. Malgré les ressources extrêmement limitées dont dispose la MINUAR, la Mission a déjà pris certaines mesures. Elle a déployé une compagnie le long de la frontière près de Goma (Zaïre), ainsi qu'un certain nombre d'observateurs dans cette région et dans la zone contrôlée par l'Opération Turquoise. Dans l'attente des 5 500 hommes autorisés par le Conseil de sécurité, que la MINUAR

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devrait finalement recevoir, le commandant de la Force a prévu un déploiement dans cinq secteurs, comme indiqué sur la carte figurant dans l'annexe au présent rapport :

- a) Secteur I (nord-est) : 1 compagnie du génie
- b) Secteur II (sud-est) : 1 compagnie motorisée renforcée
- c) Secteur III (sud) : 1 compagnie motorisée renforcée
- d) Secteur IV (sud-ouest) : 3 bataillons d'infanterie mécanisés/motorisés
- e) Secteur V (nord-ouest) : 1 bataillon d'infanterie mécanisé/motorisé

2. Le quartier général de la Force resterait à Kigali, avec les unités minimums nécessaires pour assurer la protection, en même temps que des unités spécialisées pour les communications et la logistique et l'hôpital de campagne. Les observateurs militaires des Nations Unies et les contrôleurs de police civile des Nations Unies seraient déployés dans tous les secteurs suivant les nécessités opérationnelles.

23. Les zones suscitant le plus de préoccupations sont le nord-ouest où l'on veut réinstaller les réfugiés qui reviennent dans le pays et le sud-ouest où l'on souhaite éviter d'éventuelles explosions de violence. Le secteur nord-ouest jouxte la région du Zaïre où s'est rassemblée une multitude de réfugiés rwandais (plus d'un million) qui y vivent dans des conditions extrêmement difficiles. On sait qu'un grand nombre de membres des forces gouvernementales rwandaises et de la milice, ainsi que des éléments extrémistes soupçonnés d'avoir participé au massacre des membres de l'opposition hutue et des partisans des FPR sont mêlés aux réfugiés au Zaïre qu'ils essaieraient d'empêcher de retourner au Rwanda. C'est au sud-ouest que la situation est la plus instable; des éléments armés des forces gouvernementales rwandaises ont en effet cherché refuge dans la zone protégée par les Français. De plus, les réfugiés en quittant le Zaïre pour rentrer chez eux transiteront par ces deux régions. On s'attend également qu'un grand nombre de réfugiés en Tanzanie regagnent les secteurs I et II et un nombre considérable de réfugiés quittent le Burundi pour revenir dans les secteurs II et III; ces trois secteurs ne présenteront toutefois vraisemblablement pas les problèmes qu'on prévoit dans les secteurs IV et V.

24. La situation dans le secteur IV est particulièrement pressante du fait que le Gouvernement français est anxieux de retirer ses troupes avant le 21 août. Dans ses discussions avec la MINUAR, le nouveau Gouvernement a indiqué qu'il n'insisterait pas pour assumer immédiatement le contrôle de cette zone à condition que la MINUAR en assure la stabilité. Pour ce faire, il serait impératif que la MINUAR puisse déployer les trois bataillons prévus pour ce secteur. Au cas où ils ne seraient pas disponibles, la MINUAR devrait pénétrer dans cette zone avec une force amoindrie et un matériel minime. Le nouveau Gouvernement a jusqu'ici refusé d'accepter les troupes de certains pays d'Afrique participant à l'Opération Turquoise, mais il se peut qu'on puisse le persuader de permettre à ces troupes et à leur matériel de demeurer sur place.

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## Conseil de sécurité

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### RAPPORT DU SECRÉTAIRE GÉNÉRAL SUR LA SITUATION AU RWANDA

#### I. INTRODUCTION

1. Le présent rapport est soumis en application du paragraphe 17 de la résolution 925 (1994) du Conseil de sécurité, en date du 8 juin 1994, et du paragraphe 11 de la résolution 929 (1994) du 22 juin 1994, dans lesquels le Conseil a prié le Secrétaire général de lui faire rapport le 9 août au plus tard sur les progrès accomplis par la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR) dans l'exécution de son mandat, la sécurité des populations en danger, la situation humanitaire et les progrès enregistrés sur la voie d'un cessez-le-feu et de la réconciliation politique, ainsi que le déploiement de la MINUAR renforcée. Le Secrétariat a présenté le 7 juillet un rapport oral au Conseil conformément au paragraphe 10 de la résolution 929 (1994) et le Conseil a été informé à la même date de l'arrivée à Kigali, le 4 juillet, de mon nouveau Représentant spécial, M. Shaharyar Khan. Les membres du Conseil ont été également saisis de la lettre que j'ai adressée le 1er août 1994 au Président du Conseil (S/1994/923) au sujet des troupes et du matériel supplémentaires dont avait besoin la MINUAR. Le présent rapport a été établi en fonction des renseignements dont disposait le Secrétariat au 1er août 1994.

2. Depuis l'adoption des résolutions 925 (1994) et 929 (1994), le cours des événements s'est modifié au Rwanda. Le Front patriotique rwandais (FPR) s'est rendu militairement maître de la plupart du pays. En deux semaines, durant le mois de juillet, environ 1,5 million de Rwandais se sont réfugiés au Zaïre, ce qui a provoqué une crise humanitaire de dimension catastrophique. L'ancien "gouvernement intérimaire" a pris la fuite et, le 19 juillet, un gouvernement d'unité nationale a été constitué sur une base largement représentative.

#### II. SITUATION MILITAIRE

3. Le 4 juillet, les forces du FPR se sont emparées de Kigali, la capitale, pour prendre ensuite, le 5 juillet, Butare, la deuxième ville du pays, et, le 14 juillet, Ruhengeri, le bastion de l'ancien gouvernement. Les forces gouvernementales ont battu en retraite et se sont regroupées à Gisenyi et dans les environs, au nord-ouest, pour refluer peu après au Zaïre. Le 17 juillet, le FPR a pris Gisenyi et, le lendemain, a déclaré unilatéralement un cessez-le-feu mettant effectivement fin à la guerre civile déclenchée immédiatement après la mort des Présidents du Rwanda et du Burundi dans un accident d'avion suspect, le 6 avril, à la suite de quoi avaient été massacrés dans tout le pays l'opposition et l'intelligentsia hutues ainsi que des membres de la minorité tutsie et d'autres partisans du FPR.

4. Comme le sait le Conseil de sécurité, la MINUAR, depuis le début de la crise, s'est attachée en priorité à parvenir à un cessez-le-feu et à mettre fin au carnage. Le commandant de la Force, le général de division Roméo Dallaire, avait intensifié les efforts dans ce sens depuis le début de juin lorsque les deux parties avaient entamé au niveau militaire des pourparlers en vue d'un cessez-le-feu sous les auspices de la MINUAR. Mon Représentant spécial a donné à cette question la priorité absolue dès son arrivée à Kigali et s'est mis directement en rapport avec les dirigeants des deux parties, en soulignant qu'il importait de parvenir à un cessez-le-feu immédiat, afin d'empêcher en particulier que la crise humanitaire ne s'aggrave davantage. Toutefois, les négociations en vue d'un cessez-le-feu ont marqué le pas jusqu'à la chute de Gisenyi, le 17 juillet, alors que plus d'un million de Rwandais s'étaient réfugiés au Zaïre.

5. Le commandant en second de la Force, le général de brigade Henry Anyidoho, avait auparavant réussi à ce que les deux parties s'entendent sur la plupart des éléments d'un cessez-le-feu, mais l'accord n'a pu se faire en raison de l'intransigeance des parties. Les forces gouvernementales exigeaient des garanties que le FPR n'était pas disposé à fournir, tandis que le FPR insistait sur l'adoption de mesures préalables pour arrêter les massacres persistants, que les forces gouvernementales se déclaraient incapables de prendre. Il apparaissait également que le FPR n'était pas prêt à cesser le feu avant d'avoir atteint ses objectifs militaires. Alors que ceux-ci semblaient tout d'abord consister à contrôler le plus de territoire possible, l'effondrement des forces gouvernementales à partir de la fin juin a évidemment encouragé le FPR à intensifier son offensive et à s'emparer non seulement de la capitale, mais aussi des arrières des forces gouvernementales jusqu'à la frontière zaïroise. Seule la "zone de protection humanitaire" créée par le groupement de forces français - l'opération "Turquoise" (voir par. 7 ci-après) - n'est pas tombée aux mains du FPR.

6. La poussée rapide du FPR a eu pour conséquence d'amener la population civile à fuir en masse les zones de combat. Cet exode aurait sans doute pu être contenu si la radio aux mains du "gouvernement intérimaire" n'avait pas diffusé intentionnellement des propos alarmants. Les réfugiés ont alors afflué vers le Zaïre, au nord-ouest, ce qui a pris de court les organismes humanitaires et les organisations non gouvernementales qui avaient prévu des déplacements plus au sud. Presque toutes les forces gouvernementales ont battu en retraite dans le désordre au Zaïre, où elles se sont débandées et auraient été pour la plupart désarmées par les autorités zaïroises; toutefois, selon des informations préoccupantes, elles essaieraient d'empêcher les réfugiés de retourner au Rwanda. Ainsi, les combats au Rwanda ont pris fin pour le moment, aucune opération militaire importante n'ayant été signalée depuis le 18 juillet.

7. Au cours de ces événements, le Gouvernement français a annoncé le 20 juin 1994 son intention d'envoyer une force dans la région, stationnée au Zaïre mais opérant à l'intérieur du Rwanda, afin de fournir une protection aux populations civiles arrachées en masse de leurs foyers par les combats, dont un grand nombre s'était enfui au Zaïre. Cette opération a été autorisée par le Conseil de sécurité, en vertu du Chapitre VII de la Charte des Nations Unies, dans sa résolution 929 (1994). Le 2 juillet, la France a annoncé que l'opération Turquoise créerait une "zone de protection humanitaire" dans le triangle Cyangugu-Kibuye-Gikongoro au sud-ouest du Rwanda, couvrant environ un cinquième du territoire rwandais. Tout en exprimant sa vive opposition à

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l'initiative française, le FPR n'a pas cherché à affronter les forces françaises qui, de leur côté, ont évité les provocations. Dès le départ, une coopération étroite s'est instaurée à tous les niveaux entre la MINUAR et l'opération Turquoise, des contacts fréquents étant assurés entre les commandants des deux forces. Des officiers de liaison de la MINUAR ont été immédiatement mis en poste au quartier général de la force française à Goma, au Zaïre, et un bureau de liaison français a été créé par la suite au quartier général de la MINUAR à Kigali. Dans sa résolution 929 (1994), le Conseil de sécurité avait autorisé le déploiement de la force française jusqu'au 21 août 1994 et, le 11 juillet, le Premier Ministre français a fait connaître au Conseil ainsi qu'à moi-même la décision du Gouvernement français de commencer le retrait au 31 juillet.

### III. SITUATION HUMANITAIRE

8. La violence persistante au Rwanda a provoqué une crise humanitaire pratiquement sans précédent. Sur une population totale d'environ 7 millions d'habitants, 500 000 ont été tués, 3 millions ont été déplacés à l'intérieur du pays et plus de 2 millions se sont enfuis dans des pays voisins. Bien que l'exode semble s'être ralenti, la situation demeure explosive et extrêmement fluide. Particulièrement inquiétante est la possibilité d'un autre départ massif de la zone de protection humanitaire au sud-ouest du Rwanda lorsque les forces françaises se retireront.

9. La communauté internationale doit faire face à quatre tâches humanitaires fondamentales : répondre aux besoins immédiats et vitaux des réfugiés; faciliter le retour rapide de ceux qui ont quitté leurs foyers; rétablir l'infrastructure essentielle au Rwanda; assurer une transition sans problème dans la zone de protection humanitaire créée par les forces françaises.

10. Il est difficile de décrire les horreurs qu'ont connues ceux qui ont fui le Rwanda, poussés dans bien des cas par les émissions de propagande visant à semer la panique parmi la population. Le rythme des événements et le flot des réfugiés ont pris de court les organisations humanitaires qui ont vaillamment fait front à une situation impossible. Une épidémie de choléra a déjà coûté la vie à 20 000 personnes et constitue une menace permanente. Des milliers de corps n'ont pas été enterrés, ce qui risque de contaminer le reste de la population ainsi que les nappes d'eau souterraines de la région. La fourniture et la distribution des 30 millions de litres d'eau potable et 1 000 tonnes de vivres qui sont nécessaires chaque jour posent d'énormes problèmes de logistique.

11. De l'avis général, il est indispensable d'encourager et de faciliter le retour rapide des Rwandais dans leurs foyers. Cette action est essentielle étant donné les conditions qui règnent dans les camps de réfugiés et la nécessité d'assurer, dans les deux semaines à venir, la récolte qui fournit traditionnellement 60 % de la ration calorique annuelle des Rwandais. Il faudra pour cela créer la confiance parmi les réfugiés, mettre en place des entrepôts de transit et stocker à l'avance des fournitures humanitaires. Je suis profondément préoccupé par les informations selon lesquelles des personnes et des groupes de l'ancien "gouvernement intérimaire" et les forces gouvernementales rwandaises se livrent à des actes d'intimidation auprès des réfugiés des camps de Goma afin de les empêcher de regagner le Rwanda en leur disant que les troupes du FPR les tortureront et les mettront à mort s'ils retournent chez eux.

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15. Devant cette situation complexe, les organisations humanitaires des Nations Unies, sous la direction du Bureau d'urgence de l'ONU pour le Rwanda, ont mis au point un appel interinstitutions commun des Nations Unies en faveur des personnes touchées par la crise au Rwanda afin de répondre aux besoins d'aide urgente et de relèvement jusqu'à la fin de l'année. Une somme de 434,8 millions de dollars des États-Unis est nécessaire pour appuyer ces activités urgentes. En lançant cet appel le 22 juillet, j'ai exhorté la communauté internationale à apporter en temps voulu des contributions généreuses afin que les programmes humanitaires essentiels puissent être exécutés. Une conférence d'annonce de contributions a été convoquée à Genève le 2 août. Je suis encouragé par l'accueil positif que des gouvernements ainsi que des particuliers désireux d'offrir leur aide ont réservé dès le départ à cet appel et je tiens à remercier les pays qui ont déjà apporté des contributions importantes.

16. Le Secrétaire général adjoint aux affaires humanitaires, M. Peter Hansen, s'est dernièrement (24 au 28 juillet) rendu à ma demande en mission au Rwanda et dans la région avoisinante. Il était accompagné de hauts responsables des principales organisations humanitaires des Nations Unies ainsi que de la communauté des ONG. Durant sa mission, M. Hansen a évalué la situation humanitaire et pris un certain nombre de mesures pour s'assurer que les arrangements de coordination voulus étaient en place; ceux-ci visaient notamment à établir une claire division des responsabilités entre les divers organismes des Nations Unies et une stratégie globale pour faire face à ce problème humanitaire d'une envergure exceptionnelle; et à transférer de Nairobi à Kigali le siège du Bureau des Nations Unies pour les secours d'urgence au Rwanda.

17. M. Hansen s'est entretenu avec mon Représentant spécial au Rwanda, mais aussi avec le Vice-Président Kagamé, et d'autres hauts fonctionnaires du nouveau Gouvernement afin d'étudier ce qu'il convenait de faire pour pouvoir fournir une aide humanitaire à toutes les parties du pays et les mesures qu'il fallait prendre d'urgence pour rétablir un climat propice au retour des réfugiés et des personnes déplacées. Il est rassurant que le nouveau Gouvernement se soit

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déclaré prêt à encourager le retour de la population, à assurer sa protection et à permettre aux secours d'arriver jusqu'à ceux qui en ont besoin partout dans le pays. Des réfugiés ont déjà commencé à retourner au Rwanda.

18. Je tiens à remercier tous ceux qui travaillent dans des conditions extrêmement difficiles pour apporter des secours afin de faire face à un problème humanitaire de cette ampleur. Le personnel courageux de la MINUAR et les forces multinationales sous commandement de la France ont joué et continuent de jouer un rôle critique en sauvant des vies et en protégeant la population. Je voudrais également rendre hommage aux pays voisins qui ont accepté et protégé les réfugiés rwandais. Leur générosité a permis à des millions d'autres êtres humains dans le besoin de survivre. À l'heure actuelle, il importe au plus haut point que la communauté internationale mobilise les ressources nécessaires pour permettre aux organisations humanitaires de continuer à fournir l'aide dont la population a si cruellement besoin et même d'en accroître le volume.

#### IV. PLANS OPÉRATIONNELS RÉVISÉS DE LA MINUAR

19. J'ai déjà informé le Conseil dans ma lettre du 1er août des retards déplorables dans le renforcement de la MINUAR, autorisé par la résolution 918 (1994) du 17 mai 1994. Sans répéter mes observations, je me contenterai de souligner que les États Membres, en ne renforçant pas la composante militaire de la MINUAR avec la rapidité nécessaire, ont empêché la Mission de tenter de soulager les énormes souffrances humaines qui ont accompagné le conflit civil et les massacres délibérés de civils, principalement des membres de l'opposition hutue et des partisans des FPR.

20. La situation sur le terrain ayant changé radicalement dans les quelques dernières semaines, la MINUAR a ajusté ses plans opérationnels pour faire face à l'évolution de la situation dans le cadre du mandat donné par le Conseil de sécurité dans sa résolution 925 (1994). Les tâches principales de la MINUAR sont actuellement les suivantes :

a) Assurer la stabilité et la sécurité dans le nord-ouest et le sud-ouest du Rwanda;

b) Stabiliser et surveiller la situation dans toutes les régions du Rwanda de manière à encourager le retour des réfugiés et des personnes déplacées;

c) Apporter sécurité et appui aux opérations d'assistance humanitaire au Rwanda même, pendant que les organisations humanitaires s'occupent d'assurer le retour des réfugiés;

d) Favoriser, par la médiation et les bons offices, une réconciliation nationale au Rwanda.

21. Malgré les ressources extrêmement limitées dont dispose la MINUAR, la Mission a déjà pris certaines mesures. Elle a déployé une compagnie le long de la frontière près de Goma (Zaïre), ainsi qu'un certain nombre d'observateurs dans cette région et dans la zone contrôlée par l'Opération Turquoise. Dans l'attente des 5 500 hommes autorisés par le Conseil de sécurité, que la MINUAR

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devrait finalement recevoir, le commandant de la Force a prévu un déploiement dans cinq secteurs, comme indiqué sur la carte figurant dans l'annexe au présent rapport :

- a) Secteur I (nord-est) : 1 compagnie du génie
- b) Secteur II (sud-est) : 1 compagnie motorisée renforcée
- c) Secteur III (sud) : 1 compagnie motorisée renforcée
- d) Secteur IV (sud-ouest) : 3 bataillons d'infanterie mécanisés/motorisés
- e) Secteur V (nord-ouest) : 1 bataillon d'infanterie mécanisé/motorisé

22. Le quartier général de la Force resterait à Kigali, avec les unités minimums nécessaires pour assurer la protection, en même temps que des unités spécialisées pour les communications et la logistique et l'hôpital de campagne. Des observateurs militaires des Nations Unies et les contrôleurs de police civile des Nations Unies seraient déployés dans tous les secteurs suivant les nécessités opérationnelles.

