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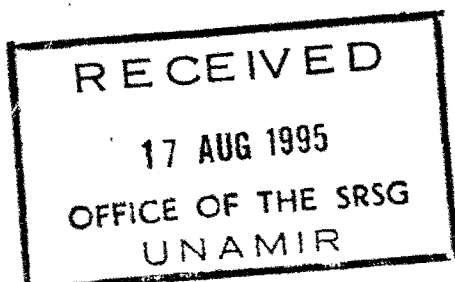
UN ARCHIVES

SERIES 5-1120

BOX 52

FILE 5

ACC. 1998/0278



CNR 228 P 1/14

OUTGOING CODE CABLE

IMMEDIATE

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 16 AUGUST 1995
NUMBER: 2740

A handwritten signature in dark ink, appearing to be "J. J. P. Ruz".

UNITED NATIONS
SECURITY COUNCIL
OPERATIONS
17 AUG 1995 P 8 34

SUBJECT: Resolution on the arms embargo

1. Re our UNAMIR-2710 of 15 August 1995, during informal consultations held this morning the Security Council finalized the draft resolution on the suspension of the arms embargo by adding the words "to the Government of Rwanda" in line three of operative paragraph 7. No other change was made to the draft, copy of which is attached (in English and French).
2. The draft was then adopted unanimously as resolution 1011 (1995) during a formal meeting held late this afternoon. The Chargé d'Affaires of Zaire participated in the debate and stressed that the resolution was not conducive to a reduction of the prevailing tension in the region. He also stated that if the situation deteriorated further, responsibility for such a deterioration would have to be borne by the Government of Rwanda, which was "threatening to attack the refugee camps in Zaire", and by the Government of Burundi which had similar "bellicose intentions".
3. Most of the members of the Council also took the floor to explain their vote. The statements made by the United States and France are attached for your information. Regards.

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SA/SRSG
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AUG 15 1995 21:23

UNITED NATIONS HQ NEW YORK

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16 AUG 1995

OFFICE OF THE SRSG
UNAMIR

OUTGOING CODE CABLE

CNR 225 P1/3

DRC

16-8-95

ED/SA

IMMEDIATE

REC 15 P 5:17

UNITED NATIONS
CIVIL OPERATIONS

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 15 AUGUST 1995
NUMBER: 2705

J. J. Nize

SUBJECT: Reaction of Zaire to the proposed lifting of the arms embargo

1. As discussed, please find attached, copy of a report on a meeting which Mr. Aliou Diallo (UNDP Resident Representative) and Cheikh Tidiane Gaye had in Kinshasa yesterday with the Prime Minister of Zaire.
2. As you will see, during the meeting the Prime Minister referred to the current deliberations of the Security Council on the draft resolution regarding the lifting of the embargo on arms supplies to Rwanda. He stressed that if the draft resolution were to be adopted by the Council, Zaire would "immediately expel from its territory all the Rwandese and Burundese refugees". Zaire would also use "all the means at its disposal, including its armed forces and, if necessary, would mobilize the civilian population against the refugees". The Prime Minister added that the Government of Zaire would also "undertake a vast rearmament programme".
3. The above information has been brought to the attention of the Office of the Secretary-General. We would be grateful, however, for any additional information which UNAMIR may have in this regard and, in particular, for your views on whether these threats should be taken seriously or whether they are simply another expression of Zaire's displeasure with the current course of events. As you are aware, the Security Council is likely to adopt the resolution on the arms embargo before the end of this week. Regards.

