

UNAMIR

CORRESPONDENCE

16 NOV 1993 - 15 AUG 1994

GENDARMERIE

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REFERENCE

UNAMIR/GDN/1/93

16 November 1993

To: See distribution

From: Kyle Baxter Utley

Subject: 1st Meeting with the Gendarmerie on 16 Nov 93

Please find attached herewith a copy of the verbatim notes of the 1st meeting with the Gendarmerie on 16 Nov 93 for your information and record.

Kyle Baxter Utley

(2)
Serana
Open file on
"Gendarmerie"
Re: this till 23 Nov 93

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FC
17/11

Distribution

Action

FC

COS

LO, (RGF)

Information

POLITICAL ADVISER

MILOB HQ

**UNAMIR
FIRST MEETING WITH THE GENDARMERIE
TUESDAY, 16 NOV 1993**

Present:

UNAMIR:	BGen. R.A. Dallaire	--	FC
	LCol. Nazrul Islam	--	DCOO
	Maj. Pazik	--	LO
	Insp. Wreford Johnson	--	UNCIVPOL
	LCol. Rwabalinda	--	LO, RGF
	Kyle Baxter Utley		

GENDARMERIE:

	Col. Ndindiliyimana	--	Comd, Gendarmerie
	LCol. Damy	--	Conseiller defen.
	Maj. Gakara	--	G1
	Mr. Ntazinda	--	Conseiller Affairs Politique et Administratif MINAFPET
	Maj. Kanimba	--	Commandant
	Maj. Ngayaberura	--	G3
	Capt. Harehimana	--	G1
	Maj. Ngirabatware	--	G3
	Capt. Nzabahimana	--	G1
	Lt. Bapfakurera	--	G3
	Maj. Karangwa	--	G2
	Maj. Hitimana	--	Officer EMAR
	Maj. Hategekimana	--	Officer MINADEF
	Maj. Nsanzimiura	--	G4

Meeting commenced at 1000 hrs at the Gendarmerie HQ in Kigali, Rwanda.

Col. Ndindiliyimana, Comd. Gendarmerie:

Col. Ndindiliyimana welcomed all present, thanking them for attending, stating that such meetings were usually on a more formal basis, but that he hoped that the current format would be conducive to a productive session. The Colonel briefly outlined the topics he would like to discuss: overall security, well-being of the people and the general execution of the law. He emphasized that the gendarmerie would not be working alone, nor exclusively with UNAMIR, that there were other law enforcement agencies to co-ordinate with such as Communal and Prison police. It was requested that some attention be devoted to defining the hierarchy/chain-of-command vis-a-vis the Arusha Peace Agreement, Security Council Resolution 872 and the status quo. He also hoped to specifically define the areas of responsibility for each of these agencies. Confirmed that the information previously requested by the UNAMIR concerning Kigali Security was coming forthwith.

BGen. R.A. Dallaire, FC, UNAMIR:

The FC expressed his satisfaction with the proposed agenda, noting however that due to time constraints, everything could not be addressed in the session. He stressed that the security of Kigali was of primary importance, and that an open dialogue had been established to treat other issues in due time, i.e. Demobilization, refugees.

Col. Ndindiliyimana:

The Colonel gave a brief overview of the Gendarmerie, stating that its constitution was governed by the law of 23 Jan 1974 and the Arusha Peace Agreement. The Gendarmerie being divided into two levels: 1) Police; 2) Operational Territorial Defense. The Police being divided into three branches: Administrative, Judicial and Military. He then explained the areas of responsibility for each branch.

FC:

The Force Commander asked if the Military Police were used exclusively for the Military.

Col. Ndindiliyimana:

Col. Ndindiliyimana replied that both the Military and the Gendarmerie have separate Military Police. Exchange and co-operation did, however, occur. The Colonel then addressed the growing problem of armed banditry. As a result of this new concern, primarily due to the increased flow of weapons (largely via corruption within the Rwandan military), a special guard unit was created to provide for the general security of VIPs. The Gendarmerie, responding to both the Ministry of Justice and Interior, but being an element of the Ministry of Defense, should be more specifically delineated to coincide with the administrative aspects of the Arusha Peace Agreement. He further stated that, for the time being, these units acted on their own initiative.

FC:

The Force Commander asked if a separate VIP section previously existed within the structure.

Col. Ndindiliyimana:

The Colonel replied that before the war, only the President had a specific guard group, the "Guard Presidential". The current VIP group had been in existence since April of 1993 and could possibly be incorporated with RPF personnel as part of the new Republican Guard.

