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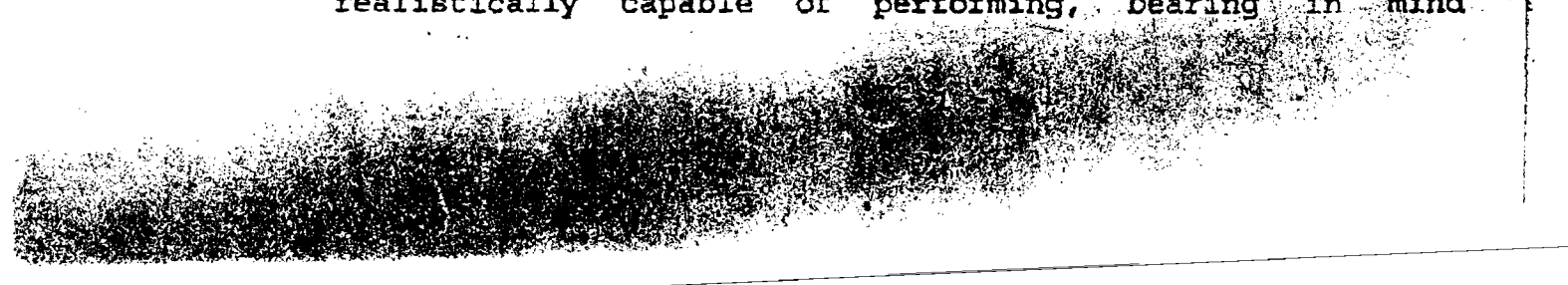
TO: SHAHARYAR KHAN, UNAMIR, KIGALI (ONLY)
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 5 May 1995
NUMBER: 1587
SUBJECT: UNAMIR MANDATE

[Signature]

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1. Many thanks for your very useful MIR-1495 conveying your conceptual approach to the future mandate of UNAMIR, and the Force Commander's outline of tasks and troop requirements. Please find below our comments and guidance on which we have consulted with D and DHA.

2. We are agreed that we are dealing with a situation on the ground radically different from that in which the existing mandate was established, and that the revised mandate must reflect the fact. Essentially, what we confront is a political stalemate in which neither party has the rudiments of a compromise which might be acceptable to both sides. We therefore find ourselves without a political framework from which the functions of UNAMIR could be readily derived but rather an uncertain and unpredictable situation, charged with threats and tensions. Against this unpromising background we must identify the tasks that we could realistically capable of performing, bearing in mind



sensitivity of the Government of Rwanda regarding what they consider to be the present excessive level of UNAMIR troops and the issue of sovereignty which you have mentioned.

3. The main tasks that may in our view prove realistic in this context would be efforts toward confidence-building, including assisting in establishing conditions for the return of refugees and for a resumption of the political process. One element would be the promotion of stability but without the effect of freezing the prevailing polarized situation on the ground in a way that might obstruct the eventual resumption of political contacts. The only available basis for such hopes remains the Arusha Agreement despite its effectively being suspended, for the time being. Under these conditions, we trust that the following guidance will help you in clarifying the Government's position regarding adjustments in the UNAMIR mandate.

4. Since stability and confidence-building are the main objectives of a UN military presence, we shall have to assess carefully what tasks can be performed effectively by UNAMIR military component, utilizing the Force Commander's outline as a basis. We should then determine the viable minimum, rather than the optimum, requirements for troops and military observers for these tasks, which can be summarized as follows:

a. Presence throughout the country at a level sufficient to ensure that the military component is able to contribute to confidence-building along

CIVPOL and human rights observers. This should utilize both troops and MILOBs, in static and mobile modes. Such presence would not have as its task the "protection" of civilians, since these are no longer in concentrations which can be effectively protected. (The recent tragic events at Kibeho have demonstrated that, even with its present full strength, UNAMIR does not have the capability to provide for the safety of IDP's once they return to the country's scattered communes.) Rather, the goal would be dissuasion of violence, good offices, monitoring and observation.

