[9 CONFIDENTIAL]

UN ARCHIVES
SERIES S-1062
BOX 181
FILE 2
ACC. 1993/0183

NYK PLS RELAY TKS

1/6

UNOMUR MONUOR

1994 MAY 30 06 021

United Nations Observer Mission Uganda/Rwanda
La Mission d'observation des Nations Unies Ouganda/Rwanda

OUTGOING FAX NO: 814
29 MAY 1994

TO: MGEN DALLAIRE, FC UNAMIR KIGALI MISC 712	FROM: COL ASRAR ACTING CMO UNOMUR, KABALE CMO
FAX NO: 07-84265	FAX NO: 256 486-23816
SUBJECT: ILLEGAL DETENTION OF UNMOS	

REFERENCE:

A. OUR DAILY SITREP (FAX NO. 801) DATED 27 MAY 1994.

1. IN INVITING ATTENTION TO REFERENCE A, A LETTER OF PROTEST TO NRA IS ENCLOSED HEREWITH. ALTHOUGH THE NRA CLO HAS PERSONALLY REGRETTED FOR THE INCIDENT AND ASSURED OF ALL COOPERATION, YET, THIS IS FORWARDED FOR YOUR KIND INFORMATION AND NECESSARY ACTION AS DEEMED APPROPRIATE PLEASE.

2. BEST REGARDS.

DEMO
31/05/94

CMO

814 2/6

UNOMUR MONUOR

United Nations Observer Mission Uganda/Rwanda
La Mission d'observation des Nations Unies Ouganda/Rwanda

- UN RESTRICTED -

HQ UNOMUR
P.O.BOX 906
Kabale
Uganda
28 May 1994

CMO/001/94

TO: Colonel Peter Kerim
Commander 2nd Division
NRA
Mbarara

INFO: Maj. Robert Zakye
Chief Liaison Officer
NRA, Kabale

ILLEGAL DETENTION OF UNMO'S BY NRA TROOPS

1. This is to bring to your kind notice that two of our United Nations Military Observer (UNMOs) while patrolling in area Bunagana-Kabindi (SQ 9057. Also refer to sketch attached) at 262130 May 1994 were detained illegally at the NRA check point (CP) for over 3 hours. They were on a patrol coming from Kisoro and entering through the track leading to the south (refer to sketch). The patrol was accompanied by one NRA soldier too. When asked by the UNMO's about the reasons, the NRA on duty at CP reported that they have instructions from the NRA Battalion Commander at Kisoro to detain the UNMOs. UNOMUR Office at Kisoro made numerous attempts (till 2345 hours) to contact the Battalion Commander NRA who was not available. The NRA soldier on duty also mentioned that the Battalion Commander will not be available until next morning and he has no authority to leave them.

2. The A/CMO brought this matter to the notice of Maj Zakye, NRA, CLO who immediately intervened and the UNMOs were released from the CP at 270030 May 94.

3. Although Maj. Zakye was called at this HQ by A/CMO who regretted for the incident, yet, I would like to draw your kind attention to following:

a. The patrol was escorted by one NRA member who also informed the NRA soldier at the CP that they (patrol) were coming from Kisoro side and not from Bunagana.

b. The area and route followed by the patrol is usually monitored by UNOMUR and was agreed upon during a meeting held between the Army Commander, NRA and A/CMO during last March 1994.

c. In inviting attention to Article 105 of the Charter of the United Nations and Article VI of the Convention of the Privileges and Immunities of the United Nations (copy/extracts enclosed), UNMOs enjoys immunity from personal arrest or detention and from seizure of their personal baggage. In this regard attention is also invited to relevant clause of the status of Mission Agreement (SOMA) signed between UN and Ugandan Government.

d. Such detention of UNOMUR members with no valid reason was an insult to UN and a clear violation of the privileges contained in para (3 c.) mentioned above.

e. UNOMUR considers such action by the local Battalion Commander, a deliberate attempt to harass our UNMOs.

f. Should there be any observation/complain against our UNMOs, it could always be referred to this HQ for necessary actions specifying name, time, place and incident.