FC:

The Force Commander pointed out that according to paragraphs 83 (Missions) and 84 (Principles) of the Arusha Peace Agreement, a structural procedure was established for the roles of the Gendarmerie and the UN.

Col. Ndindiliyimana:

The Colonel, referring to point 3 of paragraph 84, stated that his interpretation of the relationship between the Gendarmerie

and the Ministry of Interior was linked to the approbation of the Ministry of Justice. He felt uncomfortable with this, as it delayed the reaction time of the Gendarmerie, thus reducing its effectiveness.

FC:

The Force Commander countered that the Peace Agreement referred to the Government in a broader sense, and that as long as the tenants of the Agreement were respected, the Gendarmerie could work with certain independence, and that the levels of control for the response of Gendarmerie cantonment could be worked out by the BBTG.

Col. Ndindiliyimana:

The Colonel hypothesized that in the event of a spontaneous disturbance (demonstration) that the Gendarmerie although under the command of the Ministry of Defense would also have to co-ordinate with the Ministries of Justice and Interior.

FC:

The Force Commander replied that UNAMIR was not in a position to modify the mandate, but was charged with seeing that the mandate was understood in the same way by all. The point should be clarified by all parties, creating a hierarchy of reaction. This could be addressed by the BBTG via link or governmental decree. He reemphasized that the Gendarmerie was responsible only to the government without mention of specific ministries.

Col. Damy:

Col. Damy pointed out that a special order was in existence concerning the maintenance of law and order in respect to unlawful gatherings. This order, based on the French system, had not been questioned and specified that the Gendarmerie could react on its own initiative in cases of dangerous and spontaneous situations.

FC:

The Force Commander agreed that crowd control would be a critical point to consider and wished a copy of the special order.

Maj. Ngirabatware, G3:

The Major gave a briefing using organizational charts to explain the chain-of-command, educational system, local and national deployment, vital points of interest, working relationship with the army, and administrative break-down of the Gendarmerie. Copies of the charts were provided.

FC:

Referring to vital points of interest, the FC asked if the army had its own vital points of interest.

Maj. Ngirabatware:

The Major replied that the army was responsible for securing inter alia the airport.

FC:

The Force Commander asked if a document existed designating who guards what. He also wanted to know who was responsible for the overall security of the city.

Col. Ndindiliyimana:

The Colonel confirmed that, in certain circumstances, both the Army and the Gendarmerie were responsible for securing the city. A breakdown of responsibility existed and was with the Kigali Sector Commander. He asked if the UN would take over any vital points.

FC:

The Force Commander reconfirmed that the United Nations was not here to replace the Gendarmerie, and that until the existing plan between the army and the Gendarmerie could be analyzed, the role of the UN could not be determined. He did state, however, that the prevalent character of UNAMIR was to supplement a comprehensive security system, forming a sort of umbrella. He stressed that in the interest of peace, military activities should be minimized. In respect to security, he welcomed a complete integration between the police, the Gendarmerie and the Army. UNAMIR would monitor all activities, and UNCIVPOL would be integrated into the current structure to monitor the process and analyze work efforts.

Col. Nazrul, DCOO:

Referring to vital points (VIP, TV, Radio), asked if there was a physical deployment of the Gendarmerie and the Military in these areas.

Col. Ndindiliyimana:

Gendarmerie deployment, yes. Military, no.

Maj. Gakara, G1:

The Major explained the two layers of defense. A 10 kilometer inner circle maintained by the Gendarmerie. The outer radius defended by the army. He questioned the composition of forces referring to the DMZ and the RPF.

FC:

The Force Commander explained the different phases of UNAMIR.

Col. Ndindiliyimana:

The Colonel expressed concern with a force limited to 1,800 mentioning the DMZ, the RPF and the refugee situation.

FC:

The Force Commander replied that this matter, as it falls under Phase III, would be considered accordingly. The tasks for UNAMIR for Phase III would be based upon the level of progress in Phases I and II. Citing article 79, other aide would have to be considered at that point. Demobilization, modalities, etc would have to be flushed out when the time came. Additional personnel had been requested (1,100) for this phase, confirmation awaiting Security Council approval.

Col. Ndindiliyimana:

The Colonel expressed approval for the process thusfar, stating that the status quo was closely in-line with the principles of the Arusha Agreement. The Republican Guard was being formed, an intelligence section was underway, as well as a fire department (needed money), and dogs were being trained for a canine company. He felt optimistic about the transition since it was not so much of a structural change, but a human one.

FC:

The Force Commander ask if the Gendarmerie would continue to use the same educational system.