23. Les zones suscitant le plus de préoccupations sont le nord-ouest où l'on veut réinstaller les réfugiés qui reviennent dans le pays et le sud-ouest où l'on souhaite éviter d'éventuelles explosions de violence. Le secteur nord-ouest jouxte la région du Zaïre où s'est rassemblée une multitude de réfugiés rwandais (plus d'un million) qui y vivent dans des conditions extrêmement difficiles. On sait qu'un grand nombre de membres des forces gouvernementales rwandaises et de la milice, ainsi que des éléments extrémistes soupçonnés d'avoir participé au massacre des membres de l'opposition hutue et des partisans des FPR sont mêlés aux réfugiés au Zaïre qu'ils essaieraient d'empêcher de retourner au Rwanda. C'est au sud-ouest que la situation est la plus instable; des éléments armés des forces gouvernementales rwandaises ont en effet cherché refuge dans la zone protégée par les Français. De plus, les réfugiés en quittant le Zaïre pour rentrer chez eux transiteront par ces deux régions. On s'attend également qu'un grand nombre de réfugiés en Tanzanie regagnent les secteurs I et II et un nombre considérable de réfugiés quittent le Burundi pour revenir dans les secteurs II et III; ces trois secteurs ne présenteront toutefois vraisemblablement pas les problèmes qu'on prévoit dans les secteurs IV et V.

24. La situation dans le secteur IV est particulièrement pressante du fait que le Gouvernement français est anxieux de retirer ses troupes avant le 21 août. Dans ses discussions avec la MINUAR, le nouveau Gouvernement a indiqué qu'il n'insisterait pas pour assumer immédiatement le contrôle de cette zone à condition que la MINUAR en assure la stabilité. Pour ce faire, il serait impératif que la MINUAR puisse déployer les trois bataillons prévus pour ce secteur. Au cas où ils ne seraient pas disponibles, la MINUAR devrait pénétrer dans cette zone avec une force amoindrie et un matériel minime. Le nouveau Gouvernement a jusqu'ici refusé d'accepter les troupes de certains pays d'Afrique participant à l'Opération Turquoise, mais il se peut qu'on puisse le persuader de permettre à ces troupes et à leur matériel de demeurer sur place.

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Dans ce cas, on espère que la France sera prête à prêter une partie du matériel utilisé par l'Opération Turquoise.

#### V. PERSPECTIVES POLITIQUES

25. L'Accord de paix d'Arusha (voir A/48/824-S/26915) a été signé il y a un an dans l'espoir que l'équilibre politique qu'il prévoyait amènerait une stabilité durable au Rwanda grâce à une approche pluraliste du gouvernement de transition, lequel inclurait les divers partis apparus et aboutirait à des élections. Tant le "gouvernement intérimaire", établi aussitôt après le décès de l'ancien Président Habyarimana le 6 avril, que le FPR ont dans une certaine mesure professé leur attachement aux principes de l'Accord d'Arusha. Toutefois, le "gouvernement intérimaire" a déclaré que l'Accord reposait sur une prémisse fallacieuse, à savoir que l'animosité ethnique traditionnelle existant entre la majorité hutue et la minorité tutsie pouvait être surmontée par des moyens politiques; la seule solution serait un arrangement pouvant garantir non seulement les droits de la minorité mais également ceux de la majorité, de sorte qu'aucune n'ait à craindre la domination de l'autre; cet objectif ne pouvait être atteint ni par des moyens militaires, ni par l'organisation de simples élections. Le FPR, quant à lui, a affirmé que, s'il demeurait attaché aux principes de l'Accord concernant un compromis politique pluraliste, la subversion délibérée du processus d'Arusha par des éléments hutus extrémistes et les massacres prémédités et délibérés de Tutsis et de Hutus modérés, exigeait de réviser la formule d'Arusha, afin d'éviter qu'une telle situation ne se reproduise.

26. Le FPR contrôle le pays tant militairement que politiquement, à l'exception de la zone contrôlée par l'Opération Turquoise, et il a mis en place, le 19 juillet 1994, un "gouvernement d'unité nationale - à base élargie" pour une période intérimaire de cinq ans. Il a exclu l'ancien parti au pouvoir le Mouvement révolutionnaire national pour le développement (MRND), ainsi qu'un parti ouvertement anti-tutsi, la Coalition pour la défense de la République (CDR), qui ne figurait pas dans le gouvernement de transition créé par l'Accord d'Arusha. Dans le gouvernement provisoire actuel, le poste de Président, réservé au MRND dans l'Accord, a été attribué à M. Pasteur Bizimungu, du FPR, et le poste de Vice-Président, non réservé dans ledit accord, au général de division Paul Kagame, commandant militaire du FPR, qui est également Ministre de la défense. Le Premier Ministre est M. Faustin Twagiramungu, du Mouvement démocratique républicain, et le Premier Ministre adjoint, le colonel Alexis Kanyarengwe, du FPR. D'autres portefeuilles ont été attribués aux deux partis, de même qu'au Parti social-démocrate (PSD), au Parti démocrate-chrétien (PDC) et au Parti libéral (PL), qui étaient tous représentés dans le gouvernement provisoire précédent.

27. Depuis sa prise de fonctions, le Président Bizimungu s'est entretenu avec le Président Mobutu du Zaïre, le Président Mwinyi de Tanzanie, le Président Museveni d'Ouganda et le Président intérimaire du Burundi, M. Ntibantunganya. Les dirigeants rwandais encouragent les réfugiés à rentrer au Rwanda en donnant les assurances suivantes :

a) Les réfugiés n'ont à craindre ni les persécutions ni les représailles. Ceux qui viennent de Goma ne feront l'objet d'aucun contrôle;

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b) Les réfugiés et personnes déplacées pourront regagner leurs foyers, se réinstaller dans leur exploitation agricole, récupérer leurs biens, etc.; si ceux-ci sont occupés par des tiers, les occupants illégaux seront expulsés de force. Les réfugiés rentrant au Rwanda en provenance d'Ouganda ne pourront faire valoir leurs droits en dépossédant des Rwandais de leurs droits légitimes;

c) Les criminels seront poursuivis en justice suivant la procédure prévue par la loi. L'ONU devrait nommer la Commission d'experts créée par la résolution 935 (1994), qui devrait commencer rapidement son enquête;

d) Le Gouvernement encourage les cadres civils et le personnel militaire à rentrer; et

e) Le Gouvernement coopérera pleinement avec l'ONU dans ses efforts visant à encourager le retour des réfugiés en rouvrant l'aéroport de Kigali, en autorisant l'installation d'une station de radio des Nations Unies et en facilitant la liberté de mouvement du personnel de l'ONU dans l'exercice de ses fonctions.

28. Il est évident que la tâche la plus urgente est actuellement de résoudre la crise humanitaire massive créée par les réfugiés au Zaïre et les personnes déplacées au Rwanda, de créer des conditions de sécurité et de normaliser la situation afin que ces malheureux puissent regagner leurs foyers et soient encouragés à le faire. Le nouveau Gouvernement ne pourra assurer des conditions de stabilité dans le pays qu'après que ces objectifs auront été atteints. Des pourparlers politiques avec les éléments modérés du MRND devraient toutefois être organisés dès que possible afin de mettre au point des arrangements politiques devant assurer la stabilité à long terme du Rwanda.

#### VI. OBSERVATIONS

29. L'agonie d'un petit pays contraint d'assister au massacre d'une partie importante de sa population et au déplacement de la moitié des survivants est l'une des situations les plus effroyables de ces derniers temps. Elle est d'autant plus tragique que la communauté internationale a hésité si longtemps avant d'intervenir, bien que la plupart de ses membres aient signé la Convention pour la prévention et la répression du crime de génocide. Comme je l'ai fait observer dans mon rapport du 31 mai 1994 (S/1994/640), par notre incapacité d'agir, nous nous sommes résignés aux effroyables pertes en vies humaines et à la souffrance d'un peuple tout entier. Afin de réparer ses torts, la communauté internationale doit, à tout le moins, faire en sorte que, par le biais des efforts déployés par la Commission des droits de l'homme, le Haut Commissaire des Nations Unies chargé des droits de l'homme et la Commission d'experts créée par la résolution 935 (1994) du Conseil de sécurité, en date du 1er juillet 1994, les individus qui, à titre personnel ou dans l'exercice de leurs fonctions, ont déclenché ce cataclysme soient poursuivis en justice.

30. En ce qui concerne la Commission d'experts, mon rapport du 26 juillet 1994 (S/1994/879) définit son mandat. Je lui ai demandé de me communiquer, avant le 30 novembre 1994, ses conclusions sur les éléments de preuve dont elle disposera concernant des violations caractérisées du droit international humanitaire et des actes de génocide, à partir desquels les auteurs de ces violations

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pourraient être identifiés. La Commission est également habilitée à examiner la question de la juridiction, internationale ou nationale, devant laquelle ces personnes devraient être jugées. J'ai nommé les personnes ci-après en tant que membres de la Commission : M. 'Atsu-Koffi Amega, Président, (Togo), Mme Habi Dieng (Guinée) et M. Salifou Fomba (Mali).

31. Il incombe à la communauté internationale de faire tout son possible pour atténuer les horribles souffrances endurées dans les camps de réfugiés au Zaïre, de même qu'en Tanzanie, en Ouganda et au Burundi, et permettre aux réfugiés et aux personnes déplacées de regagner leurs foyers ou d'autres zones sûres dans des conditions de sécurité raisonnables. À ce sujet, j'exprime ma gratitude aux gouvernements qui ont décidé de déployer des troupes au Rwanda et/ou au Zaïre afin de fournir le soutien logistique indispensable à l'effort humanitaire. En même temps, je suis de plus en plus préoccupé par les problèmes de coordination qui se poseront si plusieurs forces étrangères sous commandement national travaillent aux côtés de la MINUAR qui est placée sous le commandement des Nations Unies, et des forces loyales au nouveau gouvernement. En principe, toutes les forces étrangères qui participent à l'effort humanitaire devraient faire partie intégrante de la MINUAR. Si cela est impossible, je demanderais instamment que le déploiement des forces étrangères soit autorisé par le Conseil de sécurité, même si leur mandat est purement humanitaire, et que des arrangements formels soient établis entre elles et la MINUAR en matière de liaison, comme cela a été le cas pour l'Opération Turquoise.

32. Les gouvernements qui possèdent les ressources nécessaires sont aussi instamment priés de les affecter à la reconstruction et au relèvement indispensables pour remettre le Rwanda en état. Je félicite les gouvernements qui commencent déjà à fournir ces formes d'assistance concrète.

33. Le gouvernement récemment installé au Rwanda doit également rassembler à nouveau son peuple dans le cadre de la réconciliation nationale. Même après la tragédie à laquelle il a été confronté, il doit faire preuve de magnanimité et empêcher que ses succès militaires n'entraînent un désir de domination permanente. Il doit veiller à ce qu'il n'y ait pas de représailles et permettre aux familles de regagner leurs foyers et à chacun de reprendre ses occupations professionnelles et de retrouver ses moyens d'existence. Le gouvernement doit accepter, dans l'armée nationale, les soldats des anciennes forces armées et les membres de la gendarmerie qui ne se sont pas délibérément livrés à des massacres aveugles. Il doit mettre en place un système judiciaire équitable et transparent afin de juger les individus soupçonnés d'être les instigateurs des massacres de leurs compatriotes ou d'y avoir participé.

34. Il s'agit là de tâches écrasantes pour un gouvernement qui vient de prendre le pouvoir dans un pays dévasté et anéanti. Outre l'aide humanitaire d'urgence et l'aide à la reconstruction et au relèvement qu'il faudra lui fournir, il devra également recevoir une assistance pour le rétablissement des systèmes d'administration, de justice, de police, des finances, d'éducation et de santé et pour l'exercice des autres responsabilités qui incombent à tout gouvernement. J'espère que les gouvernements lui fourniront cette assistance dans un cadre bilatéral ou par le biais des organismes des Nations Unies. Mais ce sont, en dernière analyse, les Rwandais eux-mêmes qui devront assumer ces tâches, ce

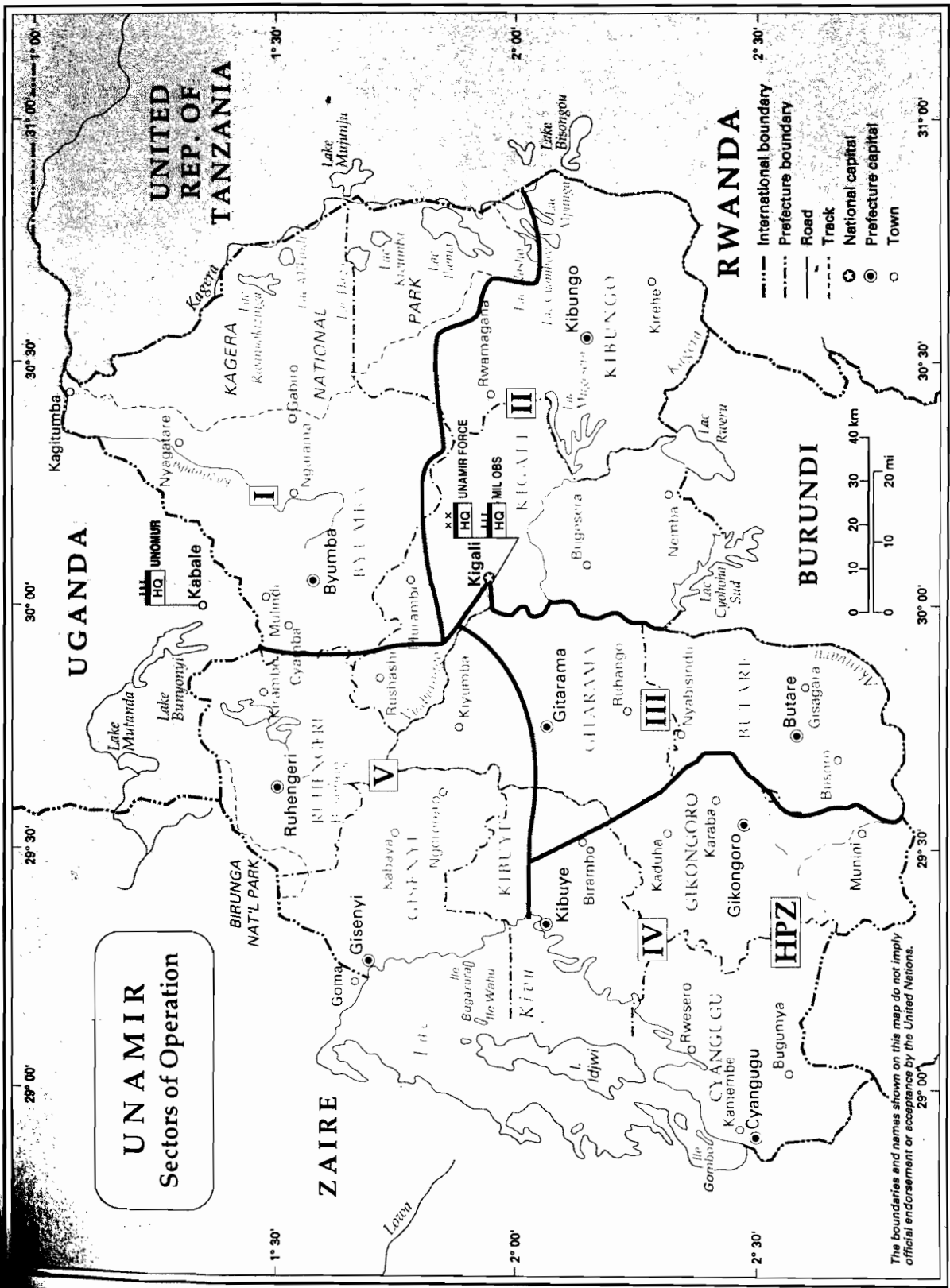
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qu'ils ne pourront faire que si le gouvernement s'engage à promouvoir une réconciliation véritable et totale.

35. L'objectif politique ultime doit être l'installation d'un système de gouvernement à base élargie donnant à tous les éléments de la société, quel que soit leur origine ethnique ou leur niveau social, un sentiment de sécurité et une place dans la vie du pays. L'Accord d'Arusha contient toujours des principes et fournit un vaste cadre pour la mise en place d'un tel système. L'Organisation de l'unité africaine et la République-Unie de Tanzanie, qui ont contribué à la négociation de l'Accord, auront un rôle spécial à jouer dans ce domaine. Les quatre voisins du Rwanda, assumant également une responsabilité particulière, devront promouvoir la stabilité dans ce pays en convalescence et empêcher que leur territoire ne serve à lancer de nouveaux actes de déstabilisation. Il est encourageant de noter que le nouveau gouvernement a établi avec eux des relations cordiales. Tous les pays de la région doivent s'efforcer de faire en sorte que les répercussions de la crise au Rwanda n'atteignent pas le Burundi car cela risquerait de déstabiliser la région tout entière.

36. En conclusion, je tiens à remercier mon ancien Représentant spécial, M. Jacques-Roger Booh-Booh, et mon nouveau Représentant spécial, M. Shaharyar Khan, de même que le personnel de la MINUAR pour le dévouement dont ils ont fait preuve dans les conditions les plus difficiles. Je tiens en particulier à exprimer ma gratitude au commandant de la Force, le général de division Dallaire, pour l'autorité remarquable dont il a fait preuve. Enfin, j'exprime, en mon nom propre et au nom de tous les membres du système des Nations Unies, mes sincères condoléances à toutes les personnes qui au Rwanda ont perdu des membres de leur famille dans une situation qui aurait été un cauchemar si elle n'était pas effectivement devenue réalité.

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UNAMIR  
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TO: KHAN UNAMIR, KIGALI	FROM: ANNAN, UNATIONS, NEW YORK
DATE: 20 September 1994	Fax: (212) 963-9222
SUBJECT: Report on UNOMUR	
TOTAL NUMBER OF TRANSMITTED PAGES INCLUDING THIS PAGE: 7	

Please find attached copy in English and French of the third and final progress report of the Secretary-General on UNOMUR (S/1994/1073), which was issued this morning. Additional copies in both languages are being pouched. Regards.

(SRSG) FC R/Dir



## Security Council

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### THIRD PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION UGANDA-RWANDA

#### I. INTRODUCTION

1. The present report is submitted in pursuance of paragraphs 2 and 3 of Security Council resolution 928 (1994) of 20 June 1994, in which the Council extended the mandate of the United Nations Observer Mission Uganda-Rwanda (UNOMUR) for a final period of three months until 21 September 1994 and requested the Secretary-General to report to the Council on the termination of the operation before the completion of its mandate. The present report covers the period since my last report to the Security Council on UNOMUR, dated 16 June 1994 (S/1994/715).

2. It will be recalled that UNOMUR was established by the Security Council in its resolution 846 (1993) of 22 June 1993, with the mandate to deploy on the Ugandan side of the border with Rwanda and to verify that no military assistance reached Rwanda. The Council decided that the monitoring activities of UNOMUR would focus primarily on transit or transport, by roads or tracks that could accommodate vehicles, of lethal weapons and ammunition across the border, as well as any other material that could be of military use.