4. In the light of foregoing and as instructed by my higher authorities may I humbly request you to please look into the whole matter and do the needful.

5. Best regards.

Asrarul Haque
Col
Acting Chief Military Observer

UNITED NATIONS
UNOMUR

Enclosures: 3 pages

814 4/6

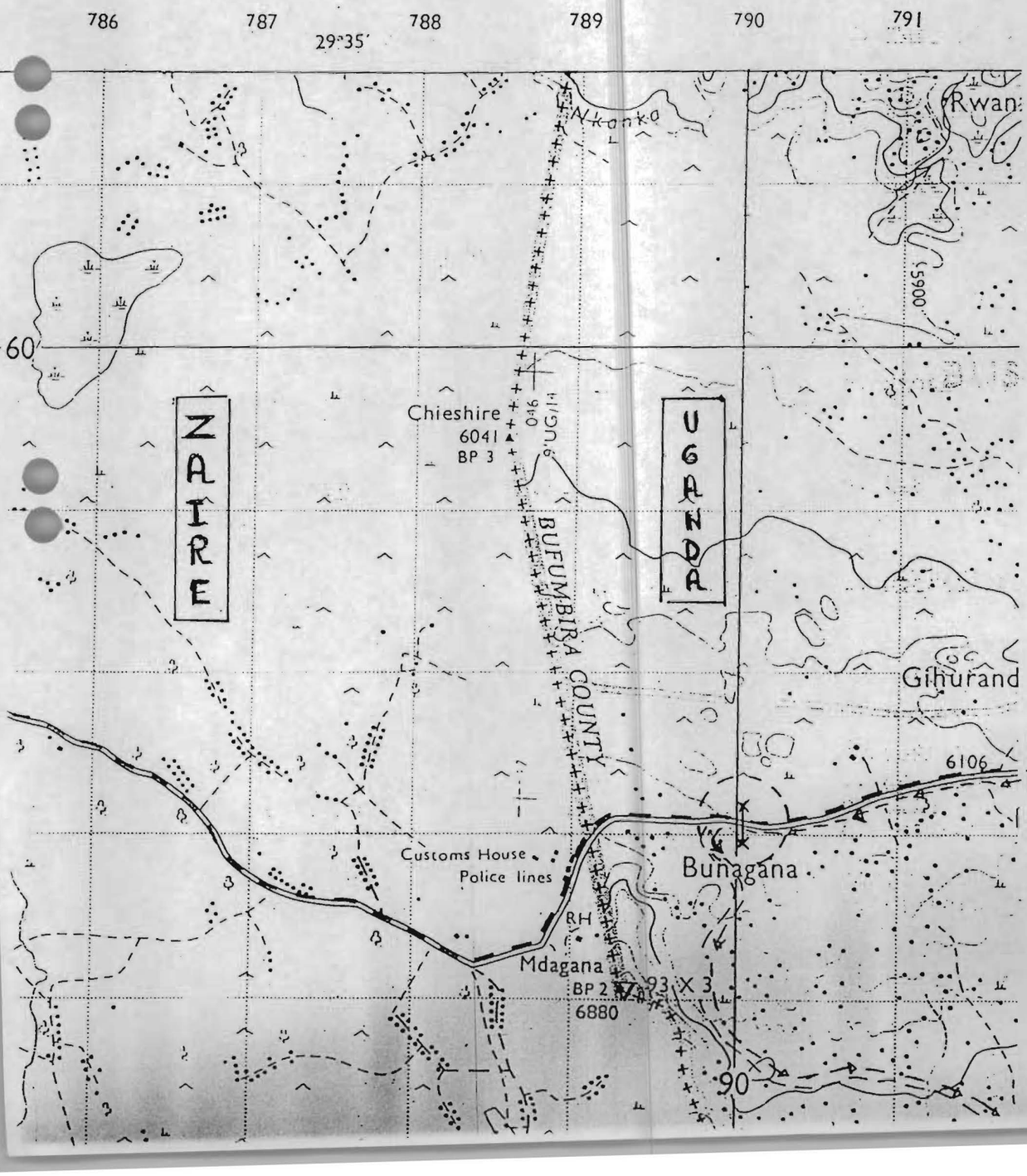
Page 6/6

Patrol Route

Place of incident
(NRA Check Post)