Col. Ndindiliyimana:

Yes. The Colonel then addressed the major problems of current security:

- 1) Banditry. Before the war, there were no arms among the general population
- 2) Political tension. Confrontation not only among different parties, but inner-party disturbances as well, often taking the form of demonstrations which block traffic and generally agitate the people.
- 3) Terrorism. Mine explosions in crowded areas to create fear and panic.

He reiterated that banditry was the largest concern and felt the cause of which was the proliferation of weapons, primarily coming from their own soldier (sold, given away, traded). The Colonel, felt, however, that the situation was improving as soldier and weapons were now better controlled. The Gendarmerie was organizing road-blocks to perform searches. When the Intelligence service is informed of a pocket of illegal weapons, the area is systematically investigated. There was also a plan in the works to offer to purchase illegal weapons from the population. He hoped the UN would help in the disarmament process.

FC:

The Force Commander assured that the UN fully supported disarmament, especially in Kigali. UNAMIR would co-ordinate and help with searches, road blocks, etc.

Col. Ndindiliyimana:

The Colonel stated that another source of weapons was the Communal Police. As this force was administrated on a local level, there is little or no central control. The force varies greatly from village to village, composed of some army reservists but mainly untrained young men. These men were, at one time, given weapons to be kept in a common place when not needed. Most of these weapons cannot be found now. It is suspected that they are scattered all around the country. The Colonel proposed to place the Communal Police under the command of the Ministry of Interior, pending BBTG and RPF support. He also referred to Prison guards, informing that there was a prison in each prefecture, 10 guards per prison, Kigali having the largest.

FC:

The Force Commander asked if national, local, political and criminal prisoners were held together.

Col. Ndindiliyimana:

The Colonel responded that all prisoners were held together. Some were escaping and making problems. On average, 15 death-row inmates escape per month, representing a large source of bandits. He cited a population explosion of idle youth. Turning to the problem of terrorism, he stated that the issue was being addressed but without great success as of yet. The Colonel then returned to the matter of UN assistance, noting that he was under the impression that UNAMIR would provide a military police force above and beyond that which was currently in place.

FC:

The Force Commander remarked that a UNAMIR military police force would be responsible for the internal conduct and discipline of UNAMIR battalions, restating, however, that it would not take over the role of the Gendarmerie on external security matters.

Col. Ndindiliyimana:

The Colonel repeated his original request for a clarified hierarchy.

FC:

The Force Commander assured that further questions would be addressed in the next session and proposed that a sample structure could be produced based on the different levels of liaison meetings. He suggested that a permanent Liaison Committee could be established between UNAMIR and the Gendarmerie. He further added that human rights personnel would be arriving soon to work with them. He requested information on paramilitary groups, death squads and militias in existence, not just in Kigali, but across the country.