#### II. DEPLOYMENT AND ACTIVITIES

3. As indicated in my previous report (S/1994/715), the breakdown of the cease-fire and the resumption of the civil war in Rwanda after 6 April 1994 compelled UNOMUR to expand its monitoring activities in Uganda from the areas controlled by the Rwandese Patriotic Front (RPF) to the entire border area between the two countries. Despite the Mission's phased reduction plan, set out in paragraph 9 of the present report, the expanded monitoring of the 170-kilometre border area continued during the period under review.

4. UNOMUR has implemented its tasks essentially through patrolling, monitoring and surveillance of the whole stretch of the operational area, involving both mobile and fixed observations, as well as on-site investigation of suspected cross-border traffic. Those tasks also included random aerial surveillance and patrols by helicopters, as well as the airlifting of military observers into areas of high elevation for observation of routes leading to the border.



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5. Since my last report, the situation of cross-border traffic from Uganda into Rwanda has remained unchanged and no significant movements of armaments or armed personnel have been detected by UNOMUR.

6. In addition to its border-monitoring activities, UNOMUR has more recently played an important role in supporting the build-up of the United Nations Assistance Mission for Rwanda (UNAMIR) and coordinating humanitarian activities in support of the displaced persons and other civilians affected by the hostilities in Rwanda. That role was performed at a critical time when the resumed fighting in Rwanda made the use of Kigali airport difficult and, at a later stage, impossible. UNOMUR activities in that respect have continued even after the unilateral declaration of a cease-fire by RPF on 18 July in order to alleviate the suffering of the civilian population in Rwanda.

7. Following the adoption on 17 May by the Security Council of its resolution 918 (1994), in which it authorized the expansion of the UNAMIR force level to 5,500 all ranks, the Mission became a forward base to back up the movement of personnel, equipment and supplies into Rwanda. During the closure of Kigali airport, Entebbe airport in Uganda functioned as the only air base from which those personnel and supplies were routed by land to Rwanda. A team of UNOMUR military observers was stationed at Entebbe to coordinate logistic activities. UNOMUR escorted 60 armoured personnel carriers as well as convoys with logistic material and foodstuffs from Entebbe to the Uganda-Rwanda border for use by UNAMIR. A temporary transit camp with the capacity of accommodating at least 100 troops was established at the Mirama Hills checkpoint to ensure smooth entry of newly arriving UNAMIR troops into Rwanda.

8. The evacuation of UNAMIR casualties was carried out with UNOMUR assistance. UNOMUR also made a total of 117 helicopter sorties between Kabale and Entebbe during the period under review, as well as between Kabale and the Zairian towns of Goma and Bukavu, in order to transport UNAMIR and other United Nations personnel.

9. In accordance with paragraph 2 of Security Council resolution 928 (1994), I have started implementing the following plan to reduce the size of UNOMUR in four phases, with its monitoring activities being scaled down gradually. The first three of the four phases have already been carried out.

10. Phase I of the reduction took effect on 15 August and the Mission's total strength of 80 military observers was reduced by 15. Accordingly, the Sector West headquarters and the observation posts at Lubirizi and Kafunzo were closed down. In Phase II, effective from 30 August, the Mission was further reduced by nine military observers.

11. In Phase III, effective from 6 September, an additional 12 military observers left the Mission, leaving a total strength of 34 military observers. The Sector East headquarters was closed during that period and the UNOMUR team stationed at Entebbe was withdrawn. As at 12 September 1994, in addition to the remaining military observers, the Mission also included 11 international civilian and 7 locally recruited staff, who are being phased out. In the final phase of reduction, which is to be completed at the end of the Mission's mandate on 21 September, all the remaining military observers will leave the area of

operation. UNOMUR will be officially closed down on that date in a small ceremony to be presided over by the Under-Secretary-General for Peace-keeping Operations, Mr. Kofi Annan, who will be in the region at that time.

### III. FINANCIAL ASPECTS

12. As indicated in my report on the financing of UNAMIR (A/48/837 and Corr.1), the administrative costs related to the military observers and civilian personnel of UNOMUR, with effect from 22 December 1993, are included in the cost estimates for the maintenance of UNAMIR. The General Assembly, in its resolution 48/248 of 5 April 1994, authorized me to enter into commitments at a monthly rate not to exceed \$9,082,600 gross per month for the period from 5 April to 31 October 1994, for the maintenance of both operations.

### IV. OBSERVATIONS

13. UNOMUR was established in June 1993 to help create an atmosphere conducive to a negotiated settlement of the Rwandese conflict. While the tragic turn of events in Rwanda prevented UNOMUR from contributing to that goal, the Observer Mission did play a useful role as a confidence-building mechanism in the months following the conclusion on 4 August 1993 of the Arusha peace agreement and during UNAMIR's initial efforts to defuse tensions between the Rwandese parties and to facilitate the implementation of that agreement. Following the resumption of the civil war in Rwanda, UNOMUR also played an important role in support of the deployment of the expanded UNAMIR and of the coordination of humanitarian relief activities in that country.

14. In conclusion, I would like to express again my appreciation to the Government of Uganda for the cooperation and assistance it has extended to UNOMUR. I also wish to commend both the military and the civilian personnel of UNOMUR for the dedication and professionalism with which they have carried out their tasks.

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19 septembre 1994  
FRANÇAIS  
ORIGINAL : ANGLAIS**TROISIÈME RAPPORT INTÉRIMAIRE DU SECRÉTAIRE GÉNÉRAL SUR LA  
MISSION D'OBSERVATION DES NATIONS UNIES OUGANDA-RWANDA****I. INTRODUCTION**

1. Le présent rapport est soumis en application des paragraphes 2 et 3 de la résolution 928 (1994) du Conseil de sécurité, en date du 20 juin 1994, dans laquelle le Conseil prorogeait le mandat de la Mission d'observation des Nations Unies Ouganda-Rwanda (MONUOR) pour une dernière période de trois mois, jusqu'au 21 septembre 1994, et priait le Secrétaire général de lui faire rapport sur l'achèvement des opérations de la MONUOR avant l'expiration de son mandat. Le présent rapport couvre la période écoulée depuis mon dernier rapport au Conseil de sécurité sur la MONUOR, en date du 16 juin 1994 (S/1994/715).

2. On se souviendra que la MONUOR a été établie par la résolution 846 (1993) du Conseil de sécurité en date du 22 juin 1993, et qu'elle a reçu pour mandat de se déployer du côté ougandais de la frontière avec le Rwanda, afin de vérifier qu'aucune assistance militaire ne parvenait au Rwanda. Le Conseil a décidé aussi que, dans ses activités de vérification, la MONUOR mettrait l'accent essentiellement sur le transit et le transport à travers la frontière, par des routes et des pistes où peuvent passer des véhicules, d'armes meurtrières et de munitions, ainsi que de tout autre matériel pouvant être utilisé à des fins militaires.

**II. DÉPLOIEMENT ET ACTIVITÉS**

3. Comme je l'indiquais dans mon rapport précédent (S/1994/715), une fois le cessez-le-feu rompu et avec la reprise de la guerre civile au Rwanda après le 6 avril 1994, la MONUOR s'est trouvée contrainte d'élargir ses activités de vérification en Ouganda, des zones contrôlées par le Front patriotique rwandais (FPR) à la totalité de la zone frontalière entre les deux pays. Malgré le plan de réduction échelonnée de la Mission, présenté au paragraphe 9 du présent rapport, la surveillance élargie de 170 kilomètres de zone frontalière s'est poursuivie pendant la période considérée.

4. La MONUOR a rempli sa tâche essentiellement par des patrouilles et par la surveillance de l'ensemble de la zone d'opération au moyen d'observations aussi bien mobiles que fixes, ainsi que par des enquêtes sur place en cas de soupçon de trafic transfrontalier. La Mission a pour cela eu recours à des opérations de surveillance et des patrouilles hélicoptérées ainsi que par le transport, par

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hélicoptère, d'observateurs militaires jusqu'aux zones d'altitude élevées, pour qu'ils y contrôlent les routes menant à la frontière.

5. Depuis mon dernier rapport, la situation concernant le trafic transfrontalier entre l'Ouganda et le Rwanda n'a pas évolué et la MONUOR n'a détecté aucun mouvement important d'armes ou d'hommes armés.

6. Indépendamment de ses activités de surveillance de la frontière, la MONUOR a, plus récemment, joué un rôle important en aidant au déploiement progressif de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR) et en coordonnant les activités humanitaires en faveur des personnes déplacées et autres civils touchés par les hostilités au Rwanda. Elle a accompli cette tâche à un moment critique, alors que la reprise des combats au Rwanda rendait difficile, puis impossible, l'utilisation de l'aéroport de Kigali. Dans le but d'atténuer les souffrances de la population civile au Rwanda, ces activités de la MONUOR se sont poursuivies après la proclamation unilatérale d'un cessez-le-feu, par le FPR, le 18 juillet.

7. Après que le Conseil de sécurité eut adopté, le 17 mai, la résolution 918 (1994) dans laquelle il autorisait que les effectifs de la MINUAR soient portés à 5 500 hommes, tous grades confondus, la Mission est devenue une base avancée pour appuyer le mouvement du personnel, du matériel et des fournitures au Rwanda. Tant que l'aéroport de Kigali est resté fermé, l'aéroport ougandais d'Entebbe, a été la seule base aérienne à partir de laquelle le personnel et les fournitures ont pu être acheminés, par voie terrestre, vers le Rwanda. Une équipe d'observateurs militaires de la MONUOR est restée stationnée à Entebbe pour coordonner les activités logistiques. La MONUOR a escorté 60 véhicules blindés de transport de troupes ainsi que des convois de transport de matériel logistique et de vivres entre Entebbe et la frontière ougando-rwandaise, à destination de la MINUAR. Un camp temporaire de transit pouvant recevoir au moins 100 hommes a été établi au poste de contrôle de Mirama Hills pour assurer le bon déroulement de l'entrée au Rwanda des forces de la MINUAR nouvellement arrivées.

8. La MONUOR a contribué à l'évacuation des blessés de la MINUAR. Durant la période examinée, les hélicoptères de la MONUOR ont également effectué au total 117 sorties entre Kabale et Entebbe, ainsi qu'entre Kabale et les villes zaïroises de Goma et de Bukavu, pour transporter du personnel de la MINUAR et des Nations Unies.

9. Conformément au paragraphe 2 de la résolution 928 (1994) du Conseil de sécurité, j'ai commencé l'exécution du plan suivant afin de réduire les effectifs de la MONUOR en quatre étapes, les activités de surveillance étant progressivement limitées. Les trois premières étapes ont déjà été achevées.

10. La première étape a commencé le 15 août et l'effectif total de la Mission, de 80 observateurs militaires, a été réduit de 15 personnes. En conséquence, l'état-major du secteur ouest et les postes d'observation à Lubirizi et Kafunzo ont mis fin à leurs activités. Au cours de la deuxième étape, qui a commencé le 30 août, la Mission s'est séparée de neuf autres observateurs militaires.

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11. Au cours de la troisième étape, qui a commencé le 6 septembre, 12 autres observateurs militaires ont quitté la Mission, laissant un effectif total de 34 observateurs militaires. L'état-major du secteur est a cessé son activité et l'équipe de la MONUOR en poste à Entebbe a été retirée. Au 12 septembre 1994, outre les observateurs militaires restants, la Mission comprenait également 11 fonctionnaires internationaux et 7 agents locaux, qui seront progressivement retirés. Au cours de la dernière étape, qui doit s'achever à la fin du mandat de la Mission, le 21 septembre, tous les observateurs militaires restants quitteront la zone des opérations. La Mission de la MONUOR prendra officiellement fin à cette date, au cours d'une petite cérémonie présidée par le Secrétaire général adjoint aux opérations de maintien de la paix, M. Kofi Annan, qui se trouvera alors dans la région.

### III. ASPECTS FINANCIERS

12. Ainsi qu'il est indiqué dans mon rapport sur le financement de la MINUAR (A/48/837 et Corr.1), les dépenses d'administration relatives aux observateurs militaires et au personnel civil de la MONUOR, à compter du 22 décembre 1993, sont incluses dans les prévisions de dépenses afférentes au fonctionnement de la MINUAR. L'Assemblée générale, dans sa résolution 48/248 du 5 avril 1994, m'a autorisé à engager mensuellement pour le fonctionnement de la mission d'assistance pendant la période allant du 5 avril au 31 octobre 1994, des dépenses jusqu'à concurrence d'un montant brut de 9 082 600 dollars, pour le fonctionnement des deux opérations.

### IV. OBSERVATION

13. La MONUOR a été établie en 1993 pour aider à créer un climat propice à un règlement négocié du conflit rwandais. Bien que la tournure tragique des événements au Rwanda ait empêché la MONUOR de contribuer à cet objectif, la Mission d'observation n'a pas manqué de jouer un rôle utile en tant que mécanisme destiné à renforcer la confiance au cours des mois qui ont suivi la conclusion, le 4 août 1993, de l'Accord de paix d'Arusha, ainsi que durant les premiers efforts entrepris par la MINUAR pour réduire les tensions entre les parties rwandaises et faciliter l'application de cet accord. À la suite de la reprise de la guerre civile au Rwanda, la MONUOR a également joué un rôle d'appui important en facilitant le déploiement de la MINUAR renforcée et la coordination des activités d'aide humanitaire dans ce pays.

14. En conclusion, je voudrais remercier de nouveau le Gouvernement ougandais pour la coopération et l'aide qu'il a apportées à la MONUOR. Je tiens également à féliciter le personnel militaire et civil de la MONUOR pour le dévouement et le professionnalisme avec lesquels il s'est acquitté de sa tâche.

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Security Council

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5 July 1994  
ENGLISH  
ORIGINAL: FRENCH

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LETTER DATED 5 JULY 1994 FROM THE PERMANENT REPRESENTATIVE OF FRANCE  
TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

You will find attached, in implementation of paragraph 10 of Security Council resolution 929 (1994) of 22 June 1994, the first report on the implementation of Operation "Turquoise". I should be grateful if you would have this letter as well as the annex to it circulated as an official document of the Security Council.

(Signed) Jean-Bernard MÉRIMÉE

Annex

Operation "Turquoise"

1. Troop contingent

The troop contingent for operation "Turquoise" has been placed under the command of General Lafourcade, who has at his disposal an inter-service theatre command post (PCIAT), which has been established in Goma and is linked to the Paris Inter-Service Operational Centre.

The troop contingent is made up of the following components:

- (a) A north forces subgroup composed of three combat units in Kibuye;
- (b) A south forces subgroup made of two combat units in Cyangugu;
- (c) A specialized subgroup consisting of four units in Bukavu;
- (d) A detachment of fighter aircraft in Kisangani;
- (e) Three transit bases in Bangui, Libreville and Douala.

The troop contingent currently numbers 2,300 French soldiers and 32 Senegalese soldiers.

2. Composition of the Force (expected strength)

2.1 Inter-service means

- (a) An inter-service command post (PCIAT - 305 troops);
- (b) A rapid intervention military medical unit (EMMIR - 46 troops);
- (c) A specialized detachment with five helicopters (220 troops);
- (d) Three detachments of the Armed Forces Petrol Service (35 troops).

2.2 Means of the Air Force and Navy

A unit of four Mirage F1CR, four Mirage F1CT, one Atlantic, two C135 FR, two Casa 235, five tactical cargo aircraft (C130, C160), two SA330 (SAR) helicopters. Total strength is 340 troops.

2.3 Means of the Army

- (a) Four motorized infantry companies (580 troops);
- (b) A 12-vehicle light armoured car squadron (130 troops);

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- (c) A six-piece heavy mortar section (70 troops);
- (d) An Engineers section (25 troops);
- (e) A logistical support battalion that has been partially dispatched and is being deployed (expected strength - 450 troops);
- (f) A detachment of Army light aircraft (ALAT) with three Puma helicopters (60 troops);
- (g) A logistical support battalion that has been partially dispatched and is being deployed (expected strength - 450 troops);
- (h) A detachment of Army light aircraft (ALAT) with three Puma helicopters (60 troops);
- (i) Two tactical headquarters (62 troops);
- (j) A command and service company (150 troops).

#### 2.4 Means of the National Gendarmerie

A provost detachment (10 troops).

#### 2.5 Foreign troop strength

A Senegalese infantry section (32 troops).

Other units provided by various African countries could be integrated into the Force. A Belgian advanced surgical unit is expected.

### 3. Sites and method of deployment

Initially installed in Goma and Bukavu on 22 June 1994, the Force subsequently reconnoitred several main routes:

- (a) In the north, from Goma towards Kibuye and the Ndaba pass;
- (b) In the south, from Bukavu in the area of the Nyugwe forest and as far as Gikongoro and Butare.

The operation consisted of:

- (a) Preliminary actions (measures to alert and pre-position forces in central Africa) from 16 to 21 June 1994;
- (b) Initial actions:
  - (i) Establishment of an advanced operational base in Goma and an air platform in Kisangani from 21 to 24 June 1994;

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- (ii) Reconnaissance of refugee camps in Cyangugu and western Rwanda from 22 to 25 June 1994;
- (iii) Progressive deployment of the Force on the aforementioned advancement routes from 24 June to 4 July 1994.

#### 4. Evaluation of the situation

The humanitarian mission entrusted to France is proving to be delicate, particularly in the centre and the south of the area reconnoitred by the "Turquoise" Force.

Until 2 July 1994, our troops had been able to operate without incident within the government zone from the Zairian towns of Goma and Bukavu.

Subsequently, the advance by the Rwandese Patriotic Front (RPF) led to a further flow of refugees. This made us define a safe humanitarian zone for the refugees within the Cyangugu-Kibuye-Gikongoro triangle.

The humanitarian problem in this zone is today assuming considerable dimensions, which require the involvement of the entire international community. Hundreds of thousands of displaced Tutsi and Hutu persons require emergency assistance. The protection provided by France should make it possible to provide such assistance as speedily as possible.

#### 5. Humanitarian actions undertaken

##### 5.1 Protection and organization of refugee camps

The "Turquoise" Force is carrying out action to provide protection around two camps:

5.1.1 Nyarushishi, an already existing camp containing 8,000 persons (Tutsi). Protection is being provided by the Rwandese Armed Forces (RAF) and soldiers from the "Turquoise" Force (one section).

5.1.2 Biserero, a camp set up and protected by French forces (1,000 Tutsi as of 1 July).

##### 5.2 Humanitarian activities

###### 5.2.1 General situation

Since the arrival of the "Turquoise" Force in Rwanda, the number of refugees spread out among more than 50 camps in the government zone is estimated at 850,000.

In the south of the country, many refugees are moving towards Gikongoro (westward movement) and towards Burundi (southward movement).

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During his visit to the area, Mr. Arturo Hein, Director of the United Nations Emergency Office for Rwanda (stationed in Nairobi), gave a very favourable assessment of the mission and operating methods of Operation "Turquoise".

#### 5.2.2 Actions carried out

Establishment of a rapid-intervention military medical unit (EMMIR) in Cyangugu (as of 5 July).

Delivery of 37 tons of humanitarian aid from the French Government and its distribution in the Kibuye and Gikongoro regions. Four hundred tons are expected in the next few days.

Evacuation of 1,325 persons.

The Western European Union has been requested to provide the following means:

- (a) A reserve of 35 tons of medicine (renewable every three weeks);
- (b) 400 tons of non-perishable foodstuffs;
- (c) Clothing and blankets for 200,000 persons.