ANNEX "B"

KI



XVII. PRIVILEGES AND IMMUNITIES OF UNOMUR UNMOS

78. Article 105 of the Charter of the United Nations and Article VI of the Convention of the Privileges and Immunities of the United Nations (concerning experts on mission, which applies to UNMOs) reads as follows:

" Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

2. Representations of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their function in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this article or may propose conventions to the Members of the United Nations for this purpose."

****

" Article VI

Experts on Mission for the United Nations

"Section 22". Experts (other than officials coming within the scope of Article V) performing mission for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise for their functions during the period of their missions including the time spent on journeys in connection with their missions. In particular they shall be accorded:

a. Immunity from personal arrest or detention and from seizure of their personal baggage;

b. In respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind. This immunity from legal process shall continue to be accorded not withstanding that the persons concerned are no longer employed on missions for the United Nations;

c. Inviolability for all papers and documents;

d. For the purpose of their communication with the United Nations, the right to use codes and to receive papers or correspondence by courier or in sealed bags;

e. The same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;

f. The same immunities and facilities in respect of their personal baggage as are accorded diplomatic envoys.

Section 23. Privileges and immunities are granted to experts in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any case where, in his opinion, the immunity could impede the course of justice and it can be waived without prejudice to the interest of the United Nations.

UNOMUR MONUOR

United Nations Observer Mission Uganda/Rwanda
La Mission d'observation des Nations Unies Ouganda/Rwanda

- UN RESTRICTED -

HQ UNOMUR
P.O.BOX 906
Kabale
Uganda
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CMO/001/94

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Commander 2nd Division
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UNITED NATIONS
UNOMUR

Enclosures: 3 pages

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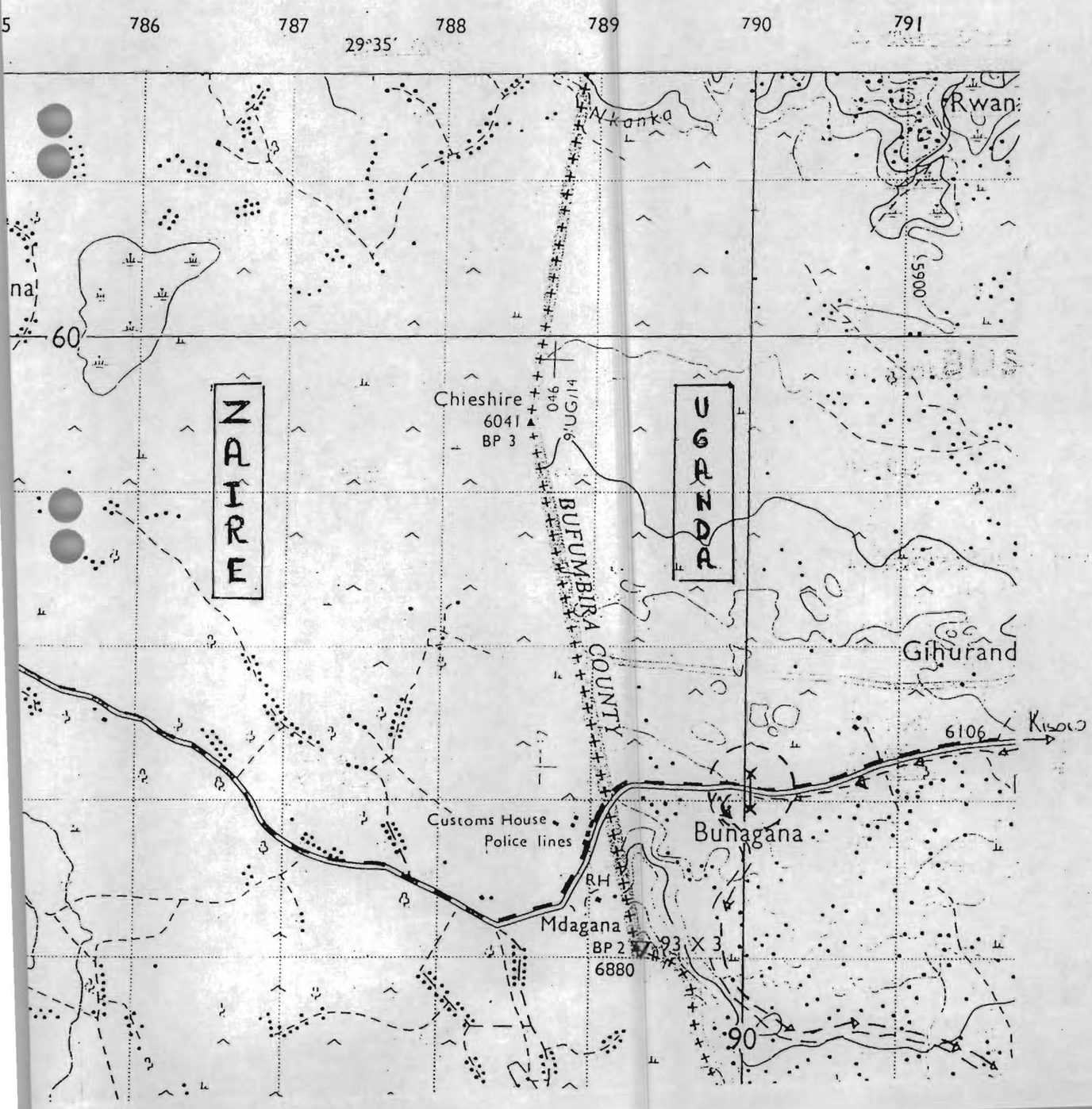