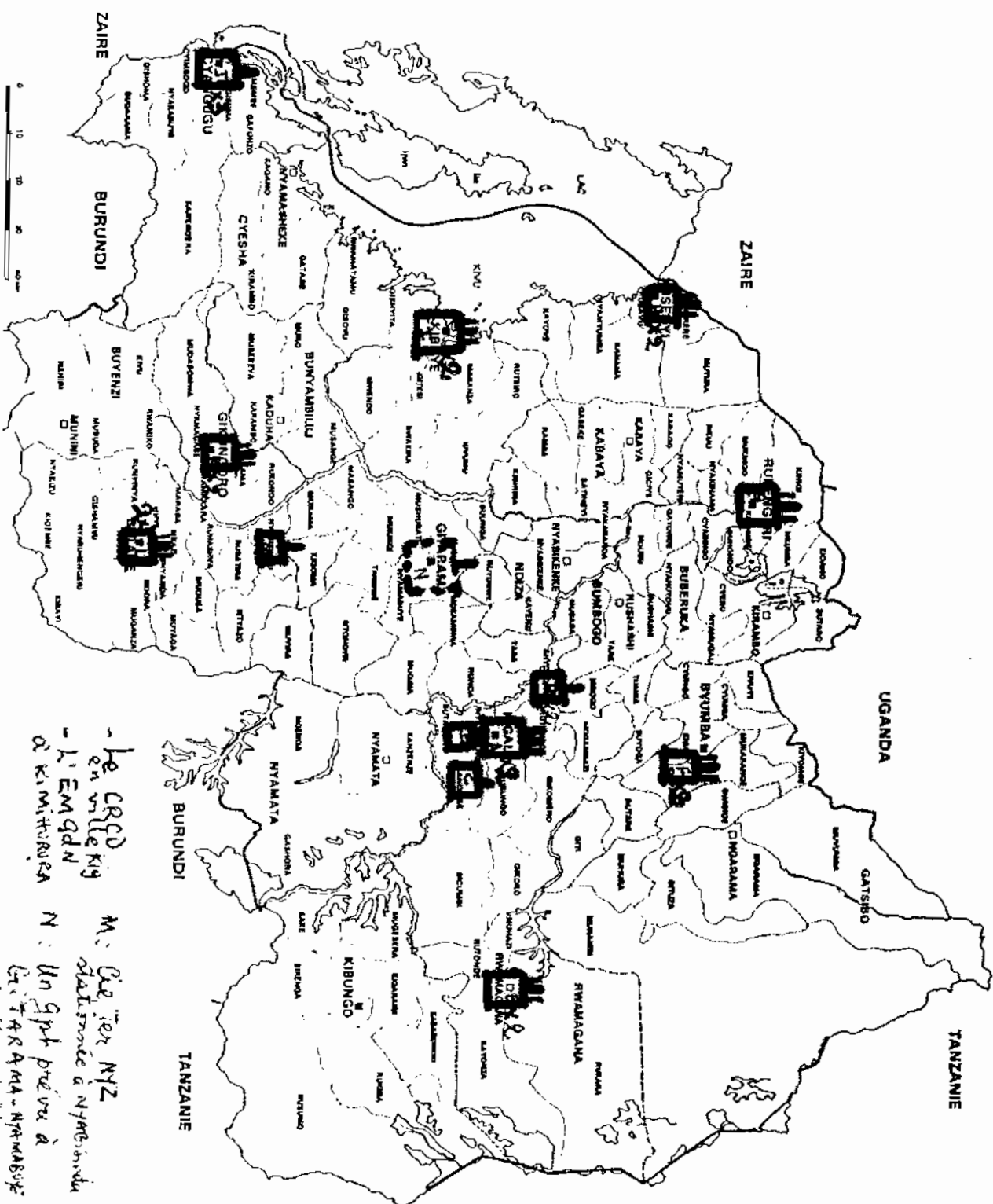
Col. Ndindiliyimana:

The Colonel stated that the army would be providing a concept of integration.

The meeting adjourned at 1241 hrs.

Carte du Rwanda

Ikazita y'u rwanda



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 3
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 6

A: les unités de garde sont stationnées à Kanyau.

- gpt 214
- cie 09 Sd 11
- cie 22-
- Cie Med
- gpt SV Tech

B. les unités de Gendarmerie
stationnées à Muttam;

- GP mob de Kuz
- Cu SR
- die muu

C: CARK Lee d'
Aérogout KENNEDY

D: Centre d'information
hospitalière à JAH)

Opt K13 station

21. 224MAGINTH
a. 224MAGINTH
F: 224MAGINTH
a. 224MAGINTH

G : Antikörperstationen

4th: 9th & 10th

11/10/84
I - 3rd Ky station

at 911, 1000
and 1000 stations
in 1000 stations

glt GIK stationing
at N44m + 0.313

9th BUT station
a no 04



UNAMIR - MINUAR

Kigali, 12 August 1994

Dear General,


Subject: ASSISTANCE FOR THE ESTABLISHMENT OF A NATIONAL
GENDARMERIE IN RWANDA

In order to be able to submit to the United Nations a request for assistance towards the establishment of a National Gendarmerie in Rwanda, I have the honour to propose the following:

1. a meeting between officers of the Civilian Police (CIVPOL UNAMIR) and representatives of the following Ministries:
 - . Ministry of Defense
 - . Ministry of Justice
 - . Ministry of Internal Affairs and Communal Development.
2. a joint mission of CIVPOL and Rwandese authorities from the different administrative "communes" to assess the situation of the police/gendarmerie around the country.

I would very much appreciate it if you could transmit this request to the different Ministries and administrative "communes" and let me know the date and venue for the proposed meeting and joint mission.

Accept, dear General, the assurances of my highest consideration.


Roméo A. Dallaire
Major General
Force Commander

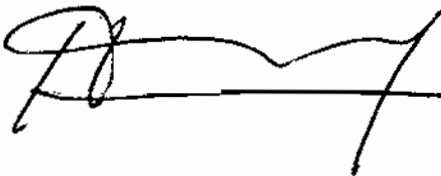
Major-General Paul KAGAME
Vice-President and Minister of Defense
Rwandese Republic
Kigali

CPI: Minister of Justice
Minister of Internal Affairs and
Communal Development

COPIES: SRSG
JAC

UNAMIR
MINUAR

Ref: UNAMIR/RPFRGF/1/93

To: See distribution
From: Kyle Baxter Utley 
Date: 13 December 1993
Subject: MEETING BETWEEN THE GOVERNMENT OF THE REPUBLIC OF
RWANDA AND THE RWANDESE PATRIOTIC FRONT

Attached, please find a copy of the verbatim notes of the meeting between the Government of the Republic of Rwanda and the Rwandese Patriotic Front on 10 December for your information and record.