Flagrant human rights violations have been directly observed by French soldiers and have been reported by the civilian population. Thus, the "Turquoise" forces discovered mass graves in the Cyangugu and Kibuye regions. Furthermore, bodies likely to be of persons of Tutsi origin were found near Biserero.

All relevant information collected will subsequently be transmitted to the experts on the Commission of Inquiry established under Security Council resolution 935 (1994) of 1 July 1994 and to the Special Rapporteur.

#### 6. Assessment of the implementation of the operation and possible difficulties to be encountered

Operation "Turquoise" is being implemented in accordance with Security Council resolution 929 (1994).

The French forces have demonstrated impartiality in the field by rescuing many Hutu and Tutsi Rwandese from certain death. This impartiality is beginning to be recognized by the RPF, which permitted the evacuation of 1,000 persons from Butare, even though a minor incident took place.

Certain difficulties remain. For the time being, non-governmental organizations and international institutions are doing very little to take over work carried out by the "Turquoise" forces, particularly in the south. In this field, as in the area of participating in the logistical support for our intervention, few promises have been carried out. While our contingent serves

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to deter the militias and armed forces involved in the conflict, it is still insufficient in view of the number of displaced persons to be assisted.

Furthermore, the difficulties involved in controlling the extremely tense military situation are not insignificant. Thus, possible hostility on the part of the RAF and the Hutu militias against our contingent may increase the dangers which our forces are already facing from RPF. Participation by third countries in the operation would constitute appreciable assistance to our efforts.

Lastly, the military effort borne almost entirely by France could not be extended without the serious prospect of relief by UNAMIR II. Most of the contribution offers are still uncertain or accompanied by conditions or time-limits that are incompatible with the taking over of our mission in the next two months. France therefore calls upon all Member States to ensure that the deployment of the reinforced UNAMIR is speedily carried out.

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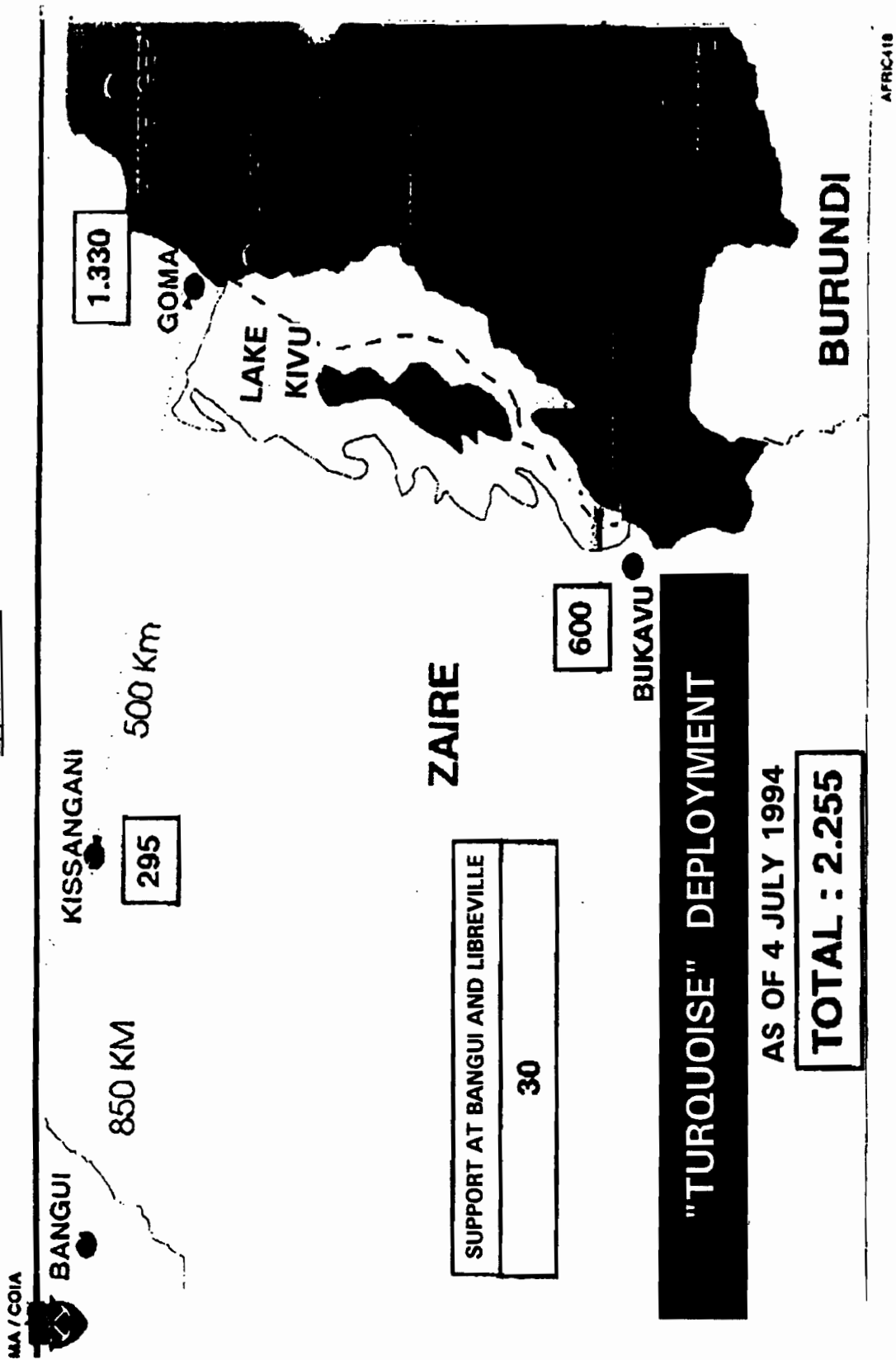
Appendix I

Evacuations carried out  
(as of 4 July 1994)

Date	Place of removal	To	Persons concerned
28 June	Kibuye	Goma	35 nuns 8 orphans
29 June	Kibuye	Goma	1 nun
30 June	Gishyita	Goma	94 Tutsi
2 July	Butare	Goma	16 nuns
2 July	Kibuye and Butare	Goma and Bukavu	130 civilians
3 July	Butare	Burundi	262 persons
3 July	Butare		700 TDH orphans
3 July	Butare		30 nuns
4 July	Gikongoro	Goma	14 persons 3 nuns
	North Kigeme	Gikongoro	1 nun 31 Tutsi
Total			1 325

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Appendix II



UNITED  
NATIONS

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## Security Council

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20 June 1994

ORIGINAL: ENGLISH

LETTER DATED 19 JUNE 1994 FROM THE SECRETARY-GENERAL  
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

1. Since the breakdown of the peace process in Rwanda in the wake of the tragic events of 6 April 1994, I have reported to the Security Council on several occasions, repeatedly stressing the need for an urgent and coordinated response by the international community to the genocide which has engulfed that country.
2. The Security Council initially decided, by its resolution 912 (1994) adopted on 21 April 1994, to adjust the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) and to reduce its strength to 270 all ranks. However, in my letter of 29 April to the President of the Security Council (S/1994/518), I pointed out that the situation had deteriorated to the point where it had become necessary to consider what further action the Council could take, or authorize Member States to take, in order to contribute to the restoration of law and order, to end the wanton violence and massacres of defenceless civilians and to promote a cease-fire.
3. On the basis of my report of 13 May (S/1994/565), the Security Council adopted resolution 918 (1994) on 17 May 1994, authorizing the expansion of the force level of UNAMIR up to 5,500 troops and expanding its mandate to contribute to the security and protection of civilians at risk as well as to provide security and support for humanitarian relief operations. The Council requested me, as a first phase, to immediately bring up to full strength the mechanized infantry battalion already in Rwanda, and further requested me to report as soon as possible on the next phase of UNAMIR's deployment.
4. On the basis of a further report which I submitted to the Security Council on 31 May (S/1994/640), following the visit of a special mission from Headquarters to Rwanda, the Council adopted resolution 925 (1994) on 8 June 1994, in which it endorsed my proposals for the simultaneous deployment of the first and second phases of the expanded operation and for the continuation of urgent preparations for the deployment of the third phase. As of 18 June, UNAMIR consisted of a total force of 503 all ranks (354 troops, 11 military staff personnel and 124 military observers) under the command of Major-General Romeo A. Dallaire. Two Canadian C-130 aircraft are also supporting the mission. I must again reiterate my admiration for the skill and courage of all UNAMIR personnel, despite serious casualties.

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English

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5. In anticipation of the expansion of the mandate of UNAMIR, I had written, on 30 April, to a number of Heads of State in Africa to encourage them to provide troops, and to the Secretary-General of the Organization of African Unity (OAU), asking him to support my requests. I pursued my efforts through numerous contacts with Heads of State and Government during my visit to South Africa in early May, and with African leaders at the OAU Summit conference in Tunis earlier this month. At the same time, the Secretariat had already commenced efforts to secure the equipment and troops required by UNAMIR for the implementation of the first and second phases. Accordingly, over 50 potential contributing countries were approached.

6. To date, the United Nations has received offers for the following:

- Ethiopia: motorized infantry battalion (fully equipped);
- Ghana: mechanized infantry battalion (offer not yet confirmed and made on the condition that its equipment requirements are met);
- Senegal: mechanized infantry battalion (offer not yet confirmed and made on the condition that it be fully equipped);
- Zambia: motorized infantry battalion (on the condition that it be fully equipped);
- Zimbabwe: motorized infantry battalion (on the condition that it be fully equipped);
- Congo: infantry company (on the condition that it be fully equipped);
- Malawi: infantry company (on the condition that its equipment requirements are met);
- Mali: infantry company (on the condition that its equipment requirements are met);
- Nigeria: infantry company (on the condition that its equipment requirements are met);
- Italy: 1 aircraft (most probably C-130, not to fly into Rwandese airspace);
- Netherlands: 1 Fokker 27 aircraft (not to fly into Rwandese airspace);
- United Kingdom of Great Britain and Northern Ireland: 50 trucks for infantry and cargo;
- United States of America: 50 armoured personnel carriers (APCs)
- France, on a bilateral basis, has offered 20 million French francs to Senegal to cover the equipment requirements of 200 men.

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7. Some countries have indicated an interest, but have not yet made commitments, to provide the following:

- Australia: 1 medical company;
- Canada: a communication company;
- Italy: 20 water/fuel trucks;
- Romania: a surgical team;
- Russian Federation: 8 transport helicopters and a number of heavy transport cargo aircraft.

8. On the basis of the offers for troops and equipment received so far, and of the discussions between the Secretariat and the Governments concerned, the United Nations expects, in the best of circumstances, to complete the deployment of the first phase of UNAMIR in the first week of July 1994. This envisages bringing the depleted battalion presently in Kigali to its full strength, for which confirmation of the offer from Ghana is expected. Meanwhile, 10 APCs, which are being transferred from the United Nations Operation in Somalia (UNOSOM II), have already started arriving in Rwanda as part of the deployment of the first phase. In addition, the United States will start airlifting 50 APCs to Entebbe, Uganda, on 24 June.

9. The deployment schedule for the second phase of the expanded operation, which was intended to be synchronized with the first phase, cannot be determined at this time. Final confirmations of the resources required, namely two infantry battalions, a communications unit and other logistic support, have not yet been received from the Governments concerned. Moreover, the Secretariat has still not been able to secure offers for medical and other support units. In the absence of firm commitments for military logistic units, it will be necessary to seek a civilian contractor on an emergency basis. Such a contractual alternative already exists within UNOSOM II and it would be extended to UNAMIR until the necessary logistic support from Governments can be secured.

10. In the conditions prevailing in Rwanda, it is clear that additional troops can only be deployed once the necessary equipment to support them is on the ground and after the troops have been trained to use the equipment with which they may not be familiar. It also is noteworthy that, although Governments are expected to offer fully trained and equipped units for United Nations operations, almost all offers received from Governments are conditional in one way or another. The difficulties that the Secretariat has faced in securing resources for UNAMIR's expanded mandate show that there is no guarantee that the stipulated conditions can be met. Even if they can, protracted negotiations will be required, not only with the Governments making these conditional offers, but also with other Member States. In this context, it should be noted that none of those Governments possessing the capacity to provide fully trained and equipped military units have offered so far to do so for the implementation of the Security Council's resolutions to deal with the situation in Rwanda.



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English

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11. In the light of the above, it is evident that, with the failure of Member States to promptly provide the resources necessary for the implementation of its expanded mandate, UNAMIR may not be in a position, for about three months, to fully undertake the tasks entrusted to it by those resolutions. Meanwhile, the situation in Rwanda has continued to deteriorate and the killing of innocent civilians has not been stopped. Furthermore, the parties have not yet come to an agreement for a cease-fire in the talks under UNAMIR auspices, nor have they respected the cease-fire to which they agreed at the recent OAU summit in Tunis.

12. In these circumstances, the Security Council may wish to consider the offer of the Government of France to undertake, subject to Security Council authorization, a French-commanded multinational operation in conjunction with other Member States, under Chapter VII of the Charter of the United Nations, to assure the security and protection of displaced persons and civilians at risk in Rwanda. Such an operation was one of the options envisaged in my letter of 29 April (S/1994/518) and a precedent exists for it in the United States-led operation Unified Task Force in Somalia (UNITAF) which was deployed in Somalia in December 1992. If the Council decides to authorize an operation on these lines, I consider it would be necessary for it to request the Governments concerned to commit themselves to maintain their troops in Rwanda until UNAMIR is brought up to the necessary strength to take over from the multinational force and the latter has created conditions in which a peace-keeping force operating under Chapter VI of the Charter would have the capacity to carry out its mandate. This would imply that the multinational force should remain deployed for a minimum period of three months.

13. The activities of the multinational force and UNAMIR would be closely coordinated by the respective force commanders, who would take into account the fact that the former would be operating under Chapter VII of the Charter. UNAMIR would continue to fulfil, to the extent permitted by the resources made available to it, its mandated responsibilities in and around Kigali and at the airport. It would also continue to assist in providing support for the delivery of humanitarian aid to accessible areas. During this period, UNAMIR would operate on the assumption that the parties will cooperate with the activities of the mission. However, in the event that the safety and security of UNAMIR personnel were to be jeopardized, I would immediately reassess the situation and make appropriate recommendations to the Security Council.

14. It is self-evident that the efforts by the international community to restore stability in Rwanda, both by halting the genocide and by securing a cease-fire, are directed to a resumption of the Arusha peace process. In this connection, as the Security Council is aware, my new Special Representative for Rwanda, Mr. Shaharyar M. Khan, plans to take up his assignment shortly.

15. I should be grateful if you would bring the contents of the present letter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GEHL

**NATIONS  
UNIES****S****Conseil de sécurité****Distr.  
GÉNÉRALE****S/1994/728  
20 juin 1994  
FRANÇAIS  
ORIGINAL : ANGLAIS****LETTRE DATÉE DU 19 JUIN 1994, ADRESSÉE AU PRÉSIDENT DU  
CONSEIL DE SÉCURITÉ PAR LE SECRÉTAIRE GÉNÉRAL**

1. Depuis la rupture du processus de paix au Rwanda, qui a suivi les événements tragiques du 6 avril 1994, j'ai fait rapport au Conseil de sécurité à plusieurs occasions, réitérant avec insistance la nécessité d'une réaction urgente et coordonnée de la communauté internationale face au génocide dans lequel ce pays a sombré.
2. Initialement, le Conseil de sécurité avait décidé, dans sa résolution 912 (1994) adoptée le 21 avril 1994, de modifier le mandat de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR) et de ramener ses effectifs à 270 hommes, toutes catégories confondues. Toutefois, dans ma lettre du 29 avril adressée au Président du Conseil de sécurité (S/1994/518), j'ai indiqué que la situation s'était détériorée au point de rendre nécessaire l'examen, par le Conseil de sécurité, de nouvelles mesures qu'il pourrait prendre ou pourrait autoriser les États Membres à prendre, afin de rétablir l'ordre public, mettre fin à la violence aveugle et au massacre de civils sans défense et promouvoir un cessez-le-feu.
3. Sur la base de mon rapport du 13 mai (S/1994/565), le Conseil de sécurité a adopté, le 17 mai 1994, la résolution 918 (1994), autorisant l'accroissement des effectifs de la MINUAR à concurrence de 5 500 hommes ainsi que l'élargissement de son mandat afin de contribuer à la sécurité et à la protection des civils en danger, d'assurer la sécurité des opérations d'assistance humanitaire et de fournir un appui à celles-ci. Le Conseil m'a prié, dans un premier temps, de porter à leur plein effectif les éléments du bataillon d'infanterie mécanisé se trouvant déjà au Rwanda et m'a demandé, en outre, de présenter dès que possible un rapport sur la phase suivante du déploiement de la MINUAR.
4. Sur la base d'un nouveau rapport que j'ai présenté au Conseil de sécurité le 31 mai (S/1994/640), après la visite d'une mission spéciale du Siège au Rwanda, le Conseil a adopté, le 8 juin 1994, la résolution 925 (1994), dans laquelle il souscrivait à mes propositions tendant à déployer simultanément les effectifs prévus pour la première et la deuxième phase de l'opération élargie, et à poursuivre d'urgence les préparatifs en vue du déploiement des effectifs prévus pour la troisième phase. Au 18 juin, la MINUAR comprenait au total 503 hommes, toutes catégories confondues (354 soldats, 25 membres de l'état-major et 124 observateurs militaires), placés sous le commandement du général de division Roméo A. Dallaire. Deux avions canadiens C-130 fournissent

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également un appui à la mission. Je tiens à exprimer à nouveau ici mon admiration devant le dévouement et le courage dont font preuve tous les membres du personnel de la MINUAR, malgré un nombre élevé de victimes.

5. En prévision de l'élargissement du mandat de la MINUAR, j'ai adressé des lettres, le 30 avril, à plusieurs chefs d'État en Afrique, pour les encourager à fournir des contingents, ainsi qu'au Secrétaire général de l'Organisation de l'unité africaine (OUA), pour lui demander d'appuyer mes demandes. J'ai poursuivi mes efforts à l'occasion des nombreux contacts que j'ai eus avec des chefs d'État et de gouvernement, lors de ma visite en Afrique du Sud au début du mois de mai, ainsi qu'avec les dirigeants africains réunis à la Conférence au sommet de l'OUA à Tunis, au début de ce mois. De son côté, le Secrétariat avait déjà commencé à essayer d'obtenir le matériel et les effectifs nécessaires pour permettre à la MINUAR d'entreprendre les phases I et II. Des contacts ont été pris avec plus de 50 pays considérés comme des contributeurs potentiels.