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CMO/001

UNOMUR MONUOR

United Nations Observer Mission Uganda/Rwanda
La Mission d'observation des Nations Unies Ouganda/Rwanda

F/OUT 249

FAX NO: CMO/031/93
11 DECEMBER 1993

TO: TESHOME RESIDENT REPRESENTATIVE UNDP KAMPALA	FROM: MATIWAZA A/CMO, UNOMUR KABALE
FAX NO: 041-244801	FAX NO: 256 486-23816
SUBJECT: CONSULTATIONS WITH UGANDA AND UNOMUR	

PLEASE FIND ATTACHED HEREWITH THE FAX FROM ANNAN, UNATIONS, NEW YORK DATED 10 DECEMBER 1993 TO ME ABOUT THE ABOVE MENTIONED SUBJECT.

BEST REGARDS.

Seen

CNU-15 P1/2

OUTGOING CODE CABLE

MOST IMMEDIATE

TO: MATIWAZA, UNOMUR, KABALE
INFO: FOR DALLAIRE (on arrival)
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 10 December 1993
NUMBER: 2396

SUBJECT: Consultations with Uganda on UNOMUR

1. Riza and Annabi met today with the Chargé d'Affaires of Uganda to consult her on the extension of UNOMUR's mandate (the Permanent Representative is on leave in Kampala). We informed her that the Secretary-General would be submitting a report to the Security Council, before the expiration of UNOMUR's mandate on 22 December. The report was being prepared on the assumption that Uganda would be in favour of an extension of UNAMIR's mandate.

2. As regards the integration of UNOMUR into UNAMIR, foreseen under paragraph 4 of resolution 872 (1993), we reiterated the assurances provided in my letter of 22 October to the Permanent Representative.

3. The Chargé d'Affaires asked us to elaborate on the reasons for the extension of UNOMUR's mandate. We recalled in this regard that UNOMUR had been established by the Security Council, following a specific request from the Governments of Uganda and Rwanda for the deployment of United Nations observers on their common border. The Government of Uganda had also requested that these observers be deployed on the Ugandan side of the border. In addition, we expressed the view that UNOMUR was a factor of stability in the border area and that it would continue to serve the useful purpose, as long as the risk for renewed conflict between RPF and RGF had not been eliminated, in accordance with the provisions of the Arusha peace agreement.