Distribution

<u>Action</u>	<u>Information</u>
SRSG	Mr. Ly, UNDP
Mr. Kane	MILOB HQ
Mr. Dessande	CIVPOL
Mr. Mehu	CAO
FC	
COS	
CLO	

MEETING BETWEEN THE GOVERNMENT OF THE REPUBLIC OF RWANDA
AND THE RWANDESE PATRIOTIC FRONT,
CONVENED BY THE SPECIAL REPRESENTATIVE OF THE
SECRETARY-GENERAL OF THE UNITED NATIONS FOR RWANDA
AT KINIHIRA ON 10 DECEMBER 1993

Present:

UNAMIR:	Dr. J-R Booh-Booh	--	SRSG
	BGen. R.A. Dallaire	--	FC
	Mr. M. Kane	--	Senior Political Officer
	Mr. B. P. Dessande	--	Political Officer
	Mr. Moctar Gueye	--	Press Attache
RPF:	Col. Alexis Kanyarengwe	--	Chairman
	Maj. Paul Kagame	--	Vice-chairman
	Mr. Patrick Mazimpaka	--	Commissioner, External Relations
	LCol. Karake Karenzi	--	LO
	Cmd. Theogene Musoni	--	Field Commander
	Cmd. Sam Kaka	--	Field Commander
	Cmd. Dodo Twahirwa	--	Field Commander
	Cmd. Stanislas Biseruka	--	Field Commander
	Cmd. Theoneste Lizinde	--	Field Commander
	Cmd. Charles Muhire	--	Field Commander
	Cmd. Nyamwasa Kayumba	--	Field Commander
	Cmd. Frank Mucambage	--	Field Commander
	Cmd. Wilson Rutaisire	--	Field Commander
	Mr. Protas Musoni		
	Ms. Christine Umutoni		
	Mr. Jacques Bihozagara		
RGF:	Mme. A. Uwilingiyimana	--	Prime Minister
	Mr. F. Nzamurambaho	--	Minister, Agriculture
	Mr. F. Munyazesa	--	Minister, Interior
	Mr. L. Ndasingwa	--	Minister, Social Affairs
	Mr. A. Ngirabatware	--	Minister, Planning
	Mr. A. Gasana	--	Minister, Foreign Affairs
	Mr. E. Ruhigira	--	Director, Office of the President
	Mr. D. Sezibera	--	Director, Office of the Prime Minister
	Mr. B. Ubalijoro	--	Counselor, Technical Affairs
	Col. A. Nshizirungu	--	Counselor, Security and Defence of the Prime Minister
	LCol. B. Ndengeyinka	--	Technical Counselor
	Mr. A. Iyamuremye	--	Chief, Information Services
	Mr. C. Ntazinda	--	Counselor, Political Affairs
	Mr. T. Kabera	--	Counselor, Political Affairs
	Mr. JB Habinshuti	--	Secretary, Prime Minister
	Mr. E. Munyawshongore	--	Chief of Protocol, Prime Minister

RGF (cont.)

	Mr. G. Gatera	--	Press Attache, Prime Minister
BBTG:	Mr. F. Twagiramungu	--	Prime Minister Designate
UNDP:	Mr. A. Ly	--	Resident Representative

The meeting commenced at 1120 hrs in Kinyihira.

B.P. Dessande, Political Officer, UNAMIR:

Mr. Dessande announced the Special Representative of the Secretary-General for Rwanda.

Dr. Jacques-Roger Booh-Booh, Special Representative of the Secretary-General for Rwanda:

Dr. Booh-Booh welcomed all present, expressing his gratitude and enthusiasm for seeing the two parties brought together. He referred to the Arusha Peace Agreement and more precisely, the cease-fire agreement which call for politically mixed meetings to realize the provisions and endeavors of the Arusha Peace Agreement. The SRSG stressed the importance of a free-flowing exchange of views and concerns, recalling its past value in bringing the peace process to its current level. The importance of the many journalists present was also noted, as they are a vital link in the implementation of the mechanism of peace. General de Gaulle was quoted for referring to peace as not a word but a behavior. The SRSG reiterated that the United Nations Assistance Mission for Rwanda, bearing a commitment of neutrality and solidarity with the people of Rwanda, was uniquely designed to assist both parties in their quest for peace. The Prime Minister was then announced.