6. À ce jour, l'ONU a reçu des offres, comme suit :

- Éthiopie : un bataillon d'infanterie motorisé (entièrement équipé);
- Ghana : un bataillon d'infanterie mécanisé (l'offre n'a pas encore été confirmée et elle a été faite sous réserve que le matériel nécessaire soit fourni);
- Sénégal : un bataillon d'infanterie mécanisé (offre non encore confirmée et faite à la condition que l'équipement nécessaire soit entièrement fourni);
- Zambie : un bataillon d'infanterie motorisé (à la condition qu'il soit entièrement équipé);
- Zimbabwe : un bataillon d'infanterie motorisé (à la condition qu'il soit entièrement équipé);
- Congo : une compagnie d'infanterie (à la condition qu'elle soit entièrement équipée);
- Malawi : une compagnie d'infanterie (à la condition que le matériel nécessaire soit fourni);
- Mali : une compagnie d'infanterie (à la condition que le matériel nécessaire soit fourni);
- Nigéria : une compagnie d'infanterie (à la condition que le matériel nécessaire soit fourni);
- Italie : un aéronef (très probablement un C-130, ne devant pas pénétrer dans l'espace aérien rwandais);
- Pays-Bas : un aéronef Fokker 27 (ne devant pas pénétrer dans l'espace aérien rwandais);

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- Royaume-Uni de Grande-Bretagne et d'Irlande du Nord : 50 camions de transport de troupes et de matériel;
- États-Unis d'Amérique : 50 véhicules blindés de transport de troupes (VBTT);
- France : a offert de verser, dans le cadre d'un accord bilatéral, 20 millions de francs français au Sénégal, pour l'équipement de 200 hommes.

7. Les pays ci-après ont indiqué qu'ils envisageaient de fournir des hommes ou du matériel, mais ils n'ont pas encore pris formellement d'engagement à cet égard :

- Australie : une unité médicale;
- Canada : une unité de transmissions;
- Fédération de Russie : huit hélicoptères de transport et plusieurs avions de transport de matériel lourd;
- Italie : 20 camions-citernes (pour le transport d'eau ou de combustible);
- Roumanie : une équipe chirurgicale.

8. Compte tenu des offres de troupes et de matériel reçues jusqu'à présent et des entretiens qui ont eu lieu entre le Secrétariat et les gouvernements intéressés, l'Organisation des Nations Unies s'attend, dans le meilleur des cas, à achever le déploiement de la première phase de la MINUAR au cours de la première semaine de juillet 1994. On compte porter à son plein effectif le bataillon réduit se trouvant actuellement à Kigali, ce pourquoi on attend confirmation de l'offre du Ghana. Dans l'intervalle, 10 véhicules blindés de transport de troupes (VBTT), transférés de l'Opération des Nations Unies en Somalie (ONUSOM II), ont déjà commencé à arriver au Rwanda dans le cadre du déploiement de la première phase. En outre, le 24 juin, les États-Unis commenceront à envoyer par avion 50 VBTT à Entebbe (Ouganda).

9. Le calendrier pour le déploiement de la deuxième phase de l'opération élargie, qui devait être synchronisée avec la première phase, ne peut être déterminé à ce stade. Des confirmations définitives concernant les ressources nécessaires, à savoir deux bataillons d'infanterie, une unité de transmissions et d'autres unités d'appui logistique, n'ont toujours pas été reçues des gouvernements intéressés. En outre, le Secrétariat n'est toujours pas parvenu à obtenir des offres pour les unités médicales et autres unités d'appui. En l'absence d'engagements fermes concernant des unités logistiques militaires, il faudra faire appel d'urgence à une entreprise civile. Ce type d'arrangement a déjà été pris pour ONUSOM II et il serait étendu à la MINUAR jusqu'à ce que l'appui logistique nécessaire puisse être obtenu des gouvernements.

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10. Vu les conditions au Rwanda, il est manifeste que des troupes supplémentaires ne pourront être déployées qu'une fois que le matériel d'appui nécessaire sera en place et qu'elles auront été formées à l'utilisation du matériel avec lequel elles ne sont peut-être pas familiarisées. Il convient également de noter que, bien que les gouvernements soient censés mettre à la disposition des opérations des Nations Unies des unités entièrement formées et totalement équipées, pratiquement toutes les offres reçues des gouvernements sont assorties, d'une façon ou d'une autre, de conditions. Les difficultés rencontrées par le Secrétariat pour obtenir les ressources voulues pour le mandat élargi de la MINUAR montrent qu'il n'est pas garanti que les conditions stipulées puissent être satisfaites. Et même si elles peuvent l'être, de longues négociations seront nécessaires, non seulement avec les gouvernements qui font ces offres conditionnelles, mais aussi avec d'autres États Membres. À cet égard, il convient de noter qu'aucun des gouvernements qui seraient en mesure de fournir des unités militaires pleinement formées et équipées n'a, jusqu'à présent, offert de le faire pour l'application des résolutions du Conseil de sécurité traitant de la situation au Rwanda.

11. Compte tenu de ce qui précède, il est évident qu'étant donné que les États Membres tardent à fournir les ressources nécessaires à la mise en oeuvre de son mandat élargi, il est possible que la MINUAR ne puisse, pendant à peu près trois mois, s'acquitter pleinement des tâches qui lui ont été confiées dans les résolutions pertinentes. Entre-temps, la situation au Rwanda a continué à se détériorer et les massacres de civils innocents n'ont pas cessé. En outre, les parties ne sont toujours pas parvenues, dans le cadre des pourparlers tenus sous les auspices de la MINUAR, à un accord en vue d'un cessez-le-feu, et elles n'ont pas non plus respecté le cessez-le-feu dont elles avaient convenu au récent sommet de l'OUA à Tunis.

12. Dans ces conditions, le Conseil de sécurité souhaitera sans doute examiner l'offre qu'a faite le Gouvernement français d'entreprendre, sous réserve de l'autorisation du Conseil, avec d'autres États Membres, au titre du Chapitre VII de la Charte des Nations Unies, une opération multinationale sous commandement français pour assurer la sécurité et la protection des personnes déplacées et des civils en danger au Rwanda. Une telle opération était l'une des options envisagées dans ma lettre du 29 avril (S/1994/518), et il existe un précédent, à savoir la Force d'intervention unifiée menée par les États-Unis qui a été déployée en Somalie en décembre 1992. Si le Conseil de sécurité décide d'autoriser une telle opération, j'estime qu'il serait nécessaire qu'il demande aux gouvernements intéressés de s'engager à maintenir leurs troupes au Rwanda jusqu'à ce que la MINUAR dispose des effectifs requis pour prendre la relève de la force multinationale et jusqu'à ce que cette dernière ait créé des conditions dans lesquelles une force de maintien de la paix, intervenant dans le cadre du Chapitre VI de la Charte, serait en mesure de s'acquitter de son mandat. Cela impliquerait que la force multinationale devrait être déployée pendant au minimum trois mois.

13. Les activités de la force multinationale et de la MINUAR seraient étroitement coordonnées par les commandants des deux forces, qui tiendraient compte du fait que la première interviendrait dans le cadre du Chapitre VII de la Charte. La MINUAR continuerait de s'acquitter, dans la mesure où les ressources mises à sa disposition le lui permettent, des responsabilités qui lui

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ont été confiées à Kigali et dans ses environs immédiats ainsi qu'à l'aéroport. Elle continuerait également à aider à fournir un soutien pour l'acheminement de l'aide humanitaire jusqu'aux zones accessibles. Durant cette période, le fonctionnement de la MINUAR serait fondé sur l'hypothèse d'une coopération des parties aux activités de la mission. Dans le cas, toutefois, où la sécurité du personnel de la MINUAR serait menacée, je réévaluerai immédiatement la situation et je ferai les recommandations voulues au Conseil de sécurité.

14. Il va de soi que les efforts déployés par la communauté internationale pour ramener la stabilité au Rwanda, en mettant un terme au génocide et en obtenant un cessez-le-feu, visent une reprise du processus de paix d'Arusha. À cet égard, comme le Conseil en a conscience, mon nouveau Représentant spécial pour le Rwanda, M. Shaharyar M. Khan, a l'intention de prendre très bientôt ses fonctions.

15. Je vous serais reconnaissant de bien vouloir porter le contenu de la présente lettre à l'attention des membres du Conseil de sécurité.

(Signé) Boutros BOUTROS-GHALI

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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN RWANDA

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## I. INTRODUCTION

1. Shortly after the Security Council adopted resolution 918 (1994), Mr. Iqbal Riza, Assistant Secretary-General for Peace-keeping Operations, and Maj.-Gen. J. Maurice Baril, my Military Adviser, left on a special mission to Rwanda. The present report, presented in response to the Council's request in paragraphs 7 and 20 of the above-mentioned resolution, reflects their findings and recommendations as reviewed by me.
2. The special mission's purpose was:
  - (a) To move the warring parties towards a cease-fire;
  - (b) To ascertain from them their views on and intentions towards the implementation of resolution 918 (1994);
  - (c) To review with the United Nations Assistance Mission for Rwanda (UNAMIR) the modalities of the concept of operations outlined in my report of 13 May 1994 (S/1994/565).
3. The special mission was in the area from 22 to 27 May 1994. In Kigali it met the Commanders of the Rwandan government forces, namely Maj.-Gen. Augustin Bizimungu, Chief of Staff of the Rwandese Armed Forces, and Maj.-Gen. Augustin Bizilimana, Chief of Staff of the Gendarmerie, and, in Gitarama, the head of the "interim Government" formed on 8 April 1994, Mr. Jean Kambanda. On the side of the Rwandese Patriotic Front (RPF), it met its Chairman, Col. Alexis Kanyarengwe, in Mulindi and the Commander of the RPF forces, Maj.-Gen. Paul Kagame, in Byumba. In UNAMIR, discussions were held with the Force Commander, Maj.-Gen. Romeo Dallaire, and senior military and civilian officials. During the special mission's visit, my Special Representative, Mr. Jacques-Roger Booh-Booh, currently based in Nairobi, was visiting other countries in the region to obtain their support, especially the contribution of troops, for UNAMIR's expanded mandate established by resolution 918 (1994).
4. Both sides had assured Maj.-Gen. Dallaire that they would observe an informal truce during the visit of Mr. Riza and Maj.-Gen. Baril. Nevertheless, firing and shelling continued, especially in and around Kigali, apparently as a result of RPF's continued offensive in the area and the Rwandan government forces' defensive fire. These conditions inconvenienced the special mission's movements somewhat, causing it to lose much time.

## II. THE MASSACRES IN RWANDA

5. The number of Rwandan children, women and men who were murdered in the frenzy of massacres over the past seven weeks will probably never be determined accurately. As time passes evidence erodes and witnesses vanish. The estimate is that between 250,000 and 500,000 were killed - a substantial proportion of Rwanda's population of 7 million. In hypothetical proportional terms, this would be approximately equivalent to 2 to 4 million in France, 4 to 8 million in

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Bangladesh, 5 to 10 million in Brazil and 9 to 18 million in the United States of America. Tens of thousands more have been maimed or wounded in Rwanda.

6. As noted in the statement of the President of the Security Council of 30 April (S/PRST/1994/21), these massacres and killings have continued in a systematic manner throughout the country, especially in the areas under the control of members or supporters of the armed forces of the interim Government of Rwanda, which was installed immediately after the death of the late President in the crash of his aircraft on 6 April. This assessment has been corroborated in the talks that the special mission had with the parties, the Force Commander and other UNAMIR personnel, humanitarian aid personnel and also with journalists who reached the sites of carnage in various parts of Rwanda soon after they occurred.

7. The special mission was informed that the killers included members of the Rwandan government forces, but in the main were drawn from the Presidential Guard and the interhamwe, the youth militia recruited and formed by the late President's party. The head of the interim Government and the chiefs of staff of the Rwandese Armed Forces and the Gendarmerie acknowledged that this was the case, at the same time alleging that RPF bore equal culpability for the massacres. However, this allegation was not corroborated by the sources cited in paragraph 6 above. Their description of events suggested that, as it advanced towards the capital, RPF assembled, in several camps, the population it found, many of whom had fled, presumably along with most of those responsible for the killings. RPF explains that the purpose of these camps is to screen the population for members of interhamwe and others suspected of the killings. According to some of the sources, such individuals, when identified, are executed. RPF denies this charge, declaring that, while such incidents may have occurred in the early stages of its advance, such persons are now being held for investigation and trial. It does, however, acknowledge that armed persons in civilian clothing have been killed by RPF personnel.

8. The special mission found that the RPF zone is virtually empty, although some farmers appear to be returning to their fields from the RPF camps. In the Rwandan government forces-controlled zones, there are increasing numbers of displaced persons who have fled or are fleeing the RPF advance and who are seeking refuge in camps in sub-human conditions with no assurance even of daily food. This exodus is due in part to alarming radio broadcasts from Rwanda government forces zones, especially Radio Mille Collines, which also broadcasts incitements to eliminate RPF supporters. These refugee columns and concentrations are screened by militia and the Rwandan government forces, and there are reports that RPF supporters are killed when identified.

9. RPF declares that the aim of its military offensive is to rescue those - presumably RPF supporters - who find themselves in danger of their lives in the Rwandan government forces zone. Another aim is to seize those responsible for the massacres. Accordingly, RPF insists that a condition for a cease-fire is that the Rwandan government forces commit themselves to halting the killings that still are taking place. (This point has been included in the draft cease-fire document mentioned in paragraph 14.)

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10. The summary above, based on information obtained by the special mission, carries prima facie credibility in the light of circumstantial evidence. Clearly, only a proper investigation can establish the facts and definite culpability, but the efficacy of such an exercise diminishes as time weakens evidence and disperses living witnesses.

11. In this context, the Security Council should be made aware of certain events that, in retrospect, might have had implications regarding the massacres. Between December 1993 and March 1994, UNAMIR took note on several occasions of inflammatory broadcasts by Radio Mille Collines and suspicious movements by armed groups, apparently include the interhamwe, and cautioned the provisional Government in both respects. UNAMIR also received evidence that arms were being brought into the country and protested to the provisional Government and also conveyed this information to the diplomatic community. On one occasion the Force Commander requested Headquarters for permission to use force to recover a cache of arms and was instructed to insist that the Gendarmerie conduct that operation under UNAMIR supervision.

### III. MILITARY ASPECTS

12. As the members of the Council are aware, on the second day after the crash of the presidential aircraft and the start of the massacres, RPF launched a military offensive against the Rwandan government forces and the "interim Government". At the present time, RPF holds about half of the territory of Rwanda (see attached map), including strong positions in and around Kigali, especially the airport and its approaches. This brings RPF to control parts of the borders with Burundi and the United Republic of Tanzania in addition to the entire border with Uganda. The Rwandan government forces hold the rest of the country, mainly the areas west and south of the capital and a stronghold in the Gisenyi-Ruhengeri area in the north-west, where fighting continues. These areas abut on parts of the borders with Burundi and Zaire.

13. Kigali is virtually a ghost city devoid of normal activity. As RPF strengthens its hold on the capital, refugees have been streaming out of the city through the only accessible exit towards Gitarama in the west, some continuing south. The Rwandan government forces have also withdrawn a substantial number of their forces, redeploying them in the Gitarama area and other positions in the west and south. Control of the capital appears to hang in balance, while intense fighting continues.

14. In this situation, the special mission was able to obtain the agreement of the two sides to initiate talks for the establishment of a cease-fire as called for by the Security Council in resolution 918 (1994). RPF's insistence that it would not deal, directly or indirectly, with the de facto authorities in Gitarama was accepted by the other side. A working paper, to serve as a basis for the talks, was prepared by the special mission and the Force Commander. The first meeting was held between military staff officers on 30 May at UNAMIR headquarters with the Deputy Force Commander acting as intermediary, and the talks were to resume on 2 June.

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#### IV. HUMANITARIAN ASPECTS

15. The repercussions of the convulsion in Rwanda are enormous. Estimates, in the unsettled conditions prevailing, indicate that displaced persons are in the range of 1.5 million, with an additional 400,000 refugees in bordering countries. This would mean that over a quarter of Rwanda's population has been afflicted. The greater number of displaced persons are in zones controlled by the Rwandan government forces, where authority is uncertain. Butare appears to be uncertain. Consequently, neither United Nations agencies nor non-governmental organizations (NGOs) have been able to commence an effective programme, beyond sporadic deliveries where possible. In the RPF zone, more systematic humanitarian assistance programmes have commenced, but under strict RPF controls, against which the organizations distributing assistance have protested. These programmes are conducted from Kabale, in southern Uganda, by the World Food Programme (WFP), the United Nations Children's Fund (UNICEF), the International Committee of the Red Cross (ICRC) and NGOs. The Office of the United Nations High Commissioner for Refugees (UNHCR) is supporting refugees in the neighbouring countries. These activities are coordinated by the Department of Humanitarian Affairs through arrangements outlined in my last report (S/1994/565).

16. The special mission emphasized to the de facto authorities in Gitarama and to the Rwandan government forces military commanders the urgency of assuring conditions in the Rwandan government forces zone that would enable humanitarian assistance programmes to be commenced in those areas, as called for in resolution 918 (1994). Humanitarian agencies and NGOs also are making efforts to obtain such assurances. At present only ICRC maintains a presence in both Rwandan government forces and RPF zones and provides critical assistance, mainly medical, to the extent of its abilities and at high risk to its personnel. It is obvious that, in the conditions outlined in paragraphs 7 and 8 above, it is very urgent that, as called for in resolution 918 (1994), "secure humanitarian areas" be established where the estimated 2 million of these unfortunate displaced persons can be provided both security and assistance. They may require this support for an extended period even after a cease-fire, until conditions permit them to return to their homes, or settle elsewhere, in reasonable safety.

#### V. EXPANDED MANDATE OF UNAMIR

17. It is evident that, even after a cease-fire is established, conditions in Rwanda will remain uncertain and insecure in many areas for an extended period. Stability will return only when agreement on the resumption of a negotiated political process is reached. It is in this expectation that UNAMIR has to commence its additional tasks.

##### A. Cooperation by the parties

18. The most important prerequisite, assurances from both parties of cooperation with the mandate established by resolution 918 (1994), was secured by the special mission, although these assurances will require formalization as

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operations are initiated. However, their assurances will remain linked to the level of control both sides can exercise over their troops and armed elements. Under this mandate, UNAMIR will be required to carry out primarily two interlinked tasks, while continuing its mediation role in the talks for a cease-fire:

- (a) To attempt to assure the security of as many assemblies as possible of civilians who are under threat;
- (b) To provide security, as required, to humanitarian relief operations.

19. The conclusion of the special mission, after its discussions in Rwanda, is that the concept of operations outlined in my last report (S/1994/585) will require some adjustments as the situation evolves and more reliable data become available regarding threatened groups and displaced persons, especially in the Rwandan government forces zone. While agreeing to cooperate with UNAMIR in its tasks and in the deployment of its additional personnel, both sides raised questions regarding the conduct of operations on the ground. In particular, RPF expressed strong doubts as to whether 5,500 troops would be required, and the rationale was explained to them. The planned modalities of deployment are outlined below.

#### B. Kigali airport

20. As regards the concept of Kigali airport as a neutral zone, which is included in resolution 918 (1994), the Council will recall that, despite Maj.-Gen. Dallaire's best efforts both before and after the adoption of the resolution, the Rwandan government forces did not transfer the control of the airport to UNAMIR. Subsequently, RPF occupied the airport by military means on 21 May and does not agree to relinquish control, citing UNAMIR's failure to obtain the same from the Rwandan government forces. It has indicated, however, that it would agree to a strengthened UNAMIR presence at the airport under arrangements similar to those which prevailed up to 6 April with Rwandan government forces units (which were at the airport under the terms of the Arusha agreement) now being substituted by RPF units. RPF would encourage and allow civilian technical and operational staff to return to their duties in order to reactivate the airport, and would cooperate with UNAMIR in ensuring the safety of flights. The Rwandan government forces could, however, disrupt or halt operation of the airport with indirect fire, but assured the special mission that they would not interfere.