A/CMO

3. The Chargé d'Affaires also echoed the concerns recently expressed by the Ugandan authorities regarding cross border movements. We assured her that, in accordance with resolution 846 (1993), UNOMUR's area of responsibility was restricted to the Ugandan side of the border and that there would therefore be no cross border movements for operational purposes. We pointed out, however, that cross border movements to meet re-supply and logistic needs would be undertaken in compliance with the terms of the SOMA and after consultation with the appropriate Ugandan authorities.

4. We informed the Chargé d'Affaires that General Dallaire will be visiting Kampala this weekend for direct consultations with the authorities on these issues and to provide any further clarifications which might be required. We look forward to his report on these consultations. Regards.

CHU/001

UNOMUR MONUOR

United Nations Observer Mission Uganda/Rwanda
La Mission d'observation des Nations Unies Ouganda/Rwanda

11 DEC 1993

CUR011 PAGE 1/3

CODE CABLE

11 DECEMBER 1993

TO: DALLAIRE, FC UNAMIR KIGALI	FROM: MATIWAZA A/CMO, UNOMUR KABALE
FAX NO: (07) 84266	FAX NO: 256 486-23816
SUBJECT: CONSULTATIONS WITH UGANDA ON UNOMUR	

PLEASE FIND ATTACHED HEREWITH THE CRYPT. FAX FROM ANNAN, UNATIONS, NEW YORK DATED 10 DECEMBER 1993 TO ME ABOUT THE ABOVE MENTIONED SUBJECT.

BEST REGARDS.

CUR011/Pg21

Seen

CNU-15 P1/2

OUTGOING CODE CABLE

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A/CMO

F/0 249 Page 3 of 3

CUF011/P 3/

CNU-15 P2/2

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CUR011/P3/21

Seen

CNU-15 P1/2

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F/0 249 Page 3 of 3

CUF011/P 3/

CNU-15 P2/2

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CMO/001
081

P1/3

10207 -9 DEC 1993

UNAMIR FORCE HQ

OUTGOING FACSIMILE

F/IN 264

9 DEC 1993

KMF 20

TO: TESHOME, RESIDENT REPRESENTATIVE, UNDP KAMPALA. INFO: COL MATIWAZA, A/CMO UNOMUR, KABALE ZEN	FROM: BGEN DALLAIRE, FORCE COMMANDER, UNAMIR, KIGALI, RWANDA
[illegible] (250) 244801	FAX: (250) 84265

SUBJECT: UNAMIR FORCE COMMANDER MEETINGS WITH UGANDAN AUTHORITIES

NUMBER OF PAGES, INCLUDING THIS PAGE: 3

1. PLEASE BE INFORMED THAT I SHALL ARRIVE IN ENTEBBE ON SUNDAY 12 DECEMBER 1993, BY FLIGHT QU 375, AT 1605 LT FOR MEETINGS WITH THE PRESIDENT OF THE REPUBLIC OF UGANDA, THE MINISTER OF FOREIGN AFFAIRS, THE MINISTER OF DEFENCE AND THE ARMY COMD/COS.

2. I WOULD APPRECIATE IT IF YOU COULD TRANSMIT THE ATTACHED COPY OF MY LETTER TO PRESIDENT MUSEVENI. I SHALL FORMALLY HAND DELIVER THE LETTER TO HIM WHEM I MEET HIM.

3. THANK YOU AND REGARDS.

CMO SAO

TOT

P2/3

UNITED NATIONS - NATIONS UNIES

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

REFERENCE

UNITED NATIONS OBSERVER MISSION
UGANDA/RWANDA
U N O M U R

Kigali, 8 December 1993

Your Excellency,

As you may be aware, the United Nations Observer Mission Uganda/Rwanda (UNOMUR) which is deployed on the Ugandan side of the Uganda/Rwanda border has been integrated into the United Nations Assistance Mission for Rwanda (UNAMIR), in accordance with Security Council resolution 872 (1993) of 5 October 1993. The integration which is administrative in nature does not affect the mandate of UNOMUR as set out in Security Council resolution 846 (1993).