Mme. Agathe Uwilingiyimana, Prime Minister:

The Prime Minister also thanked and welcomed all present, expressing her happiness that the SRSG had taken the initiative to instigate this meeting between the two opposing parties. She stated that the time has come for the parties of meet as often as possible. The present state of UNAMIR deployment as well as the joint presence of the two parties was denoted as proof of the parties' willingness to co-operate with UN assistance. The Prime Minister recalled the spirit of peace that had been for three years lost.

SRSG

The SRSG announced the Chairman of the Rwandese Patriotic Front.

Col. Alexis Kanyarengwe, Chairman, Rwandese Patriotic Front:

Paying tribute to the United Nations Secretary-General for having promptly deployed an international peace keeping force in Rwanda, the Colonel reaffirmed his commitment to the full implementation of the Arusha Peace Agreement. He stated that Rwanda was facing a very difficult period, but everyone must be ready to pay the price of peace for the benefit of the Rwandese people, warning that on the eve of the setting up of

the transitional institutions, there were some "suicidal elements" bent on derailing the peace process in order to restart the civil war. He accused the state radio, the privately-owned Radio-Television Libre des Mille Collines (RTL), and the newspaper "Kangura" of fanning the flames of racial hatred. The Colonel challenged UNAMIR to do all it can to identify those responsible for the recent massacres, adding that UNAMIR must work without hindrance or fear of intimidation. He proposed the establishment a tri-party commission (Government, UNAMIR and RPF) to work out a possible date for the setting up of the transitional institutions and in particular the Broad Based Transitional Government (BBTG). He said only these institutions were in a position to remedy the present stalemate. In closing, the Chairman called on the political parties to readapt to the new situation of peace and national reconciliation and to act in a more mature manner.

SRSG:

The SRSG announced the Prime Minister Designate.

Mr. Faustin Twagiramungu, Prime Minister Designate (PMD):

Thanking the SRSG, expressing his pleasure with the current situation and emphasizing the importance of planning, the PMD recognized that the differences between the two parties are of several orders. Specifying the Broad Based Transitional Government (BBTG), the PMD recalled the stipulations of article 7 of the Arusha Peace Agreement, pointing out that the remaining conditions for the arrival of the BBTG were or were soon to be met (the first being the presence of UNAMIR, the second the withdrawal of the French troops and the third the deployment of the RGF and RPF battalions in Kigali). He stated that the SRSG and the Force Commander were competently in command of these aspects. He proclaimed UNAMIR to be a noncombatant force, reminding his audience that the UN presence is at the invitation of the Rwandese people. He warned that if the parties and the Rwandese people did not co-operate with the UN it would leave. The PMD declared that Rwanda had paid the price for peace which must prevail.

SRSG

The SRSG recessed the plenary and called for closed-door consultations with the two parties.

* * *

SRSG

The SRSG outlined the agenda for the meeting. The first order of business was the joint declaration (draft copies in English and French had been provided to the members of both parties). The Force Commander and the Resident Representative of UNDP would each give a briefing. The SRSG stated that nature does not like a vacuum, and that a vacuum had been created waiting for the BBTG to take over. Alluding to the recent acts of violence, the SRSG pointed out that it is natural for problems to occur under such circumstances. He also remarked that the departure of the French contingent might provide an opportuni-

ty for those opposed to the peace process to strike against it. The joint declaration, by strongly condemning acts of violence, could reinforce the unity of the bilateral front and restore faith and hope in light of the uneasiness generated by the massacres.

A long discussion took place concerning the text of the Joint Declaration. Both parties, in principle were concurrent with the substance of the text. Several semantic alterations were called for from both sides, as well as the inclusion of an indication of when the BBTG would actually take office. The final text of the declaration that was signed and released at the conclusion of the session is attached in annex.

BGen. Roméo A. Dallaire, Force Commander, UNAMIR (FC):

The Force Commander offered an update on the status of deployment of UNAMIR forces. He stressed that, within the next week, UNAMIR would be up to necessary strength as far as personnel was concerned, but the mission still lacked essential logistic, vehicle and communication support to be current with the its phase level. He felt that, should the situation remain as it is, the BBTG could take office sometime between Christmas and the New Year. The RPF battalion should also be in Kigali 3 days before the BBTG convenes.

PMD:

The PMD spoke of the plan for installing the BBTG, confirming the obstacles mentioned by the Force Commander. Meetings would have to take place between himself and the various political parties, but this aspect did not pose any problem as such encounters could be organized at short notice. He reassured that one or two political parties should not stand in the way of implementing the BBTG (citing Article 58 on powersharing).