SRSG

Reçu le 16 AOUT 1995
ED's office

CNR 225 P2/3

Programme des Nations Unies pour le développement
Développement humain durable



FACSIMILE

DPKO

001502

15 AUG 14 P 4 19

A: - Mr. Kofi Annan
Under-Secretary-General
for Peace Keeping Operations
United Nations

DATE: 14 August 95

FAX: 212 963 9222

- Mr. Marrack Goulding
Under-Secretary-General
for Political Affairs
United Nations

FAX: 212 963 5065

cc.: Mr. Lansana Kouyate
Assistant Secretary-General
Department of Political Affairs, UN

FAX: 212 963 1323

DE: - Aliou M. Diallo
Représentant Résident
UNDP, Kinshasa/Zaire

- Cheikh Tidiane Gaye
Directeur
Bureau de liaison de la
MINUAR, Kinshasa

Aliou M. Diallo

DPKO, DUSG
*** INCOMING MAIL**
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* Action by: _____
Info copy to: *Central*
* Please return originals to Central/other: _____

- 1) Le Représentant Résident du PNUD, M. Aliou M. Diallo, a demandé le 3 août 1995, une audience au Premier Ministre du Zaïre, M. Kengo wa Dondo, pour lui présenter M. Cheikh Tidiane Gaye, Directeur du Bureau de Liaison de la MINUAR, et aussi discuter des questions d'intérêt commun.
- 2) Le Représentant Résident du PNUD et le Directeur du Bureau de Liaison ont été reçus le 14 août 1995 à 10H00' par le Premier Ministre.
- 3) Au cours de l'audience, qui a duré près d'une heure, le Premier Ministre a fait état des informations en provenance de New York selon lesquelles les Etats Unis ont parrainé un projet de résolution déposé au Conseil de Sécurité par le Rwanda et portant sur la levée de l'embargo des armes à destination du Rwanda.

- 4) Le Premier Ministre a demandé avec insistance de porter à la connaissance du Secrétaire Général que si un tel projet de résolution était adopté par le Conseil de Sécurité, le Zaïre expulsait immédiatement de son territoire tous les réfugiés rwandais et burundais.
- 5) A cet effet, poursuit le Premier Ministre, le Gouvernement du Zaïre utiliserait tous les moyens dont il dispose notamment les forces militaires, et si nécessaire, mobiliserait la population civile contre les réfugiés.
- 6) Parallèlement, le Gouvernement du Zaïre entreprendrait un vaste programme de réarmement.
- 7) Selon le Premier Ministre, tous les pays de la région des Grands Lacs sont particulièrement sensibles au problème des réfugiés rwandais avec ses conséquences néfastes au plan économique, politique, social, écologique et humanitaire.
- 8) Aussi, permettre au Rwanda de se réarmer librement ne serait-il pas le meilleur moyen d'encourager les autres pays de la région d'adopter et d'exécuter des programmes de réarmement à outrance, et ainsi d'embraser toute la région, a conclu le Premier Ministre.

Haute considération.

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16 AUG 1995

OFFICE OF THE SRSG
UNAMIR

OUTGOING CODE CABLE

CNR - 227 P1/5

ED/SPA
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IMMEDIATE

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 15 AUGUST 1995
NUMBER: 2710

SUBJECT: Security Council consultations

UNITED NATIONS
FIELD OPERATIONS
15 AUG 1995 P 8:01

1. Re our UNAMIR-2697 of 14 August, the Security Council held further informal consultations today on the draft resolution on the arms embargo, the latest version of which is attached for your information.
2. Following a proposal by the Italian Ambassador, it was agreed to add a new preambular paragraph which reads as follows: "Welcoming the improvement in the working relations between the Government of National Unity and UNAMIR and recalling the mandate of UNAMIR, as adjusted in resolution 997 (1995), in particular to help achieve national reconciliation."
3. It was also agreed to specify, in operative paragraph 8, that the restrictions on the sale or supply of arms and related material shall terminate "on 1 September 1996", unless the Council decides otherwise.
4. The French Representative suggested that operative paragraph 2 be changed as follows: "Requests the Secretary-General, as proposed in paragraph 45 of his report, to make recommendations to the Security Council, within one month, on the establishment of a Commission mandated to conduct a full investigation to address allegations of arms flows to former government forces in the Great Lakes region of Central Africa".

SRSG

Reçu le 16 AOUT 1995
ED's office

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UNITED NATIONS HQ NEWYORK

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CNR 227 P2/5

5. The U.S. Representative stressed, however, that it was time now for the Security Council to act and to establish a Commission of Inquiry, especially since the Government of Zaire had repeatedly asked for the dispatch of such a Commission to the region. He expressed the view that the Secretary-General should be given a mandate in this regard, without further delay.

