

UNAWID

UNAWID'S WANDATE

7 APR 1995 - 9 MAR 1996

PLEASE RETAIN
ORIGINAL ORDER

CONFIDENTIAL
RH/WG JULY 2009

UNARCHIVES

SERIES 5-10002

BOX 182

FILE 4

ACC. 1998/0778

OUTGOING FAX NO

DATE:

09 MAR 96

TO: LT COL KSS GULERIA OFFG DIR SDIA (UN CELL) ARMY HQ, NEWDELHI	FROM: BRIG KS SIVAKUMAR for ACTG FORCE COMMANDER & NATIONAL SENIOR UNAMIR, KIGALI, RWANDA
FAX NO: 0091-11-3792426	FAX NO: 00-250-76803
SUBJECT: SECURITY COUNCIL RESOLUTION ON RWANDA	
TOTAL NUMBER OF PAGES TRANSMITTED INCLUDING THIS PAGE : FIVE	

1. A COPY OF DRAFT RESOLUTION UNANIMOUSLY ADOPTED AS RESOLUTION 1050(1996) ON 08 MAR 96 BY THE SECURITY COUNCIL IS ATTACHED HEREWITH.
2. BEST REGARDS.

Copy:
S/ Singh
Rex PROBANT

CNR 54 P 1/4

OUTGOING CODE CABLE

RECEIVED
-9 MAR 1996
OFFICE OF THE SRSG
UNAMIR

TO: KHAN, UNAMIR, KIGALI
FROM: *for* ANNAN, UNATIONS, NEW YORK
DATE: 8 March 1996
NUMBER: 673

Handwritten signature

SUBJECT: Security Council resolution on Rwanda

The attached draft resolution was unanimously adopted this afternoon as resolution 1050 (1996). Best regards.

AFC
ED
CAO
SA(SKSG)
Spoke man
Rabuc

9-3-96

UNITED
NATIONS

2/4

S



Security Council

1050

PROVISIONAL

S/1996/177
8 March 1996

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its previous resolutions on the situation in Rwanda,

Having considered the report of the Secretary-General on the United Nations Assistance Mission for Rwanda (UNAMIR) of 29 February 1996 (S/1996/149),

Welcoming the letter of 1 March 1996 from the Minister of Foreign Affairs and Cooperation of Rwanda to the Secretary-General (S/1996/176, annex),

Paying tribute to the work of UNAMIR and to the personnel who have served in it,

Stressing the continued importance of the voluntary and safe repatriation of Rwandan refugees and of genuine national reconciliation,

Emphasizing the importance it attaches to the role and responsibility of the Government of Rwanda in promoting a climate of confidence, security and trust and the safe return of Rwandan refugees,

Emphasizing also the importance it attaches to States acting in accordance with the recommendations adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons held in Bujumbura in February 1995, the Summit of Heads of States of the Great Lakes region held in Cairo on 28-29 November 1995, and the follow-up conference of 29 February 1996 held in Addis Ababa, and the importance it attaches to the continuation of efforts to convene a regional conference for peace, security and development in the Great Lakes region,

Encouraging all States to cooperate fully with the International Commission on Inquiry established by resolution 1013 (1995) of 7 September 1995,

Recognizing the importance of the Human Rights Field Operation in Rwanda in contributing to the establishment of confidence in the country, and concerned that it may not be possible to maintain its presence throughout Rwanda unless sufficient funds for that purpose are secured in the very near future,

080301

S/1996/177

English

Page 2

3/4

Concerned also to ensure the effective operation of the International Tribunal for Rwanda established by resolution 955 (1994) of 8 November 1994,

Commending the continuing efforts of the Government of Rwanda to maintain peace and security, as well as to reconstruct and rehabilitate the country,

Stressing its concern that the United Nations should continue to play an active role in assisting the Government of Rwanda in promoting the return of refugees, in consolidating a climate of confidence and stability and in promoting the rehabilitation and reconstruction of Rwanda,

Reiterating the responsibility of the Government of Rwanda for the safety and security of all United Nations personnel and other international staff serving in the country,