SMSG

The SMSG request a commentary from the Force Commander on the location of the RPF battalion.

FC

The Force Commander reiterated his need for a list of plausible options for the location of the battalion. He stated that he had received two possible locations. One was clearly unacceptable, the other had been presented to the RPF for their views. The RPF had responded. The response would be analyzed and returned to the RPF within the next twenty-four hours. After further observations from the RPF, the matter would be submitted to the Government. The General declared that such oscillatory negotiations would only go through one cycle. Should the parties not be able to reach agreement within the next few days, UNAMIR would take the decision for them.

Referring to the relationship between the OAU, UNMOG and UNAMIR, the FC called for clarification of the application of articles 12, 20, 36 and 79, particularly vis a vis the DMZ and the BBTG. He requested comments by the upcoming weekend and emphasized the intimate link between UNAMIR and UNDP in connection to reconstruction, demobilization and disengagement.

Mr. Ly, Resident Representative, UNDP

Mr. Ly offered an synopsis of UNDP's involvement in the mission, citing articles 45 and 50 of the Secretary-General's report to the Security Council on Rwanda. He accentuated the importance of planned Round Tables in mobilizing funds from the donor community since they are ready to contribute. Some had even expressed their willingness to incorporate contributions into their 1993 budget. Little progress, however, had been made in the area of spontaneous refugees. He advised that should certain financial milestones not be met, the country risked being disconnected with the donor community during the demobilization and reinsertion phases. The Res Rep appealed to all present to co-operate to meet these milestones.

Mr. A. Ngirabatware, Minister of Planning:

The Minister confirmed that the question of Round Tables was high on the Governments list of priorities. He recalled that since December of 1992, the Government had called for UNDP's support in this area. In respect to the issue of spontaneous refugees, he requested that a subcommittee start work that afternoon.

Col. Kanyarengwe, Chairman RPF:

The Chairman stated that meetings had been requested to meet the financial milestones. He asked his colleague to provide details.

Mr. Patrick Mazimpaka, Commissioner, Exterior Relations, RPF:

Mr. Mazimpaka briefly summarized the progress of these committees, feeling that they were, contrary to the opinion of the UNDP Res Rep, not running well. The Coordinating Committees, despite invitations from the RPF, had not met nor had the committees on Rehabilitation and Construction. The group to plan road construction had not convened, nor had the groups for education and rural development. He accused the Government of acts of deliberate blockage.

Mr. Ly:

Mr. Ly responded that such committees may have been delayed, but this did not necessarily mean that serious problems existed.

SRSG:

The SRSG called for brevity in this discussion, citing the interest at hand was the future, not the historical snags of such working groups.

Mr. Mazimpaka, RPF:

Mr. Mazimpaka referring to the protocol of the "etat de droit" and refugees, proclaimed the return of refugees to be an incontestable right not predisposed to any conditions. The climate in the region, he added, would induce refugees to return as soon as the BBTG was in place.

PM, RGF:

The Prime Minister, responding to these comments, thanked the UN for considering not only the political and military aspects of the country but the humanitarian as well. Not wanting to add significantly to the previous statement made by the Minister of Plans, the PM felt that working groups should adhere to the letter of the text. The Government of Rwanda was ready to negotiate these problems with the RPF and encouraged work to continue. She denied deliberate blockage, countering that delays were a result in a lack of lead time provided by the RPF. She supplicated a similar discipline for visits to the RPF zone, as well as RPF support to enable the Co-ordinating Committee to meet as soon as possible.

Col. Kanyarengwe, RPF:

The Chairman, returning to the question the spontaneous return of refugees, said that the problem must be immediately addressed. If the Government had no means to resolve the problem, then the RPF should be informed in order that they could notify outside donors.

Mr. Ndasingwa, Minister of Social Affairs, RGF:

Called for the global condition of refugees to be considered. Referring to Article 33, declared that all who were in a position to return are permitted to do so. A meeting had been planned towards this end, but had been delayed due to the situation in Burundi. The Round Table to take up the matter may not be able to wait until February. The Minister referred to a letter sent by the Government to UNHCR, estimating the number of spontaneous refugees to be around 50,000, to apply for funds to meet the demand.