#### C. Phase 1

21. The implementation of phase 1 of the operation clearly remains urgent and must be commenced without further delay, even before a cease-fire is effected. The Government of Ghana is prepared to dispatch the required troops immediately. However, they can be deployed only when essential equipment, especially armoured personnel carriers, is provided and moved to Rwanda. Without equipment, the troops would be unprotected, immobile and ineffective. With these questions still to be settled, it is estimated that phase 1 will not be operational for

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another four to six weeks, depending on how soon the resources required are made available by Member States and delivered on the ground.

22. In this first phase, UNAMIR would strengthen its position in Kigali, including at the airport, and establish a mobile reserve for deployment wherever required for emergencies, including reinforcement. About half the battalion would be deployed to provide some security to major concentrations of displaced persons in the interior of Rwanda where they are in most danger. UNAMIR would make clear to the authorities concerned that they are primarily responsible for the safety of these civilian groups under monitoring by UNAMIR, which would be prepared to take the measures necessary should this responsibility be violated. Military observers would be stationed in other places where assembled civilians are not under immediate threat. During this first phase, UNAMIR also would establish security for major humanitarian supply depots and provide some escorts to convoys as required.

#### D. Phase 2

23. Because of the projected long delay in deploying the troops and equipment for phase 1, phase 2 should be initiated immediately, in close synchronization with phase 1. Owing to the logistical limitations of Kigali airport, alternative entry points would be utilized to deploy the two additional battalions, one mechanized and one motorized. This phase would be implemented in one of two possible scenarios:

(a) No cease-fire in place at the time of deployment. In this scenario, the additional units would establish and protect "secure areas", either by extending protection to existing assembly areas of threatened civilians or setting up new areas to which endangered civilians could be moved for safety. Clearly, the intention would be to maintain these secure areas only until such time as displaced persons can return to their places of origin or settle in other areas of their choice in reasonably secure conditions;

(b) Cease-fire in place at the time of deployment. In this scenario, displaced persons may be expected to begin to move out of the areas where they are assembled, and, therefore, resources required to protect "secure areas" can be reduced. This would enable UNAMIR to divert some of its additional resources in phase 2 towards monitoring the cease-fire on the terms agreed upon by the two parties. There is no intention to have UNAMIR assume the role of a buffer force unless the two parties so request and the Council approves.

#### E. Phase 3

24. The need to deploy the two battalions envisaged for phase 3 would depend upon how one of the scenarios in phase 2 unfolds. If a cease-fire is still not established, the experience of phase 2 will determine whether the mandate and the concept of operations are demonstrating a level of effectiveness that requires reinforcement by the units envisaged for phase 3. If not, the mandate or operational plan or both may require revision. Alternatively, if a cease-

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fire is established, it might be decided that these additional resources would not be required. In either case, urgent preparations for phase 3 must continue.

#### F. Flexibility of operations

25. During all three phases, flexible contingency plans would be in place to ensure the effective use of available assets ~~to respond to demands of a~~ situation that is, and is likely to remain, fluid for some time before it stabilizes. For instance, should Kigali airport not be operational or accessible, other airfields have already been identified and reconnaissance carried out. In areas where humanitarian operations from bordering countries are evaluated as more effective in bringing assistance to displaced persons inside Rwanda, these routes would be used where required. Protection would be provided by UNAMIR to these operations, whether within the country or across borders, to the extent permitted by its available resources. In brief, coordination between UNAMIR and humanitarian agencies and NGOs would determine the most effective combination of "inside in" and "outside in" operations.

26. It is important for Council members to keep in mind that the concept of operations and the various scenarios are predicated on the assumption that the required troops with full equipment are made available to UNAMIR by Governments without further delay. Unless Member States show a determination to take prompt and decisive action, UNAMIR will not be able to implement its mandate effectively or to have the impact required to improve the lot of the Rwandese people and begin to alleviate the intense suffering to which they have been subjected.

#### VI. POLITICAL PROSPECTS

27. It is axiomatic that any hope of resolving the historical tensions in Rwanda must rest on the prospects of a political compromise. Indeed, such were precisely the premise and goal of the Arusha agreement of 4 August 1993. The Security Council established UNAMIR to assist the parties in implementing the agreement, this task being disrupted by the breakdown of the Arusha process in the aftermath of the death of the late President on 6 April 1994.

28. As the members of the Security Council are aware, the circumstances surrounding the crash of the presidential aircraft, in which the President of Burundi was also killed, engender extreme suspicion. Only a thorough investigation could determine whether the aircraft was brought down deliberately. If so, it would be critical to identify the source of attack, as this would indicate a possible political motive, perhaps even whether the violence that followed was part of a planned pogrom. Regrettably, here also the passage of time, with its accompanying deterioration of evidence and dispersal of witnesses, will make it difficult to establish the facts.

29. It is encouraging that, in their discussions with Mr. Riza and Maj.-Gen. Baril, both sides recognized that only a political settlement could bring stability to Rwanda and that there could be no military solution. In this context, while both sides declared that the principles of the Arusha peace

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agreement remained valid as a framework, each stated that the new circumstances would necessitate renegotiation of certain parts of the agreement. Clearly, there is little likelihood that their approaches and aims in such negotiations would coincide. Therefore, this positive sign notwithstanding, it is evident that, even after a cease-fire, the initiation of negotiations will not be smooth.

A. Position of the Interim Government

30. The head of the "interim Government" declared bluntly that the Arusha agreement rested on the fallacious premise that the tensions in Rwanda could be resolved by a political formula. The fundamental problem was ethnic: the historic animosity between the majority Hutu who in the past had been ruled by the minority Tutsi. The Tutsi had never reconciled themselves to the democratic principle of government by the majority following the elections held on 18 September 1961 under United Nations supervision. Over the last 30 years, from bases in Uganda, the Tutsi had repeatedly tried to overthrow the democratic system by force. Having failed, they had resorted to a political stratagem following the introduction by the late President Habyarimana of a multiparty system in Rwanda in 1991. Having formed RPF as a political party, the Tutsi had induced other opposition parties to join the stratagem of arrogating to RPF far more political power than their demographic proportion of 15 per cent justified.

31. The negotiations at Arusha had been part of this stratagem, of which the mediators and the international community were unaware. Subsequently, RPF manoeuvres had "radicalized" the implementation process, split the opposition parties and aggravated tensions. Thus, RPF had exacerbated ethnic fears and animosities to a degree that, even had the broad-based transitional Government envisaged in the Arusha agreement been installed, violence against their supporters inevitably would have exploded. Now there could be no military solution: even if RPF expelled the Hutu population from Rwanda, they eventually would return to claim their rightful place. Therefore, in the view of this de facto authority, the only possible solution was a negotiated power-sharing formula within the principles of the Arusha agreement. This must guarantee the rights of both the minority and the majority, so that one would not fear domination by the other. Elections simply by themselves were not the answer, as they always would result in a Hutu majority Government, and there was no intention of installing permanent rule by the majority.

B. Position of RPF

32. The RPF position is that, although carrying a strong ethnic element, Rwanda's problems are political. RPF was formed as a multi-ethnic party and its aim was to promote political pluralism rather than ethnic rivalry. Extremist elements in the late President Habyarimana's party, the Mouvement républicain national pour la démocratie et le développement, in an anti-Tutsi party, the Comité démocratique républicain, and in the Rwandan government forces simply had not reconciled themselves to the political compromise in the Arusha agreement, which required the establishment of a broad-based transitional Government leading to elections in 1995. They had engineered repeated delays in the

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installation of the transitional Government, and had made repeated efforts for the inclusion in it of the extremist Comité démocratique républicain, thus infringing the Arusha agreement. These attempts to subvert the peace process having failed, these extremist groups had decided to resort to the extermination of the leaders, allies and supporters of RPF. A plan for widespread killings throughout the country had been prepared and targets identified. The coup had commenced with the assassination of the President on his return from Dar es Salaam, where he had agreed, with the Presidents of the United Republic of Tanzania and Burundi, to disregard the ~~proposed~~ ~~from the circumstances~~ and to proceed with the installation of the transitional Government. The systematic manner and the scale of the massacres was clear evidence that these were not spontaneous or random killings.

33. RPF takes the position that the "interim Government" was installed by the same extremist elements in the Mouvement républicain national pour la démocratie et le développement and the Rwandan government forces who had planned and executed the massacres. Therefore, RPF considered the "interim Government" a "criminal group" as well as an illegal entity and would have no contact with it, direct or indirect. Indeed, RPF is "appalled" that the United Nations and Governments deal with this entity, even more so when they allow it to participate in decisions taken by the Security Council to deal with the situation in Rwanda that the "interim Government" itself has instigated, while RPF as the other party cannot express its views.

34. RPF declares that it does not seek to impose a military solution, and would enter into political negotiations, within the principles of the Arusha agreement, only with representatives of political parties, including the Mouvement républicain national pour la démocratie et le développement, who did not comprise individuals involved with planning and executing the massacres of RPF supporters. Meanwhile, RPF would agree to cease-fire talks with Rwandan government forces officers since the military was the only functioning institution, despite the fact that its personnel had participated in the massacres. RPF agreed that an early cease-fire was essential to spare the Rwandese population continued suffering, but to achieve this aim the Rwandan government forces would have to commit themselves to halting the killings that still were continuing in the Rwandan government forces-controlled zone. This position of the Rwandese Patriotic Front given to the special mission was also conveyed directly to me in my meeting at Headquarters on 24 May 1994 with the First Vice-President of the Rwandese Patriotic Front, Mr. Patrick Mazimhaka.

#### C. Arusha framework

35. It thus is evident that, even when a cease-fire is achieved, the positions of the two parties are such that a determined mediation effort will be required to bring mutually acceptable interlocutors to the negotiating table. Nevertheless, it is a positive sign that both sides accept that the negotiations would be in the framework of the Arusha agreement and that both sides would seek a durable political formula to determine the sharing of power in order to resolve the specific problems of Rwanda.

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## VII. OBSERVATIONS

36. The magnitude of the human calamity that has engulfed Rwanda might be unimaginable but for its having transpired. On the basis of the evidence that has emerged, there can be little doubt that it constitutes genocide, since there have been large-scale killings of communities and families belonging to a particular ethnic group. The continuing hostilities impede a full investigation of these massacres and, regrettably, in any case procedures in the United Nations do not lend themselves to immediate action in such circumstances. In this situation, the international community must thank the men and women working in UNAMIR, humanitarian agencies, NGOs and the media for conveying the dimensions of the horror that overtook the people of Rwanda.

37. As the Security Council is informed, the High Commissioner for Human Rights, Mr. Joseph Ayala Lasso, has visited Rwanda. He has presented his report to the Commission on Human Rights, which has designated Mr. René Degni Segui as Special Rapporteur for Rwanda.

38. In the meantime, it is unacceptable that, almost two months since this violence exploded, killings still continue. Both parties must immediately cease such activities, there being strong evidence that the overwhelming responsibility lies with the "interim Government" and the Rwandan government forces, which must immediately take effective measures to halt such killings in the zone under their control. It would be senseless to attempt to establish a cease-fire and to allow deliberate killings of civilians in the Rwandan government forces zone to continue. There is the danger that, if not stopped, this would lead to reprisals and counter-reprisals, setting off a prolonged cycle of violence.

39. Nevertheless, it is gratifying that the military authorities of both sides have commenced talks towards a cease-fire. I hope that they will show flexibility and enough concern for the suffering of their civilian compatriots to reach early agreement on cease-fire terms. The Force Commander of UNAMIR will make every effort to facilitate these talks and to support the practical implementation of the arrangements agreed upon. However, I repeat that a halt to the killings of civilians must be concomitant with a cease-fire.

40. The immediate priorities are to relieve the suffering of the displaced population and the fears of civilians under threat. The first requires organized humanitarian relief operations, which cannot be launched on the scale required unless adequate security conditions for them can be established. UNAMIR has already prepared plans to provide these conditions, which encompasses the second priority, the security of assemblies of civilians in peril. The ultimate aim of these humanitarian and security efforts would be, of course, to enable those affected to return to their homes or to seek security elsewhere in Rwanda as soon as conditions permit. As indicated above, some humanitarian relief is reaching the RPF zone. However, this does not appear practicable in the Rwandan government forces zone, where most of the displaced population is found, until UNAMIR is enabled to establish adequate security conditions there, while also introducing monitoring arrangements in the RPF zone. Clearly, these tasks assigned to UNAMIR by the Security Council in resolution 918 (1994) require the urgent provision of the necessary resources by Member States. I

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therefore again appeal to Governments to respond urgently to this need. I am grateful to the Governments of Ethiopia, Ghana, Nigeria, Senegal and Zimbabwe for their offers of troops. However, these cannot be dispatched until the proper equipment is provided by other Governments.

41. Only when the killings have been halted, when a cease-fire is effective, humanitarian relief being provided and some semblance of security for the population returns ~~could there be hope for the underlying political issues to be~~ addressed through negotiations. At that stage, it will be essential that the Organization of African Unity (OAU), neighbouring and regional Governments and all other interested Governments exert their influence upon both sides to demonstrate the commitment to compromise that alone can result in a mutually acceptable and durable political solution to Rwanda's particular problems. It is essential that the arms embargo imposed by resolution 918 (1994) be respected, and that no armaments reach either party across any of Rwanda's borders. In this context, I intend to review the role of UNOMUR, which monitors only the border with Uganda, to assess whether it would be advantageous to integrate its resources into UNAMIR to strengthen the latter.

42. I trust that the information and assessments in the present report will enable the Security Council to review the situation in Rwanda, where a humanitarian disaster, combined with widespread violence, requires urgent and decisive action. The two parties have commenced talks towards a cease-fire, but it is evident that national reconciliation will not be facile or swift. It will take some time for the Rwandese people to come to terms to reach a durable political compromise to resolve their tensions. It is the duty of the United Nations to assist in whichever way it can. I, therefore, recommend that the expanded mandate for UNAMIR be authorized by the Council for an initial period of six months, with the anticipation that at least another six-month renewal will be required. I intend to establish a special trust fund to support effective rehabilitation programmes in Rwanda, and I appeal to all Governments to contribute to it generously.

43. The delay in reaction by the international community to the genocide in Rwanda has demonstrated graphically its extreme inadequacy to respond urgently with prompt and decisive action to humanitarian crises entwined with armed conflict. Having quickly reduced UNAMIR to a minimal presence on the ground, since its original mandate did not allow it to take action when the carnage started, the international community appears paralysed in reacting almost two months later even to the revised mandate established by the Security Council. We all must recognize that, in this respect, we have failed in our response to the agony of Rwanda, and thus have acquiesced in the continued loss of human lives. Our readiness and capacity for action has been demonstrated to be inadequate at best, and deplorable at worst, owing to the absence of the collective political will. While attempting now to redeem these failings in the Rwandese crisis, the entire system requires review to strengthen its reactive capacity. It is my intention that such a review be conducted.

44. In concluding the present report, I should like to express my appreciation to Mr. Riza and Maj.-Gen. Baril for willingly undertaking this difficult mission. I also wish to express my appreciation to my Special Representative, Mr. Booh-Booh, for his efforts to obtain support from Governments in the region

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to deal with the crisis in Rwanda. Even more, I reiterate once again my gratitude and high admiration to Maj.-Gen. Dallaire and the men and women of UNAMIR for their courage and continued dedication to their mission and to the Rwandese people under arduous and dangerous conditions.

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### REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN RWANDA

#### I. INTRODUCTION

1. The present report is submitted in response to the letter of the President of the Security Council of 6 May 1994 (S/1994/546), requesting me to provide indicative contingency planning with regard to the delivery of humanitarian assistance as well as support to displaced persons in Rwanda.

2. It will be recalled that the resumption of the civil conflict following the tragic events of 6 April 1994, and the ensuing violence and massacres, created a situation that called into question the ability of the United Nations Assistance Mission for Rwanda (UNAMIR) to carry out its mandate under Security Council resolution 872 (1993) of 5 October 1993. Hence, with Council resolution 912 (1994), adopted on 21 April 1994, the Security Council authorized the adjustment of UNAMIR's mandate (a) to act as an intermediary between the parties in an attempt to secure their agreement to a cease-fire; (b) to assist in the resumption of humanitarian relief operations to the extent feasible; and (c) to monitor and report on developments in Rwanda, including the safety and security of the civilians who sought refuge with UNAMIR. In compliance with resolution 912 (1994), the force was sharply reduced, and now stands at 444, all ranks, in Rwanda, and 179 military observers at Nairobi pending repatriation or redeployment to the Mission. Reductions to the authorized level have been suspended pending the outcome of the ongoing consideration by the Council.

3. The situation in Rwanda remains highly unstable and insecure, with widespread violence. Combat between the Rwandese government forces and the Rwandese Patriotic Front (RPF) continues, even though both the Rwandese government forces and RPF have separately expressed their readiness to enter into a cease-fire. The Rwandese government forces controls the west and south-western parts of Rwanda, while RPF is in control of the northern and eastern parts of the country, as well as areas in the south-east. The capital, Kigali, is divided between the Rwandese government forces and RPF, but the front line is fluid and changing as military actions continue. The Rwandese government forces continue to control the airport but hostilities in its vicinity interrupt its operations from time to time. Armed militia and other unruly elements continue to operate, although less frequently than at the beginning of the conflict, killing and terrorizing innocent civilians. It is estimated that nearly 2 million persons have been displaced, seeking safer places within Kigali, in

various regions of the country and in border areas in neighbouring countries, principally the United Republic of Tanzania. Under these conditions, a major humanitarian crisis has developed.

## II. POLITICAL ASPECTS

4. In accordance with resolution 912 (1994), and in support of the efforts of the Organization of African Unity (OAU), the United Republic of Tanzania, in its capacity as the facilitator of the Arusha peace process, and other interested parties, my Special Representative, Mr. Jacques-Roger Booh-Booh, and the UNAMIR Force Commander, Major-General Romeo Dallaire, have undertaken, both inside Rwanda and at Arusha, all possible efforts since the resumption of the conflict to bring about a cease-fire agreement between the parties. Unfortunately, their efforts have been of no avail, but they are determined to persevere. Obviously, a cease-fire agreement is the first step in establishing a stable and secure environment in the country, thus allowing the organized, coordinated and secure delivery of humanitarian assistance and the reactivation of the Arusha peace process. In the prevailing conditions, however, it is essential that the United Nations consider what measures it can take even before a cease-fire is achieved.

## III. HUMANITARIAN ASPECTS

5. Given the pace of developments and the security situation, it has not been possible to assess accurately the humanitarian situation in Rwanda. However, early reports indicate that there are 250,000 displaced persons in the north, 65,000 in the east, and 1,200,000 in the south and south-west. Although there are some concentrations, the internally displaced appear to be widely scattered. At Kigali itself, some 30,000 displaced persons have taken refuge in public places and religious sanctuaries, where they are running out of food, water and basic medical supplies. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that 80,000 of the original 272,000 refugees from Burundi have remained in Rwanda. This situation is complicated by the fact that, prior to the war, some 1.2 million drought-affected people in the south who required emergency food assistance had been identified. In neighbouring countries, the Rwandese refugee population is estimated at more than 300,000, and UNHCR reports that as many as 1,500 refugees continue to arrive daily in the United Republic of Tanzania. It is most important that the basic humanitarian needs of these populations are met as soon as possible.