6. Following bilateral consultations held this afternoon, it was agreed, as a compromise, that the Secretary-General would be requested to make recommendations on the establishment of the Commission "as soon as possible".

7. It is expected that the draft resolution will be finalized and possibly adopted tomorrow. Regards.

CNR 227P3/5

Revised Text

1.00 p.m. -15 August 1995

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolutions 918 (1994) of 17 May 1994, 997 (1995) of 9 June 1995 and 1005 of 17 July 1995,

Having considered the report of the Secretary-General on monitoring of the restrictions on the sale or supply of arms dated 9 July 1995 (S/1995/552),

Having also considered the progress report of the Secretary-General on the United Nations Assistance Mission for Rwanda (UNAMIR) dated 8 August 1995 (S/1995/678),

Emphasizing that the uncontrolled circulation of arms, including to civilians and refugees, is a major cause of destabilization in the Great Lakes subregion,

Welcoming the proposal of the Government of Zaire to establish an international commission under United Nations auspices to investigate reports of arms supplies to former Rwandan government forces,

Recognizing that the registration and marking of weapons are of considerable assistance in monitoring and enforcing restrictions on the illicit deliveries of weapons,

Noting with great concern reports of military preparations and increasing incursions into Rwanda by elements of the former regime and underlining the need for effective measures to ensure that Rwandan nationals currently in neighbouring countries, including those in camps, do not undertake military activities aimed at destabilizing Rwanda or receive arms supplies, in view of the great likelihood that such arms are intended for use within Rwanda,

Stressing the need for representatives of all sectors of Rwandan society, excluding those political leaders suspected of planning and directing the genocide last year, to begin talks in order to reach an agreement on a constitutional and political structure to achieve lasting stability,

Taking note of the letter dated 5 July 1995 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council (S/1995/547), requesting urgent action to lift the restrictions on the sale or supply of arms and material to the Government of Rwanda to ensure the security of the Rwandese population,

Welcoming the improvement in the working relations between the Government of national Unity and UNAMIR and recalling the mandate of UNAMIR, as adjusted in resolution 997 (1995), in particular to help achieve national reconciliation,

Recalling that the prohibition on the delivery of arms and material to Rwanda was originally aimed at stopping the use of such arms and equipment in the massacres of innocent civilians,

Taking note of the Council's decision in resolution 997 (1995) to reduce the force level UNAMIR, and reaffirming that the security of that country is the primary responsibility of the Government of Rwanda,

/...

Deeply concerned by the situation in Rwanda's prisons and judicial system, particularly overcrowding, the lack of judges, detention of minors and elderly prisoners, and absence of speedy judicial or administrative review of charges, and in this respect, welcoming renewed efforts by the United Nations and donor countries, in coordination with the Government of Rwanda, to initiate, on an urgent basis, measures to improve this situation,

Underlining the need for increased efforts by the Government of Rwanda in the promotion of a climate of stability and trust in order to facilitate the return of Rwanda refugees in neighbouring countries,

A

1. Commends the efforts of the Secretary-General and his Special Envoy in pursuing regional responses to the problem of illicit arms supplies in the region and encourages the Secretary-General to continue his consultations in this regard;

2. Requests the Secretary-General, as proposed in paragraph 45 of his report (S/1995/678), to make recommendations to the Security Council, as soon as possible, on the establishment of a Commission mandated to conduct a full investigation to address allegations of arms flows to former Rwandese government forces in the Great Lakes region of Central Africa;

3. Calls upon the Governments of Rwanda and neighbouring States to cooperate with the Commission's investigation;

4. Encourages the Secretary-General to continue his consultations with the Governments of neighbouring States concerning the deployment of United Nations military observers in the airfields and other transportation points in and around border crossing points and calls on the neighbouring States to cooperate with and assist these observers to ensure that arms and related matériel are not transferred to Rwandan camps within their territories;

5. Requests the Secretary-General to report to the Council within one month of the adoption of this resolution on his efforts for the preparation and convening, at the earliest possible time, of the regional Conference on Security, Stability and Development, as well as for the convening of a regional meeting to address the problems facing the repatriation of refugees as well as on his efforts;

6. Calls upon the Government of Rwanda to continue its efforts to create an atmosphere of trust and confidence for the safe return of refugees and take further steps to resolve the humanitarian problems in its prisons, and to expedite disposition of the charges against those detained;

/...