SRSG

The SRSG, in effort to conclude the matter, called for a panel made of up experts and technician from both parties, UNDP, UNHCR and UNAMIR to meet to study the problem and its viable solutions. He predicted a dangerous scenario should the matter not be appropriately managed: donors would not be presented with a cohesive request for funds, soldiers would be demobilized with no means for being reinserted into society, and the establishment of the BBTG would be delayed as all concerned were stalled on this one point. He recognized the concern of the RPF in this regard and assured them that between the efforts of the international community at large, UNDP and UNHCR the refugee situation would not be neglected. The SRSG referred to the UN as an organization made up of formal structures and mandates. All agencies being bound to the text of their mandate. If the text makes no provision for a specific problem, one must avoid interpretation of the

existing mandate as such endeavor only serve to hamper the process as a whole. He requested Mr. Ly to speak on the subject.

Mr. Ly

Mr. Ly highlighted the global perspective for refugees, the responsibility for their repatriation falling under the auspices of UNHCR. UNDP was in a position to study the problem, but a consensus was needed on whether spontaneous refugees should be grouped with displaced persons and, in any case, what their exact population was in terms of numbers. He felt that mixing the two groups in the same Round Table would cause delays.

Maj. Kagame, Vice-chairmen, RPF

Maj. Kagame stated that a refugee is a refugee and their spontaneous return is problematic. Mentioning that Rwandan refugees were being hunted down in Burundi and that they would be returning at the first opportunity, he challenged the Government of produce a plan.

PMD

The PMD, maintaining that the problem was polemic, supported the SRSG's earlier statement that solutions were more important than causes. He contended that the Peace Agreement was clear in stating that the Government could not refuse refugees. He solicited a clarification of mandate and funding. Should UNDP not feel this to be within their area of responsibility, then UNHCR certainly should. The PMD recommended that UNHCR conduct parallel studies to address the concern. He felt that there was, in fact, a consensus that once one refugee returns they all would, and that, between UNDP and UNHCR, the problem would be addressed.

A lengthy debate then took place as to the question of spontaneous refugees: should it be included in the current round of fund raising, what was the level of responsibility of the Government, UNDP and UNHCR in relation to their individual terms of reference, in which round table should it be included, and when all of this should take place. The Government was of the general opinion that the various international agencies were equipped to handle the situation. The RPF felt that the Government was honor-bound to more adequately address the situation regardless of the mandate of international agencies. The SRSG continued to repeat his suggestion that the question be raised in a conference between all parties concerned specifically designed for that purpose. Both sides persisted in repeating the same arguments until it was apparent that it would soon be dark. At this

point, the SRSG's recommendation for further dialogue at a different time was accepted.

The meeting adjourned at 1700 hrs.

JOINT DECLARATION ADOPTED BY THE GOVERNMENT
OF THE REPUBLIC OF RWANDA AND THE RWANDESE PATRIOTIC FRONT
AT KINIHIRA ON 10 DECEMBER 1993

At the conclusion of a meeting convened by the Special Representative of the Secretary-General of the United Nations for Rwanda -- at Kinyihira on 10 December 1993, the Government of the Republic of Rwanda and the Rwandese Patriotic Front, the parties to the Arusha Peace Agreement of 4 August 1993, adopted the following declaration:

The two parties,

Recalling the Arusha Peace Agreement between the Government of the Republic of Rwanda and the Rwandese Patriotic Front signed on 4 August 1993,

Paying tribute to the international community, for its continuing efforts in promoting the peace process in Rwanda, and in assisting in the implementation of the Arusha Peace Agreement,

Reaffirming their commitment to peace and national reconciliation and to the full implementation of the Arusha Peace Agreement,

1. Welcome the deployment of the United Mission Assistance for Rwanda (UNAMIR) and assure it of their full co-operation in carrying out its mandate as set out in Security Council resolution 872 (1993);
2. Stress the necessity and urgency of creating a peaceful environment for the establishment of the Broad-Based Transitional Government and other transitional institutions as outlined in the Arusha Peace Agreement;
3. Reaffirm their readiness to participate in the transitional institutions, as outlined in the Arusha Peace Agreement;
4. Further Reaffirm their commitment to do all that is necessary to set up transitional institutions, in collaboration with UNAMIR, before 31 December 1993;
5. Express their concern and indignation at the recent massacres and other hostilities and condemn in the strongest terms those responsible for these atrocities, and call for the respect of the dignity and human rights of all citizens and residents of Rwanda;
6. Appeal to all Rwandese to support the peace process and co-operate with UNAMIR in its efforts to assist in the implementation of the Arusha Peace Agreement.

(Signed on 10 December 1993 at Kinyihira by the Chairman of the RPF
and the Prime Minister of the Government of the
Republic of Rwanda in the presence of the SRSG)

JOINT MEETINGS

The Price Commander
UNION - KITCHEN