In order to discharge our responsibilities and supervise the UN mandate, the Force Commander and other personnel of UNAMIR need to visit Uganda occasionally and at short notice for procurement, transportation and administrative purposes.

However, UN personnel of both missions have recently encountered some difficulties in their attempts to cross the border into and out of Uganda. To ease the difficulties mentioned above, may I take this opportunity to request your good offices to kindly accord permission to the undermentioned personnel to cross the border check posts without visas and other associated formalities:

His Excellency
Mr Yoweri Kaguta MUSEVENI
President of the Republic
of Uganda

a. Force Commander, Brigadier-General R.A. Dallaire and his Aide de Camp, Captain W. De Kant;
b. Chief Administrative Officer, Mr. P.O. Hallqvist;
c. Political Adviser to the Special Representative of the Secretary General, Dr. Abdul H. Kabia;
d. Senior Administrative Officer, Mr Sune Sandstrom;
e. Radio Technician, Mr Magne Albrigtsen.

Please accept, Your Excellency, the assurances of my highest esteem and consideration.

Roméo A. Dallaire
Brigadier-General
Chief Military Observer
UNOMUR

NRA - OA1/93 **22 November 1993**

GUIDELINES FOR NRA/UNOMUR OPERATIONS

- **Reference:**

  (a) Meeting between CMO, DCMO, Political Advisor and CLO on 18 October 1993;

  (b) Undated and unreferenced paper headed **GUIDELINES FOR NRA SUPPORT TO UNOMUR**.

- **General**

  1. It is true that NRA support has not been forthcoming as desired due to Logistic Constraints. However, the number of required soldiers as guards, escorts and Liaison Officers have been provided to make this mission a success.

  2. Reference is made on various meetings held between the MSD, CMO, DCMO and CLO concerning Logistic Support for NRA which will be solved gradually.

  3. The MP's coming from Northern Uganda is not a major problem it will be explained among the guidelines ahead.

- **Aim**

  4. The Aim of this guidelines is to have a smooth coordination of NRA/UNOMUR while on OPS/DUTY.

RESTRICTED

- **See Guidelines for NRA Support to UNOMUR**

5. All is agreed and good except No.2 and No.12 (The last sentence) which is explained below:

   (a) When NRA/UNOMUR are on patrol, NRA must get a soldier from the nearby detach who knows the borderline areas well to guide the team. This will eliminate:

      (i) The question of majority MPs coming from Northern Uganda,

      (ii) There will be no more straying of UNOMUR/NRA personnel in RPF held Rwanda.

   (b) It is appreciated and a good idea of withdrawing the landrover from Kisoro due to our Logistical Problems. However, the landrover is still required in Kisoro Administratively/Operationally as per our Plans.

- **Timings**

6. It is requested that every day at 1600 hrs, UNOMUR releases operational plan/Programme for the next day to NRA L.O for better planning subsequently.

- **Movement**

7. Any movement of UNOMUR observer outside operational area must be communicated to NRA authorities in advance - should an observer move without any consent from NRA Officials and an incident happens, e.g. accident, theft, thuggery etc., to him, NRA and the Government of Uganda will **NOT** be held responsible.

- **Briefing**

8. As earlier agreed, NRA LO's, escorts and guards have been thoroughly briefed on guidelines provided by UNOMUR and NRA authorities.

RESTRICTED

- **Boarder Crossing**

9. NRA will not accept routine crossing of our boundaries by UNOMUR Officials until clearance is sought from higher authorities.

- **Conclusion**

10. NRA will endeavor to give its maximum possible support to UNOMUR despite the Logistical Constraints mentioned.

These guidelines should not be noted as final. In case of any alteration, changes in situation both UNOMUR/NRA should come to gather and make alterations to these guidelines that suit the situation.