B

Acting under Chapter VII of the Charter of the United Nations.

7. Decides that, with immediate effect and until 1 September 1996, the restrictions imposed by paragraph 13 of resolution 918 (1994) shall not apply with regard to the sale or supply of arms and related matériel to the Government of Rwanda through named points of entry on a list to be supplied by that Government to the Secretary-General, who shall promptly notify all Member States of the United Nations of the list;

8. Decides also that on 1 September 1996 the restrictions imposed by paragraph 13 of resolution 918 (1994) on the sale or supply of arms and related matériel shall terminate, unless the Council decides otherwise after its consideration of the second report of the Secretary-General referred to in paragraph 12 below;

9. Further decides, with a view to prohibiting the sale and supply of arms and related matériel to non-governmental forces for use in Rwanda, that all States shall continue to prevent the sale or supply, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related matériel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts, to Rwanda, or to persons in the States neighbouring Rwanda if such sale or supply is for the purpose of the use of such arms or matériel within Rwanda, other than to the Government of Rwanda as specified in paragraph 7 above;

10. Decides also, that no arms and related matériel sold or supplied to the Government of Rwanda may be resold to, transferred to, or made available for use by, any State neighbouring Rwanda, or person not in the service of the Government of Rwanda, either directly or indirectly;

11. Further decides that States shall notify all exports from their territories of arms or related matériel to Rwanda to the Committee established by resolution 918 (1994), that the Government of Rwanda shall mark and register and notify to the Committee all imports made by it of arms and related matériel, and that the Committee shall report regularly to the Council on notifications so received;

12. Requests the Secretary-General to report to the Council within 6 months of the date of adoption of this resolution, and again within 12 months, regarding, in particular, the export of arms and related matériel referred to in paragraph 2 above, on the basis of the reports submitted by the Committee established by resolution 918 (1994);

13. Decides to remain actively seized of the matter.

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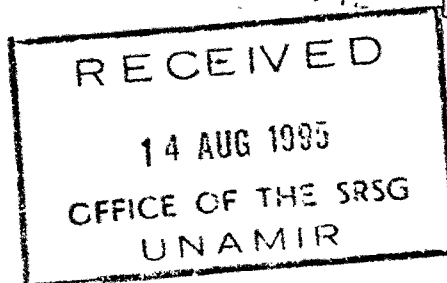
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11 August 1995



UNDER-SECRETARY-GENERAL FOR HUMANITARIAN AFFAIRS TO COORDINATE
INTERNATIONAL MEASURES TO IMPROVE RWANDAN PRISONS

Concerned over the recent reports of appalling conditions in Rwandan prisons in which 50,000 prisoners are being held, Secretary-General Boutros Boutros-Ghali has asked the Under-Secretary-General for Humanitarian Affairs, Peter Hansen to coordinate urgent measures with the Government of Rwanda and the international community to expand and improve prisons. At the same time, they will assist the Government to process expeditiously judicial proceedings against those accused of participating in the Rwandan genocide.

The official capacity of the 12 principal prisons is 12,250; these now hold over 38,000 inmates. Many other prisoners are detained in communal lock-ups. In the Gitarama prison, where the worst conditions are reported, there are 6,425 men, women, and children crammed into a space built for 600 people. The medical conditions of a large number of detainees, as well as the prospects for the spread of epidemics, are horrific. As a result, a significant number of detainees have been reported to have developed gangrene.

"The prison situation in Rwanda is a humanitarian nightmare" says Peter Hansen. "Prisons are filled up to nine times their capacity. In some instances, there are four prisoners per square metre, with no shelter from baking sun or pouring rain."