1. Takes note of the arrangements made by the Secretary-General for the withdrawal, starting on 9 March 1996, of UNAMIR pursuant to its resolution 1029 (1995) of 12 December 1995;
2. Authorizes elements of UNAMIR remaining in Rwanda prior to their final withdrawal to contribute, with the agreement of the Government of Rwanda, to the protection of the personnel and premises of the International Tribunal for Rwanda;
3. Welcomes the intention of the Secretary-General to submit recommendations to the General Assembly regarding UNAMIR non-lethal equipment that may be released for use in Rwanda in accordance with paragraph 7 of its resolution 1029 (1995) and calls upon the Government of Rwanda to take all necessary steps to ensure that UNAMIR personnel, and equipment which is not remaining in Rwanda, can be withdrawn without impediment and in an orderly and safe manner;
4. Encourages the Secretary-General, in agreement with the Government of Rwanda, to maintain in Rwanda a United Nations office, to be headed by his Special Representative and to include the present United Nations communications system and radio station, for the purpose of supporting the efforts of the Government of Rwanda to promote national reconciliation, strengthen the judicial system, facilitate the return of refugees and rehabilitate the country's infrastructure, and of coordinating the United Nations efforts to that end;
5. Commends the efforts of States, including neighbouring States, the United Nations and its agencies, the European Union and non-governmental organizations which have provided humanitarian assistance to refugees and displaced persons, and underlines the importance it attaches to continued efforts by the Government of Rwanda, neighbouring States, the international community and the United Nations High Commissioner for Refugees to facilitate the early, safe, voluntary and organized return of Rwandan refugees to their own country in accordance with the recommendations of the Bujumbura conference;
6. Calls upon States and organizations to continue to give assistance for the reconstruction of Rwanda and the rehabilitation of the infrastructure of the country, including the Rwandan justice system, directly or through the United

/...

.CNR 54 P 4/4

Nations trust funds for Rwanda, and invites the Secretary-General to consider whether there is a need to adjust the scope and purposes of those funds to bring them into line with current requirements;

7. Calls also upon States to contribute urgently to the costs of the Human Rights Field Operation in Rwanda, and encourages the Secretary-General to consider what steps might be taken to place the Operation on a more secure financial basis;

8. Requests the Secretary-General to report to the Council by 5 April 1996 on what arrangements have been agreed with the Government of Rwanda for the protection of the personnel and premises of the International Tribunal for Rwanda after the withdrawal of UNAMIR and on the arrangements he has made pursuant to paragraph 4 above, and to keep the Council closely informed thereafter of developments in the situation;

9. Decides to remain seized of the matter.



(UNAMIR - MINUAR)

UNAMIR

1996 FEB -2 P 7 24
OUTGOING CODE CABLE

CRJ-038 P1/6

TO: KITTANI/GOULDING/CORELL, UNATIONS, NEW YORK

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: For SHAHARYAR M. KHAN, UNAMIR, KIGALI

DATE: 2 FEBRUARY 1996

NO.: MIR - 311

NO. OF PAGES: SX

SUBJECT: PAYMENT OF COPORATE AND OTHER TAXES BY UN CONTRACTORS

THIS IS TO REPORT THAT THE UNITED NATIONS DELEGATION SENT TO KIGALI TO ASSIST WITH THE ISSUE OF CORPORATE AND OTHER TAXES DEMANDED BY THE GOVERNMENT OF RWANDA FROM UN CONTRACTORS HAD ITS LAST FORMAL MEETING ON 31 JANUARY, 1996. IT WAS HOPED THAT A FURTHER MEETING WOULD BE HELD TO-DAY 2 FEBRUARY, 1996 TO REPORT ON THE RESULTS OF CONSULTATIONS WITH UN HEADQUARTERS ON THE QUESTION OF EQUIPMENT. THIS MEETING HAS NOT OCCURRED BECAUSE WE HAVE NOT BEEN ABLE TO OBTAIN A DEFINITIVE FEEDBACK ON THE RECOMMENDATIONS MADE IN MY CABLE OF 31 JANUARY 1996 A COPY OF WHICH IS ATTACHED.