However, the Logistical Constraints will be solved gradually.

It is expected that both UNOMUR/NRA authorities adhere to these set guidelines for smooth running of duties/OPs to both parties.

Distribution list

- **AC**
- **COS**
- **CMO**
- **POL ADV**
- **DCMO**
- **309 BDE CO**
- **CLO**
- **LO (3)**
- **G3**
- **Area East (7)**
- **Area West (4)**
- **SAO**
- **File**

RESTRICTED

CMO/001

NRA - OA1/93 22 November 1993

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10. NRA will endeavor to give its maximum possible support to UNOMUR despite the Logistical Constraints mentioned.

These guidelines should not be noted as final. In case of any alteration, changes in situation both UNOMUR/NRA should come to gather and make alterations to these guidelines that suit the situation.

However, the Logistical Constraints will be solved gradually.

It is expected that both UNOMUR/NRA authorities adhere to these set guidelines for smooth running of duties/OPs to both parties.

Distribution list

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UNITED NATIONS OBSERVER MISSION UGANDA/RWANDA

U N O M U R

FAX NO:CMO/021
10 NOVEMBER 1993

TO: UNAMIR, FC KIGALI	FROM: MATIWAZA A/CMO/UNOMUR
FAX NO: (07) 75089	FAX NO: 256 486-23817
SUBJECT: NRA SUPPORT TO UNOMUR	

1. SIR, FIND ATTACHED A SHORT REPORT ON NRA SUPPORT TO UNOMUR TO DATE.

2. IN MY VIEW, IN FUTURE, THERE MIGHT BE A NEED TO DELIBERATE WITH NRA COMMANDER ON THE PROVISION OF MORE LOGISTICAL SUPPORT AS THEIR SUPPORT IS STILL INADEQUATE, THUS EXPOSES MY OPERATIONAL EFFECTIVENESS TO SERIOUS LIMITATIONS.

4. REGARDS.

NRA SUPPORT TO UNOMUR

1. The report formalized the support of the NRA to UNOMUR.

2. At the moment, the NRA situation is as follows:

   (a) 70 men military police soldiers;

   (b) The command group is composed of:

      (i) Maj Robert Zakye, Liaison Off. HQ,
      (ii) Lt Steven Agaba, Liaison Off. HQ,
      (iii) Lt J.B. Baine, Liaison Off. Area East,
      (iv) Lt Jeff Mukassa, Liaison Off. Area West,
      (v) 2nd Lt Charles Ndavla, Liaison Off. Area West.

   (c) There are two Santana Landrovers available, one in Kisoro and one in Kabale;

   (d) The military police are currently headquartered in a house on the road to Mbarara just at the edge of Kabale. The officers are staying in the St. Rafael guest house (Bishop's house) tel No. 24335. They have no communication equipment. UNOMUR has given the Liaison Off. one handytalky which they operate on Channel 2.

3. Problems:

   (a) So far Maj. Robert Zakye, Liaison Off HQ, stays in Kampala;

   (b) Lt. Steven Agaba, Liaison Off. HQ, went with the only available NRA vehicle in Kabale on Sunday 31 October 1993 to Kampala. The reason mentioned was that he had to provide fuel. He left without informing the HQ and returned at 6 November 1993 in the evening;

   (c) The military police are more disciplined than the regular NRA soldiers. They are handicapped, however, because they come from Kampala, they don't know the area and don't speak the local languages. For the time being this problem was solved, especially for the footpatrols, by an arrangement we made with the Brigade Commander of Kabale. He has allowed us to use the soldiers of the NRA detachments deployed along the border as guides, and not all of these locally based soldiers speak the local languages, most of them originate from the North Uganda.

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4. Mine clearance - So far we got no information on mines or booby traps from the NRA.

5. Conclusion - I am pleased to note that after the deliberations you had with the NRA command element, their response has been positive, taking into account that NRA itself seriously lacks logistical support. I will continue, however, to carefully push until all our requests are met.

6. Regards.