6. The Department of Humanitarian Affairs of the Secretariat has established the United Nations Rwanda Emergency Office (UNREO), in collaboration with the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), UNHCR, the World Food Programme (WFP), the World Health Organization (WHO) and the Food and Agriculture Organization of the United Nations (FAO). The office, temporarily located at Nairobi, has overall responsibility for coordinating humanitarian relief activities, including the prepositioning of relief supplies. Close coordination with the non-governmental organizations (NGOs), other international organizations and bilateral donors concerned is an essential part of the work of the office. An advance humanitarian assistance team has been positioned at Kigali to work with UNAMIR in carrying out

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humanitarian operations and to advise in the expansion of activities where the situation permits. Other sub-offices in Rwanda or neighbouring countries are envisaged. A "flash" appeal covering immediate emergency assistance needs totalling about \$16 million was issued on 25 April 1994.

7. In spite of the difficulties, limited emergency operations have been initiated. For example, medical and nutritional supplies from UNICEF have been distributed in Kigali. WFP has been able to deliver more than 500 tons of food in the north and 840 tons in the south. Currently, three NGOs are active in Rwanda. Médecins sans Frontières is active in the north and Médecins du Monde is active in the south. The International Committee of the Red Cross (ICRC) has remained without interruption in Rwanda, focusing on emergency medical care and carrying out food deliveries in the north and south and in Kigali. UNAMIR has assisted in the delivery of food and other relief supplies to displaced persons in the Kigali area and has provided security for the activities of the advance team and NGOs. UNHCR is responding to the needs of refugees in neighbouring countries.

8. The United Nations humanitarian organizations, in consultation with UNAMIR and ICRC, have agreed on the following principles, which should serve as the basis for humanitarian operations in Rwanda:

(a) Ensuring the security of relief staff (both national and international), the beneficiaries of relief assistance and of the relief materials themselves;

(b) Joint identification by the responsible authorities and the respective United Nations humanitarian organizations of distribution sites;

(c) Clear identification of interlocutors from the side of the authorities for the humanitarian aid organizations to liaise with regarding humanitarian operations, both at a central level as well as at the field level;

(d) Acceptance by the responsible authorities of the monitoring and reporting responsibilities of the United Nations organizations regarding the distribution and use of relief materials;

(e) An understanding that aid should be provided based on need, regardless of race, ethnic group, religion or political affiliation.

9. These principles have been submitted to the Rwandese government forces and RPF authorities for approval. The Rwandese government forces have formally notified the Humanitarian Coordinator of its agreement. RPF has also agreed to these principles.

10. While it is too early to present fully developed operational plans for the distribution of humanitarian assistance in Rwanda, the basic effort will be to respond to the urgent needs of all affected persons in all parts of the country whenever conditions so permit. With the consent of appropriate authorities in neighbouring countries, it is envisaged that extensive cross-border operations will be utilized to transport relief supplies. The detailed operational plans will take into account the need to avoid, as far as possible, further

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displacement of the population. The objective will be to deliver assistance to the distressed in their existing locations, provided that these sites can be made secure.

#### IV. CONCEPT OF OPERATIONS

11. In his letter of 6 May 1994 (S/1994/546), the President of the Security Council informed me that, in view of the unabated hostilities and killings taking place in Rwanda, urgent and effective means of action must be considered. This would require that the Council decide upon an expanded mandate under which UNAMIR would support and provide safe conditions for displaced persons and other groups in Rwanda who have been affected by the hostilities or are otherwise in need, and assist in the provision of assistance by humanitarian organizations. The efforts of UNAMIR in this regard would be coordinated with those of the humanitarian organizations operating in Rwanda and/or engaged in assisting Rwandese refugees in neighbouring countries. The mission, as it would function under this amended mandate, is referred to herein as UNAMIR II.

12. UNAMIR II would provide security assistance to humanitarian organizations in their programmes for distribution of relief supplies. UNAMIR II would establish access to sites where displaced and other affected persons are concentrated and could assure their protection. Such protected sites would include areas inside Rwanda along the border with neighbouring States where refugees and displaced persons are concentrated. All protected sites would be patrolled and monitored by UNAMIR II, in cooperation with the local authorities wherever possible. At the same time, UNAMIR II would devote equal attention to the needs of displaced persons in the interior of the country and would provide escorts to relief convoys and security to United Nations installations there.

13. UNAMIR II would monitor border crossing points as operationally required, as well as the deployment of the parties in conflict, in order to assure the effective conduct of UNAMIR II operations.

14. Kigali airport is the most practical point of entry into the country and is therefore important for the induction of personnel, equipment and humanitarian relief goods. The parties would be expected to establish the airport as a "neutral zone" under the exclusive control of the United Nations before commencement of the deployment of the expanded force. However, if continued fighting prevents this, UNAMIR II would use other points of entry and resupply, such as secondary airstrips within the country. In addition, UNAMIR II would establish lines of communication, deployment and supply routes by land through neighbouring countries, particularly for the resupply of those protected sites located on Rwanda's borders.

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A. Rules of engagement

15. UNAMIR II's rules of engagement do not envisage enforcement action. The Mission would depend primarily on deterrence to carry out its tasks. However, UNAMIR II may be required to take action in self-defence against persons or groups who threaten protected sites and populations and the means of delivery and distribution of humanitarian relief.

B. Force structure

16. In order to execute its mandate, UNAMIR II must be composed of a credible, well-armed and highly mobile force. The size of the force is determined also by the size and terrain of the area of operation, which is land-locked, difficult and mountainous with very limited infrastructure. With these criteria, it is estimated that a minimum viable force of approximately 5,500 troops, including 5 infantry battalions, will be required to carry out the tasks described above. Readjustment of the size of the force may be necessary as the situation evolves.

17. The composition of the force would therefore include:

(a) A force headquarters of approximately 219 personnel, built around the nucleus of the present headquarters, would include a supporting military signals/communication squadron. The force headquarters would continue to operate at Kigali;

(b) Five battalions (approximately 4,000 personnel) comprising two mechanized battalions and three motorized battalions, each of which would have a mechanized company;

(c) A force support battalion of approximately 721 personnel, which would provide logistical, maintenance, and medical service, and would include an engineer company capable of undertaking tasks such as mining clearance, bomb disposal and the rehabilitation of essential roads, bridges and the other infrastructure, as required by UNAMIR II to carry out its mandate;

(d) A helicopter squadron of approximately 110 personnel and 16 helicopters;

(e) A military police force of approximately 50 personnel would provide internal force security;

(f) A military observer group of 320 officers would conduct the humanitarian security monitoring, liaison and escort-duty tasks throughout the area of operation, including at the border areas if necessary;

(g) A force of 90 United Nations civilian police would be deployed in a similar fashion to the military observers, but would be dedicated to maintaining liaison with the local civilian authorities on matters relating to public security.

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#### C. Deployment schedule

18. The deployment of UNAMIR II would be conducted in three phases, subject to the timely availability of the necessary troops, equipment and airlift. "D-Day" is the date on which the Security Council resolution would be adopted authorizing the expanded mandate of UNAMIR II.

19. Phase 1 (D-Day + 7). The Ghanaian battalion would be brought to its full strength of 800 personnel and equipped with armoured personnel carriers. This unit would ensure the protection of Kigali International Airport, as well as other sites in the city, where thousands of displaced persons have sought refuge under UNAMIR protection. This battalion would also subsequently act as the force reserve.

20. Phase 2 (D-Day + 14). Deployment of two battalions (one mechanized and one motorized), some advance elements of the support battalion and all of the force headquarters and signal squadron. These troops would be deployed where the security situation is of greatest concern and where there is the highest concentration of displaced persons, including at border areas if necessary.

21. Phase 3 (D-Day + 31). Induction of the rest of the force support battalion and two other infantry battalions. The rest of the support battalion would establish logistic and engineer advance bases in the Ruhengeri, Byumba and Butare prefectures in order better to serve the field force. The two infantry battalions would be deployed to certain specific areas of the country in order to provide the necessary support and assistance to people in need in these areas and provide security arrangements to humanitarian assistance programmes.

#### D. Logistics

22. The deployment and logistical support of a force of 5,500 under the schedule described above is a difficult undertaking. In addition, Rwanda is a land-locked country with only one major airport (Kigali) and three secondary airports. Land movement between regional seaports (Mombasa, Dar es Salaam) and Rwanda requires several days in the best of conditions. It is therefore essential to deploy self-sufficient military contingents capable of operating independently, while logistical support is put in place by the United Nations. The concept of operations calls for the first three units to be moved by air, requiring military and commercial strategic airlift, that is, up to 10 passenger flights and 40 cargo flights (C-5A aircraft). The remainder of the force and its material would be transported by sea and air as soon as technically possible.

23. Because of the need to stabilize the security situation in Rwanda as quickly as possible, deployment of UNAMIR II will have to be carried out rapidly. The longer the delay in the deployment of the force from the time of a Security Council decision, the greater the prospect of the mission not achieving its purpose in operational terms.

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24. The most rapid deployment would be achieved with two formed infantry brigades with their integral logistical support. If formed brigades cannot be made available, it would be necessary to draw on the recent United Nations stand-by arrangements, but specific contributions for this Mission must still be negotiated. It is estimated that this process would require one to two months. Simultaneously with stand-by arrangements, the traditional method of requesting Governments for military forces would be used. Experience shows that it would take at least two to three months to achieve full deployment of forces. If forces are accepted without adequate equipment, experience shows that a further delay of several months would be incurred in providing the necessary equipment for those forces. It is therefore essential that Member States agree to make arrangements on a bilateral basis to provide the troops, equipment and airlift required for UNAMIR II.

#### E. Command and control

25. UNAMIR II would be headed by the Special Representative of the Secretary-General, who would have overall authority for all the activities of the Mission. The military component of the Mission would be commanded by the Force Commander. The present UNAMIR force headquarters would be expanded as indicated in paragraph 17 (a) above and would remain located at Kigali. Battalions would be deployed to designated regions or sectors in accordance with the modus operandi described in paragraphs 19 to 21 above. Battalion commanders would act as sector commanders within their assigned regions, under the direction of the Force Commander. The military signal unit would establish communications between the force headquarters, battalion headquarters and other designated units as necessary.

#### V. FINANCIAL ASPECTS

26. The cost associated with the deployment of the force described above would be approximately \$115 million for a six-month period (see annex). It would be my recommendation to the General Assembly that the costs would be considered an expense of the Organization in accordance with Article 17, paragraph 2, of the Charter of the United Nations and the assessments would be levied on Member States and be credited to the UNAMIR special account.

#### VI. OBSERVATIONS

27. The solution to the crisis in Rwanda must, in my judgement, be found through implementation of the Arusha agreement, which both sides say that they accept. For this to be achieved, it is clearly necessary that a cease-fire be agreed and put into effect at the earliest possible date. I have instructed my Special Representative and the Force Commander to continue to give the highest priority to the pursuit of both objectives. The Security Council may wish to issue another urgent call for the parties to agree to a cease-fire and, even before it comes into effect, to accept the designation of Kigali airport as a neutral zone under the exclusive control of the United Nations.

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28. Meanwhile, there is an urgent requirement for the United Nations to increase its efforts to address the desperate humanitarian crisis created by the conflict. I welcome the idea that protected sites should be established close to Rwanda's borders with Burundi and the United Republic of Tanzania in order to facilitate the provision of relief to displaced persons who are already present in those areas. But I believe that it is essential that any such initiative should be matched by action to assist persons in need in the interior of Rwanda. These outnumber, by a factor of five, the displaced persons who are in the border areas or have already crossed into neighbouring countries. To concentrate the international community's efforts on the latter would be to address only a small part of the problem. Moreover, there would be a risk that protected sites in the border areas would act as a magnet to people in need in the interior of the country and would therefore increase even further the number of displaced persons.

29. Expanded humanitarian operations, both in the border areas and in the interior, would also clearly be facilitated by a cease-fire, which would contribute immeasurably to the effective and secure distribution of relief supplies. However, if a cease-fire is not in place by the time the expanded force is deployed, my Special Representative and the Force Commander will continue to pursue this objective as the force is being put in place. I met with my Special Representative in Paris today and encouraged him to continue his efforts with a view to achieving a cease-fire agreement as soon as possible.

30. As noted above, should UNAMIR II need to initiate deployment and resupply through neighbouring States, the Mission would require the active support of those States. UNAMIR II would also require the cooperation and support of the Rwandese parties. In this connection, I should like to note that my Special Representative and the Force Commander have presented the concept outlined herein to both the Rwandese government forces and RPF. I am encouraged by their initial positive responses. I have asked my Special Representative and the Force Commander to obtain confirmation from both parties of their support to this operation without preconditions.

31. The world community has witnessed with horror and disbelief the slaughter and suffering of innocent civilians in Rwanda. While the chances for a lasting peace are fundamentally in the hands of the political and military leaders of the country, the international community cannot ignore the atrocious effects of this conflict on innocent civilians. I therefore recommend to the Security Council that it approve the phased expansion of UNAMIR, as described above, to enable the Mission immediately to help alleviate the humanitarian crisis in Rwanda. The mandate for UNAMIR II should be for a period of six months from the date of initial deployment, on the understanding that it would be reviewed by the Council as necessary and, in particular, following an agreement on a cease-fire.

32. In concluding, I must again emphasize that in order for UNAMIR II to attain its objective, there can be no delay in its deployment.

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33. I would like to express my deep gratitude to my Special Representative, the UNAMIR Force Commander, and all UNAMIR personnel, for their outstanding performance in the pursuance of UNAMIR's mandate under the extremely dangerous conditions in Rwanda.

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Annex

United Nations Assistance Mission for Rwanda

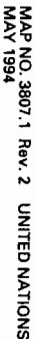
Summary cost estimate for the deployment of approximately  
5,500 troops for a six-month period

(In thousands of United States dollars)

	<u>Amount</u>
1. Military personnel costs	60 100
2. Civilian personnel costs	11 100
3. Premises/accommodation	1 300
4. Infrastructure repairs	700
5. Transport operations	6 000
6. Air operations	8 600
7. Naval operations	-
8. Communications	3 100
9. Other equipment	4 500
10. Supplies and services	4 500
11. Election-related supplies and services	-
12. Public information programmes	300
13. Training programmes	-
14. Mine-clearing programmes	500
15. Assistance for disarmament and demobilization	-
16. Air and surface freight	12 000
17. Integrated Management Information System	-
18. Support account for peace-keeping operations	800
19. Staff assessment	<u>1 500</u>
Total	<u>115 000</u>

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AS OF MAY 1994



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UNITED  
NATIONS

UNAMIR FAX

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Security Council

Distr.  
GENERALS/1994/470  
20 April 1994

ORIGINAL: ENGLISH

**SPECIAL REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS  
ASSISTANCE MISSION FOR RWANDA**

0005SV

Events in Rwanda

1. The members of the Security Council are fully aware of the critical situation in Rwanda following the crash of the plane at Kigali airport on 6 April 1994, which caused the deaths of all those on board, including President Juvenal Habyarimana of Rwanda and President Cyprien Ntayamira of Burundi. The cause of the crash cannot be determined without a full investigation, which so far has not been feasible.
2. This tragic incident set off a torrent of widespread killings, mainly in Kigali but also in other parts of the country. The violence appears to have both political and ethnic dimensions. No reliable estimate of deaths has so far been available, but they could possibly number tens of thousands.
3. Reliable reports strongly indicate that the killings were started by unruly members of the Presidential Guard, then spread quickly throughout the city. Despite the best efforts of UNAMIR, the Rwandese Patriotic Front (RPF) security battalion quartered at the National Development Council complex broke out and started to engage Government troops, including elements of the Presidential Guard. RPF units from the demilitarized zone also moved towards Kigali and joined the fighting. Authority collapsed, the provisional Government disintegrated and some of its members were killed in the violence. An interim Government was proclaimed on 6 April 1994, but could not establish authority, and on 12 April 1994, as fighting between the armed forces and the RPF intensified, left the capital. Since then, the Defence Minister and the high command of the Rwandese Government Forces (RGF), whose leadership has recently changed, appear to be the only interlocutors available on the Government side. The brutal murders by unruly RGF soldiers of the Prime Minister, Mrs. Agathe Uwilingiyimana, of other members of the Government and of 10 members of the Belgian contingent serving with UNAMIR were particularly tragic consequences of the violence.

Efforts by UNAMIR

4. In this situation, it became impossible for UNAMIR to continue the tasks emanating from its mandate. Responding to the security and humanitarian crises.

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UNAMIR, led by the Special Representative of the Secretary-General and the Force Commander, dedicated itself to the following efforts:

- (a) Securing an agreement on a cease-fire, to be followed by political negotiations between the two sides to restore the peace process under the Arusha agreement;
- (b) Protecting, as far as possible, United Nations civilian staff;
- (c) Protecting, as far as possible, other civilians, both foreign and Rwandese nationals;
- (d) Negotiating a truce with the two parties in order to enable the evacuation of expatriates to take place;
- (e) Assisting in the evacuation of non-Rwandese civilians, both United Nations and non-United Nations, by providing escorts for convoys to land borders and to the airport, and coordinating with Belgian and French task forces sent for this purpose;
- (f) Rescuing individuals and groups trapped in the fighting;
- (g) Providing humanitarian assistance to large groups of displaced persons under the protection of UNAMIR.

5. The most urgent of these tasks was the first, the effort to secure a cease-fire through contacts with representatives of the armed forces and the RPF, in the hope that this would lead to political efforts to return to the peace process under the Arusha agreement. The Security Council was kept fully informed of these efforts and other developments on the ground. The decision by the Government of Belgium, following the murder of its 10 soldiers in UNAMIR and threats to Belgian nationals, to withdraw its battalion from UNAMIR introduced a new critical element into the deteriorating situation. The Force Commander has been trying to obtain assurances from both sides to declare the airport a neutral zone under UNAMIR's control. He initially received such assurances, but before they could be formalized, RGF changed its stand, leaving open the possibility that the airport could become a combat zone.

6. The members of the Council are aware that, despite direct contacts between the two sides under the auspices of UNAMIR on 15 April 1994, which gave some hope for progress towards a cease-fire, the efforts of UNAMIR have so far been fruitless. Both sides have adopted rigid positions, with RPF presenting preconditions that RGF rejects. In this situation, I regretfully have concluded that there is no prospect of a cease-fire being agreed upon in the coming days. Both the violence in the streets and the fighting between RGF and RPF forces continue. This has brought mortar attacks on concentrations of displaced civilians under UNAMIR protection. UNAMIR headquarters also was hit on 19 April, although there were fortunately no casualties.

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7. The dedicated personnel of UNAMIR, who have performed courageously in dangerous circumstances, cannot be left at risk indefinitely when there is no possibility of their performing the tasks for which they were dispatched. With the departure of the Belgian contingent and non-essential personnel from other contingents, the reduced strength of military personnel in UNAMIR stood, on 20 April, at 1,515 (from 2,165) and Military Observers at 190 (from 321), for a total of 1,705 (from 2,486).