Urgent consultations are currently being held in New York, Geneva and Kigali to develop a plan to address this problem in a comprehensive manner. In order to move with utmost speed, consideration is also being given to the utilisation of military and civil defence assets to implement the plan which will be presented by the Secretary-General's Special Representative for Rwanda, Shahryar M. Khan, to the Government of Rwanda in Kigali next week.

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10/8/95

TO: KHAN, UNAMIR, KIGALI ✓

COPY: KENT, UNREO, KIGALI

FROM: HANSEN, UNATIONS, NEW YORK *PH*

DATE: 9 August 1995

NUMBER: 2637

SUBJECT: Prison Conditions in Rwanda

UNATIONS
HQS NEW YORK
10 AUG 1995 12 08 36

1. Reference my cable number 2879 of 5 August 1995 on the above subject, I would like to thank General Tousignant for the comprehensive information sent immediately after my request and the additional information from UNREO which were very useful and much appreciated.

2. Attached please find a working paper which will serve as a basis for discussions in Geneva on Monday, 14 August 1995 at an agency and donor meeting. The meeting in Geneva will seek to identify requirements for the establishment of an urgent plan of action to deal with the immediate problems relating to the prison situation, secure commitment for the necessary resources and to find an agreement on the coordination mechanism. Particular attention will be given to the possible use of military and civil defence assets (MCDA) for providing immediate assistance.

3. Shaukat Fareed, Director of my Department, will chair the meeting in Geneva and will then proceed to Rwanda to assist you in finalizing a plan of action which includes both assistance to improve the prison conditions as well as for enhancing the capacity of the Government to expeditiously process judicial cases against the prison population. I would greatly appreciate your organizing the necessary consultations with the Government and all concerned humanitarian partners. Shaukat Fareed will arrive in Kigali on Thursday, 17 August 1995 by Sabena from Brussels. I would appreciate appropriate security clearance for his mission.

Regards.

Note: Prison Conditions in Rwanda

I Background

1 Conditions in Rwanda's prisons have now become a humanitarian crisis. Over 50,000 people are now incarcerated in 12 prisons and 197 places of detention. The prison capacity is only 12,250. Most stand jammed in an outer courtyard where there is no protection from sun or rain. Sanitary conditions are appalling and the medical condition of large number of detainees, as well as the prospects for the spread of epidemics, is very serious. Death rates have been estimated to average more than 200 per month. Though Rwandan authorities have reduced to the number of arrests from 1,500 to 600 a week, the situation is still deteriorating. Actions by UNDP, UNICEF, and ICRC to alleviate the situation are continuing, but these efforts are inadequate. Since the arrests began in late 1994, in the span of less than one year, the prison population has increased by ten-fold.

2 The prospects for trials or the release of those wrongly detained are limited, although external support is focused on re-establishing the functional capacity of the Ministry of Justice.

II Current situation

3 The following shows efforts taken by GoR, UNDP, WFP, and ICRC to improve the situation in prisons.

Identified Buildings for Short-Term Use:

Kigali:	ONATRACOM (former bus station). Capacity: 12,000. Completed by the end of August.
Kigali:	Kabuga warehouse. Capacity: 5,000. Work has not started yet. Expected completion by the end of August.
Butare:	Rwandex warehouse. Capacity: 1,400. Expected completion by the end of August.
Byuma:	Oprovia warehouse. Capacity: 600. Expected completion mid-August.
Kibungo:	Warehouse. Capacity: 800. Expected completion by the end of August.
Gisanyu:	OCIR warehouse, which is currently used as a garage by the army. New site for the army has not been identified yet. Capacity: 1,400. Expected completion is unknown.
Rulima:	One building of Rulima prison. Capacity: 504. Work is not yet in progress. Expected completion unknown.