b. **Border Monitoring:** UNAMIR, under its new mandate, could assume the additional task of border monitoring, but not border patrolling which the Rwandese Government would undoubtedly be reluctant to accept. Monitoring would attempt to keep a watch on cross-border movements, whether of civilians or armed elements, but without responsibility of promoting the former or obstructing the latter. For this purpose, it may be best to consider an increase in the number of UNAMIR military observers, as distinct from armed troops, since the functions would involve mainly observing and reporting for whatever further actions may be possible at the political level.

c. **Escorting of returning refugees:** This is unlikely in the immediate future, but the level of the force reserve should be

CNR 132 P4/7

determined keeping this possibility in view. The intention would be to provide UNHCR and other agencies support for an orderly programmed return should this materialize. In the unlikely case of a massive inflow, additional troops would be requested.

d. **Protection for Humanitarian Programmes:** Relief Agencies and NGOs should be able to request escort and protection when required, while no doubt preferring to operate without military support whenever possible. UNAMIR should retain this capability.

e. **Protection of international tribunal and human rights personnel:** This will be an essential task in the present tense conditions, rather than optional or occasional as for humanitarian programmes. UNAMIR's military component should maintain the capacity to provide this protection.

f. **Self-protection** for UNAMIR HQ, other UN facilities, escorts for visitors, etc.

g. **Engineering Unit** to assist humanitarian agencies in rehabilitation programmes.

h. **Support units.**

5. We have noted that you propose a change in the configuration of the Force, shifting the focus from peace-keeping to peace-building, but we have doubts on this point. Reconstruction and rehabilitation is normally the task of UNDP and specialized agencies, not of a peace-keeping force. Accordingly, the suggestion would result in having UNAMIR duplicate what the agencies do very well. We instead could contemplate the provision of an engineering unit as indicated above, to assist humanitarian agencies.

6. If the tasks above are identified as the main elements of the adjusted mandate of UNAMIR, it would be important to consider the most effective combination of troops and MILOBs to realize the mandate's objectives. MILOBs have the advantage that they are less obtrusive, more flexible and adept at performing a wide range of responsibilities, including the essential task of good offices and confidence building at ground level. We are asking the Force Commander to visit UNHQ early next week to review all these aspects. We shall try and establish with him the minimum effective level of the force and MILOBs for these tasks.

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7. Apart from the military tasks, we should certainly consider the feasibility of expanding the UNCIVPOL presence in all communes to work alongside the military presence for stabilization and confidence building. This might require a major augmentation of the present strength. UNAMIR's CIVPOL Commissioner should give an

analytical proposal on this point.

Although, UNAMIR has provided ad hoc police training assistance to the present government, you might consider the feasibility of more structured police training programmes which normally are provided on a bilateral basis, but which could be co-ordinated through UNAMIR. Should you formulate specific proposals, we would present them to governments who might be inclined to help.

8. Obviously, all activities by UNAMIR and other UN agencies would continue to be supervised and co-ordinated by you. Your political officers would assist you in your political functions. The Administration would support the whole mission.

9. We would suggest that your talks with the Government should attempt to ascertain what their expectations are from UNAMIR after 9 June. In the course of these discussions, you could indicate the tasks outlined above as those that we would consider feasible. The aim should be to come to a consensus on the broad lines that will determine UNAMIR's operations, without entering into any "negotiations" on the type or number of personnel which will be required, since this will be determined at UNHQ (starting with the contingency review with the Force Commander). It is left to your judgement whether it would be advisable, in the course of your discussions, to discreetly make known to the government that they always have the option of requesting the withdrawal of UNAMIR in the event that they find our approach, which is meant to be

- 6 -

constructive, unacceptable.

10. We look forward to receiving your report on your discussions with the Government and your conclusions, in consequence, of what the shape of the future mandate of UNAMIR should be. These conclusions then should be included as recommendations in the draft of the Secretary-General's report to the Security Council which we would request you to send to HQ by 15 May.

Best wishes for the delicate and complex endeavour in which you are about to engage. Regards.