#### Options proposed

8. The Council will recall that in response to its request I presented, on 14 April, two broad alternatives for dealing with this highly unstable and unpredictable state of affairs in Rwanda. Both options were predicated on the establishment of a cease-fire, without which it would be impossible for UNAMIR to continue to perform its responsibilities under its present mandate.

9. The first option was to retain UNAMIR at a reduced strength (that is, without the Belgian contingent) for a limited period of three or four weeks following the cease-fire. The parties would have been required to reach agreement on the restoration of the Arusha process within this period, in which case UNAMIR would resume its role under its mandate. Otherwise, UNAMIR would be withdrawn in its totality.

10. The second option, following the cease-fire, was to withdraw the bulk of UNAMIR, leaving my Special Representative and the Force Commander in Kigali to act as intermediaries for political negotiations for an indefinite period, subject to review by the Security Council, rather than the limited period envisaged in the first alternative. In order to ensure the security of this United Nations team, about 200 to 300 United Nations military personnel would also have remained in Kigali.

11. The two options above were not mutually exclusive. If the efforts under the first had failed to succeed by the end of the stipulated period, it would have been possible to move to the second scenario, instead of withdrawing UNAMIR in its totality.

#### Observations

12. In the critical situation that continues to prevail, a decision must be reached on whether, and if so, how, the United Nations will maintain its efforts to help a people who have fallen into calamitous circumstances. I offer three alternatives for the Council's consideration.

13. Alternative I. The first alternative is predicated on the conclusion, described above, that there is no realistic prospect of the two opposing forces agreeing on an effective cease-fire in the immediate future. Without a cease-fire, combat between them will continue and so will the lawlessness and the massacres of civilians. This situation could only be changed by the immediate and massive reinforcement of UNAMIR and a change in its mandate so that it would be equipped and authorized to coerce the opposing forces into a cease-fire, and to attempt to restore law and order and put an end to the killings. This also would make possible the provision and distribution of

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humanitarian assistance by humanitarian agencies and non-governmental organizations not only in the capital, but in other parts of the country where the population has been displaced or subjected to deprivation as a result of the violence. Further, the restoration of stability in Rwanda would assist in preventing the repercussions of the violence from spreading to neighbouring countries and leading to regional instability. This scenario would require several thousand additional troops and UNAMIR may have to be given enforcement powers under Chapter VII of the Charter of the United Nations.

14. In this connection, I should report that the Permanent Representative of Rwanda to the United Nations called on me on 19 April with a plea to reinforce UNAMIR to enable it to end the chaos in his country. In a telephone conversation on 20 April, President Museveni of Uganda urged that UNAMIR be reinforced and retained in Rwanda, and asked me to convey his request to the Security Council. He added that he was attempting to arrange for troop contributions from countries in the region, and that he personally was directing efforts to arrange a cease-fire between RGF and RPF.

15. Alternative II. The second alternative would be an amended form of the second option presented to the Security Council on 14 April. In this scenario, a small group headed by the Force Commander, with necessary staff, would remain in Kigali to act as intermediary between the two parties in an attempt to bring them to an agreement on a cease-fire, this effort being maintained for a period of up to two weeks or longer, should the Council so prefer. Additional tasks would include assistance in the resumption of humanitarian relief operations to the extent feasible in this situation. UNAMIR has received assurances from both sides that they will cooperate in such operations, though there can be no certainty that this will be done.

16. The team would require the support of an infantry company to provide security, as well as a number of military observers to monitor the situation, apart from civilian staff, the total being estimated at about 270. The remainder of UNAMIR personnel would be withdrawn, but UNAMIR, as a mission, would continue to exist. The Special Representative, with a small staff, would continue his efforts to resume his role as intermediary in the political negotiations, with the aim of bringing back the two sides to the Arusha peace process.

17. The arrangements outlined above could be terminated at any moment should it appear that the parties were not cooperating at a political level, or if their activities compromised the safety and security of the UNAMIR group in Kigali.

18. The parties are being reminded that, although the United Nations system and humanitarian agencies already have geared up to provide humanitarian relief and assistance, only a limited amount could be distributed in the scenario outlined above. A full relief effort would be impossible without a cease-fire.

19. Alternative III. The third alternative, which I do not favour, would be the complete withdrawal of UNAMIR. If the Security Council were to decide on this option, every effort would be made by UNAMIR to obtain commitments from the two sides that they would take measures to ensure the safety of civilians in the areas under their respective control. However, in view of the extreme nature

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and dimensions of the violence and mass killings over the last two weeks, there is little ground for hope that effective commitments could be obtained and it must be kept in mind that the consequences of complete withdrawal, in terms of human lives lost, could be very severe indeed. There could also be similar repercussions in neighbouring countries where citizens of the ethnic groups found in Rwanda reside.

20. Ultimately, it is only the parties who signed the Arusha agreement, namely the Government of Rwanda (or its successor) and RPF, who must bear the responsibility for deciding whether their country and people find peace or continue to suffer violence.

21. In presenting this report to the Security Council for its consideration, I would like to express my deep sympathy to the Rwandan families who have lost their relatives in these sad times for their country. I would also like to take this opportunity once again to express my deep condolences to the Government of Belgium and to the families of the 10 Belgian peace-keepers who paid with their lives in the cause of peace. I also would like to record my high commendation to the personnel of UNAMIR, in particular my Special Representative and the Force Commander, for the selfless and courageous dedication with which they have devoted themselves to doing their best for the United Nations in extremely hazardous circumstances.

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## Conseil de sécurité

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20 avril 1994  
FRANÇAIS  
ORIGINAL : ANGLAISRAPPORT SPÉCIAL DU SECRÉTAIRE GÉNÉRAL SUR LA MISSION DES  
NATIONS UNIES POUR L'ASSISTANCE AU RWANDASituation au Rwanda

1. Les membres du Conseil de sécurité sont pleinement conscients de la gravité de la situation qui règne au Rwanda depuis que l'avion transportant le Président du Rwanda, Juvénal Habyarimana, et celui du Burundi, Cyprien Ntayamira, s'est écrasé à l'aéroport de Kigali, le 6 avril 1994, coûtant la vie à tous les passagers, y compris aux deux présidents. La cause de cet accident ne peut être déterminée sans une enquête approfondie que les circonstances ont jusqu'à présent rendue impossible.
2. Cet incident tragique a déclenché une tuerie généralisée, principalement à Kigali, mais également dans d'autres régions du pays. La violence semble avoir une dimension tant politique qu'ethnique. On n'a pas encore pu évaluer avec certitude le nombre des victimes, mais il pourrait être de l'ordre de dizaines de milliers.
3. Des rapports dignes de foi indiquent clairement que des éléments insubordonnés de la Garde présidentielle ont été à l'origine du massacre et que la violence s'est rapidement propagée à toute la ville. En dépit de tous les efforts déployés par la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR), le bataillon des forces de sécurité du Front patriotique rwandais (FPR) cantonné à l'intérieur du complexe du Conseil national de développement a fait une sortie et entrepris d'attaquer des troupes gouvernementales, notamment des éléments de la Garde. Des unités du FPR venant de la zone démilitarisée ont également gagné Kigali où elles sont venues grossir les rangs des combattants. Le pouvoir s'est effondré et on a assisté à la démantèlement du gouvernement provisoire dont quelques membres ont été tués. Un gouvernement intérimaire a été proclamé le 8 avril 1994, mais s'est révélé incapable d'asseoir son autorité, et le 12 avril, il a quitté la capitale à la suite de l'intensification des combats entre forces armées et FPR. Depuis, il semble que, du côté du gouvernement, les seuls interlocuteurs soient le Ministre de la défense et le haut commandement des forces gouvernementales, dont la direction a récemment changé. La violence a eu pour conséquence particulièrement tragique l'assassinat sauvage par des éléments insubordonnés des forces gouvernementales d'Agathe Uwilingiyimana, Premier Ministre, d'autres membres du gouvernement et de 10 soldats du contingent belge de la MINUAR.

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Efforts déployés par la MINUAR

4. Dans ces conditions, il était devenu impossible à la Mission de continuer à s'acquitter des tâches qui lui avaient été confiées. Pour faire face à cette situation de profonde insécurité et de crise humanitaire, la MINUAR, sous la direction du Représentant spécial du Secrétaire général et du commandant de la Force, s'est employée à :

a) Obtenir un accord sur un cessez-le-feu, devant être suivi de négociations politiques entre les deux parties afin de relancer le processus de paix prévu par l'Accord d'Arusha;

b) Protéger, dans la mesure du possible, le personnel civil des Nations Unies;

c) Protéger, dans la mesure du possible, le reste de la population civile, qu'il s'agisse d'étrangers ou de nationaux rwandais;

d) Négocier une trêve entre les deux parties afin de permettre l'évacuation des étrangers;

e) Faciliter l'évacuation des civils étrangers, qu'ils relèvent ou non de l'Organisation des Nations Unies, en fournissant des escortes aux convois d'évacuation organisés en direction des frontières ou de l'aéroport, et assurer la coordination avec les forces d'intervention belge et française dépêchées sur place à cet effet;

f) Secourir les particuliers et les groupes encerclés par les combats;

g) Fournir une assistance humanitaire à des groupes importants de personnes déplacées mises sous la protection de la MINUAR.

5. De toutes ces tâches, la première était la plus urgente : obtenir un accord de cessez-le-feu en se mettant en rapport avec des représentants des forces armées et du FPR, dans l'espoir que s'ensuivraient des initiatives politiques en vue de relancer le processus de paix prévu par l'Accord d'Arusha. Le Conseil de sécurité a été tenu dûment au fait de ces efforts et de l'évolution de la situation sur le terrain. La décision prise par le Gouvernement belge, à la suite de l'assassinat de 10 soldats de son contingent et de menaces prononcées à l'encontre de nationaux belges, de retirer son bataillon de la MINUAR a introduit un nouvel élément critique dans une situation qui continue de se détériorer. Le commandant de la Force a essayé d'obtenir des deux parties l'assurance que l'aéroport serait déclaré zone neutre, placée sous le contrôle de la MINUAR. De telles assurances lui ont initialement été données mais avant qu'elles puissent prendre un caractère officiel, les forces gouvernementales ont changé leur position, si bien que l'aéroport pourrait se transformer en zone de combat.

6. Les membres du Conseil savent que, en dépit des contacts directs établis entre les deux parties sous les auspices de la MINUAR, le 15 avril 1994, contacts qui avaient laissé espérer la possibilité d'un cessez-le-feu, les efforts de la Mission sont jusqu'à présent demeurés vains. Les deux parties ont

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adopté des positions rigides, le FPR posant des conditions préalables que les forces gouvernementales rejettent. Au vu de la situation, j'ai conclu à mon grand regret qu'il n'y a aucune chance d'obtenir un accord de cessez-le-feu dans les jours qui viennent. La violence continue de faire rage, tant dans les rues qu'entre le FPR et les forces gouvernementales, si bien que des civils déplacés qui s'étaient regroupés sous la protection de la MINUAR ont fait l'objet de tirs de mortier. Le quartier-général de la Mission a également été touché le 19 avril, par bonheur sans que l'en ait de victimes à déplorer.

7. Le personnel de la Mission, qui a fait preuve de courage et de dévouement dans des circonstances dangereuses, ne peut rester indéfiniment exposé à ces périls alors même qu'il lui est impossible de s'acquitter des tâches pour l'exécution desquelles il a été envoyé dans le pays. Avec le départ du contingent belge et du personnel non essentiel d'autres contingents, les effectifs militaires de la MINUAR se trouvaient ramenés, le 20 avril, de 2 165 à 1 515 hommes, et le nombre d'observateurs militaires de 321 à 190; l'effectif total de la Mission était donc réduit de 2 486 à 1 705 hommes.

#### Options proposées

8. Le Conseil se souviendra que j'ai présenté le 14 avril, comme suite à sa demande, deux grandes options pour faire face à cette situation extrêmement instable et imprévisible au Rwanda. Ces deux options avaient pour prémisses l'instauration d'un cessez-le-feu, sans lequel la MINUAR ne pourrait continuer à s'acquitter des responsabilités qui lui incombent en vertu de son mandat actuel.

9. La première option consistait à maintenir la MINUAR avec un effectif réduit (c'est-à-dire sans le contingent belge) pour une période limitée de trois ou quatre semaines après le cessez-le-feu. Les parties auraient été priées de s'entendre, au cours de cette période, sur le rétablissement du processus d'Arusha, auquel cas la MINUAR reprendrait le rôle qui lui est dévolu en vertu de son mandat. Dans le cas contraire, la MINUAR serait retirée dans sa totalité.

10. La deuxième option était de retirer, après le cessez-le-feu, l'essentiel du personnel de la MINUAR, en laissant son Représentant spécial et le commandant de la Force à Kigali pour servir d'intermédiaire aux négociations politiques pendant une période indéfinie, sous réserve de réexamen par le Conseil de sécurité, plutôt que pendant la période limitée envisagée dans la première option. Afin d'assurer la sécurité de cette équipe des Nations Unies, environ 200 à 300 militaires des Nations Unies resteraient également à Kigali.

11. Les deux options ci-dessus ne s'excluent pas mutuellement. Si les efforts déployés dans le cadre de la première option s'avéraient infructueux à la fin de la période fixée, on pourrait passer au deuxième scénario au lieu de retirer les forces de la MINUAR dans leur totalité.

#### Observations

12. Étant donné que la situation demeure critique, il faut prendre une décision sur la question de savoir si l'Organisation des Nations Unies poursuivra ses efforts pour aider un peuple qui se trouve plongé dans une situation

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catastrophique et, dans l'affirmative, comment elle s'y prendra. Je propose au Conseil trois options.

13. Option I. La première possibilité se fonde sur la conclusion indiquée plus haut qu'on ne voit aucune perspective réaliste que les deux forces adverses s'entendent sur un cessez-le-feu véritable dans l'avenir immédiat. Sans un cessez-le-feu, les combats se poursuivront de même que les actes illégaux et les massacres de civils. Cette situation ne pourra changer que si l'on renforce immédiatement et massivement la MINUAR et si on modifie son mandat de façon qu'elle dispose des moyens d'obliger les forces adverses à un cessez-le-feu, de tenter de rétablir l'ordre public et de mettre fin aux tueries et qu'elle ait autorité pour le faire. Cela permettrait aussi aux organismes humanitaires et aux organisations non gouvernementales de fournir et de distribuer une assistance humanitaire non seulement dans la capitale, mais aussi dans d'autres parties du pays où la population a été déplacée ou soumise à des privations, par suite de la violence. En outre, en rétablissant la stabilité au Rwanda, on contribuerait à éviter que les répercussions de la violence ne s'étendent aux pays voisins et ne conduisent à l'instabilité régionale. Ce scénario nécessiterait plusieurs milliers de troupes supplémentaires et la MINUAR devrait peut-être être investie de pouvoirs de coercition au titre du Chapitre VII de la Charte des Nations Unies.

14. Je dois mentionner à ce propos que le Représentant permanent du Rwanda auprès de l'Organisation des Nations Unies est venu me trouver le 19 avril pour me demander que l'on renforce la MINUAR pour lui permettre de mettre fin au chaos qui règne dans le pays. Lors d'une conversation téléphonique, le 20 avril, le Président Museveni de l'Ouganda m'a demandé instamment que la MINUAR soit renforcée et maintenue au Rwanda, en me priant de transmettre sa demande au Conseil de sécurité. Il a ajouté qu'il essayait d'obtenir des pays de la région qu'ils fournissent des troupes et qu'il présidait personnellement aux efforts visant à instituer un cessez-le-feu entre les forces gouvernementales rwandaises et celles du FPR.

15. Option II. La deuxième possibilité serait une forme modifiée de la deuxième option présentée au Conseil de sécurité le 14 avril. Dans ce scénario, un petit groupe dirigé par le commandant de la Force, accompagné du personnel nécessaire, resterait à Kigali pour servir d'intermédiaire entre les deux parties afin d'essayer de les amener à un accord de cessez-le-feu, cet effort devant se poursuivre pendant deux semaines au maximum, à moins que le Conseil ne préfère en prolonger la durée. Parmi les autres tâches qu'il accomplirait, ce groupe serait appelé à aider à la reprise des secours humanitaires, autant que faire se peut dans pareille situation. La MINUAR a reçu des deux parties l'assurance qu'elles coopéreraient à ces opérations, encore qu'on ne puisse en avoir la certitude.

16. Il faudrait que l'équipe soit appuyée par une compagnie d'infanterie pour assurer sa sécurité, ainsi que par un certain nombre d'observateurs militaires pour surveiller la situation, en dehors du personnel civil, le total étant estimé à 270 personnes environ. Le reste du personnel de la MINUAR serait retiré, mais la MINUAR en tant que mission serait maintenue. Le Représentant

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spécial, avec un personnel réduit, poursuivrait ses efforts pour reprendre son rôle d'intermédiaire dans les négociations politiques, le but étant de ramener les deux parties au processus de paix d'Arusha.

17. Il pourrait être mis fin à tous moments aux arrangements indiqués plus haut s'il s'avérait que les parties ne coopèrent pas au niveau politique ou si leurs activités compromettent la sécurité et la sûreté du groupe de la MINUAR demeuré à Kigali.

18. Il est rappelé aux parties que si le système des Nations Unies et les organismes humanitaires se préparent déjà à fournir des secours et une assistance humanitaires, le scénario indiqué plus haut ne permettrait d'apporter qu'une aide réduite. Sans cessez-le-feu, il serait impossible de fournir un effort d'assistance en règle.

19. Option III. Cette possibilité, que je n'appuie pas, serait le retrait total de la MINUAR. Si le Conseil de sécurité opte pour cette solution, la MINUAR devrait n'épargner aucun effort pour obtenir des deux parties qu'elles s'engagent à prendre des mesures pour assurer la sécurité des civils dans les zones relevant de leur contrôle respectif. Toutefois, étant donné la nature et les dimensions extrêmes de la violence et des assassinats de masse qui se sont produits dans les deux dernières semaines, on ne peut guère espérer obtenir d'engagements fermes à ce sujet. Il ne faut pas oublier que les conséquences d'un retrait total pourraient être extrêmement graves sur le plan de la perte en vies humaines, et que cette situation pourrait avoir des répercussions aussi tragiques dans des pays voisins dont certains citoyens appartiennent aux mêmes groupes ethniques que ceux qui peuplent le Rwanda.

20. En définitive, ce n'est qu'aux parties qui ont signé l'Accord d'Arusha, à savoir le Gouvernement rwandais (ou son successeur) et au FPR qu'incombe la responsabilité de décider si leur pays et leur peuple doivent trouver la paix ou continuer à souffrir de la violence.

1. En soumettant le présent rapport au Conseil de sécurité pour qu'il l'examine, je voudrais présenter mes sincères condoléances aux familles rwandaises qui ont perdu des parents au cours de cette période tragique que traverse leur pays. Je voudrais saisir cette occasion pour exprimer une fois de plus mes profondes condoléances au Gouvernement belge et aux familles des 10 Belges, membres des forces de maintien de la paix, qui ont payé de leur vie la recherche de la paix. Je voudrais aussi rendre un profond hommage au personnel de la MINUAR, en particulier à mon Représentant spécial et au commandant de la Force, pour le dévouement, le désintéressement et le courage avec lesquels il s'emploie à servir de son mieux les Nations Unies dans des circonstances extrêmement dangereuses.

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