N.B. None of these temporary sites is designed to house detainees for longer than a few weeks because they lack basic sanitary and other conditions. UNREO, UNDP and ICRC emphasize

strongly that these sites can only be used for a very short time. Some prisons have been rehabilitated (Kibuye, Gisenyi, Nyanza, Byumba, Gitarama), but since the arrests continue the rehabilitation efforts have no impacts on the living conditions of the detainees

5. Identified Buildings for Long-Term Use

- Nsinda:** Construction of a brick wall for a new detention center with medical and sanitary infrastructure. Capacity: 5,000 is due to open by the end of August. (Joint action: UNAMIR has bulldozed the site; ICRC has undertaken the construction and UNDP has financed through the Trust Fund). The Ministry of Justice agreed to provide a special wing for children at the newly extended Nsinda prison. Capacity: 1,000. First talks on action started Monday 7 August between UNICEF and the Ministry.
- Gitegata:** The Gitegata re-education centre for children opened in July. 152 children were moved out of the main prisons. The center can hold 200 children. 690 detained children are estimated to exist in Rwanda.

N.B. Even with the Nsinda detention site and the seven temporary sites, the level of overpopulation in the Rwandan prisons will remain unacceptably high. The lives of the detainees in Rwandan places of detention will, therefore, remain in danger. The construction of additional detention sites following the example of Nsinda is imperative to allow for decent conditions of detention. In addition, it is absolutely essential that the number of arrests decrease and that the processing rate of the current caseload is improved

6. Support to the Judiciary System

Negotiations are underway with the GoR to deploy foreign judicial personnel as technical advisers rather than judges following the rejection by the National Assembly of a law that would allow foreign magistrates to operate in the country.

II. Quantitative Dimension of the Problem

Current Detainee Sites	Numbers of Detained
Detainees in 12 Main Prisons	38,000
Detainees in Estimated 200 Cachots	12,000
Additional Detainees Expected in August	2,500
Total Detainees at End August 1995	52,500

Current Prison Capacity	12,250
Capacity of Estimated 200 Cachots	Insignificant. They are transit centres
Total Prison Capacity	12,250

Additional Expected Short-Term Centres ¹	Detention Capacity
ONATRACOM Bus Station, Kigali	12,000
Kabuga Warehouse, Kigali	5,000
Rwandex Warehouse, Butare	1,400
Warehouse, Kibungo	800
Oorovia Warehouse, Byumba	600
OCIR (former warehouse)	1,400
Prison Extension, Rilima	500
Total Short-Term Centre Capacity	21,700
Additional Expected Long-Term Centres	Detention Capacity
Nsinda	5,000
Gitegata	200
Total Long-Term Centre Capacity	5,200

TOTAL SHORTFALL OF SPACE	13,350
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¹ Support will be needed to allow these centres to operate for more than a few weeks. Centres are to be ready by the end of August, except Gisenyi and Rilima, where no completion date is yet known.

V How to Address the Issue

7. In order to make an impact to this issue, the following two-pronged strategy should be implemented

a) To improve immediately the detainees' conditions by building transitional constructions and by improving sanitation and health conditions. This concept consists of the **quick establishment of camps (tents or prefabs) that will be extensions of existing prisons**. If possible, these camps should be built in a way that allows for their later use by local communities, e.g. schools, health facilities, etc. This **dual purpose** is a crucial asset to mobilize the necessary financial resources and to facilitate the understanding of both the CoR and local communities of the benefits of such an investment.

b) To **accelerate the processing of detainees in the prisons**. While the creation of a working judicial system is a medium-term objective, it is absolutely essential that the CoR's capacity be increased by strengthening its ability to process cases and prepare dossiers for quick action by Rwandan judges.

8. Current efforts to build up the judicial capacity must be augmented so that it can take up cases of the prisoners with only reasonable delays. In addition, the work in the area of the International Tribunal for Rwanda must also be expedited.

9. Preliminary estimates show that, using MCDA (with the prefab option), it is possible, after four weeks of an agreement, to increase the detention capacity by 150 people per day.

V Meeting in Geneva and Mission to Kigali

10. It is proposed to hold a meeting in Geneva for donors including the Military and Civil Defence Assets (MCDA) members and agencies. The meeting will establish a plan of action to deal with the immediate problems of the prison situation. As a result, it is expected that resources will be tentatively secured and the coordination mechanisms agreed on.

11. It is proposed that, following the Geneva meeting, a mission be dispatched to Kigali