THE MEETING ON 31 JANUARY 1996 WAS HELD AFTER BOTH DELEGATIONS HAD REACHED A DEADLOCK IN THE LAST MEETING HELD ON 24 JANUARY. IT WAS A GREAT RELIEF FOR THE UN SIDE TO FIND THAT THE GOVERNMENT DELEGATION WAS WILLING TO LISTEN FURTHER TO SUPPORTING ARGUMENTS, FOR THE GOVERNMENT TO DEMONSTRATE FLEXIBILITY IN THE APPLICATION OF ITS TAXATION LEGISLATION IN THE CASE OF UNITED NATIONS CONTRACTORS SUPPORTING UNAMIR ACTIVITIES.

03/2

CL-038 2/6

IN SUMMARY, THE LEADER OF THE GOVERNMENT DELEGATION SUMMED UP THE DISCUSSION BY STATING THAT THE POSITIONS OF BOTH SIDES HAVE NOW BEEN STATED AND WHAT WAS REQUIRED IS A PRAGMATIC SOLUTION. HE STATED THAT THE GOVERNMENT IS PREPARED TO TAKE A DECISION NOT TO ENFORCE ITS TAXATION LAW WITH RESPECT TO THE UNITED NATIONS CONTRACTORS, IN LIGHT OF THE ARGUMENTS ADVANCED BY THE UNITED NATIONS DELEGATION, THAT THEIR WORK IN RWANDA IS EXCLUSIVELY FOR THE SUPPORT OF UNAMIR ACTIVITIES. HE ADDED, HOWEVER, THAT THE UNITED NATIONS SHOULD IN TURN SHOW FLEXIBILITY IN RESPECT OF OTHER PENDING MATTERS, IN PARTICULAR, WITH REGARD TO THE EQUIPMENT REQUESTED BY THE GOVERNMENT. HE ADDED THAT FOR AN OVERALL RESOLUTION OF ALL PENDING ISSUES TO BE ACHIEVED, HE WANTED TO BE GIVEN A DEFINITIVE TIME TABLE WHEN AN ANSWER ON THE GOVERNMENT'S REQUEST CAN BE OBTAINED. HE SAID HE WOULD WAIT TO RECEIVE SUCH AN ANSWER. IT IS FOR THIS REASON THAT WE SUBMITTED PROPOSALS FOR CONSIDERATION BY HEADQUARTERS TO ADVANCE THE PROCESS.

THE UNITED NATIONS DELEGATION WILL LEAVE KIGALI TO-MORROW 3 FEBRUARY 1996 ON THE UNDERSTANDING THAT THE DISCUSSIONS ARE TEMPORARILY ADJOURNED TO ALLOW CONSULTATIONS WITH A VIEW TO RESUMING IN A WEEK'S TIME, AT WHICH TIME MR. KHAN WILL HAVE RETURNED, HOPEFULLY, WITH A SOLUTION ON THE EQUIPMENT ISSUE.

SUMMARY MINUTES OF THE MEETING HELD ON 31 JANUARY ARE ATTACHED.

SUMMARY OF MINUTES ON TALKS AND DISCUSSIONS
WITH THE RWANDA GOVERNMENT DELEGATION

clm-022 3/6

SUBJECT: TAXATION OF FOREIGN CONTRACTORS AND OTHER PENDING
ISSUES BETWEEN THE GOVERNMENT AND UNAMIR

TALKS BETWEEN THE TWO DELEGATIONS CONTINUED ON 31
JANUARY FOLLOWED BY INFORMAL DISCUSSIONS ON 1 AND 2 FEBRUARY 1996.

AT A PLENARY MEETING BETWEEN THE TWO SIDES HELD ON 31
JANUARY, THE GOVERNMENT DELEGATION EXPRESSED READINESS TO FIND A
PRAGMATIC RESOLUTION ON THE ISSUE OF THE TAXATION OF FOREIGN FIRMS
PROVIDING SUPPORT TO UNAMIR BY NOT INSISTING TO APPLY THEIR LAW
WHICH REQUIRES PAYMENT OF TAXES IRRESPECTIVE OF REGISTRATION AND
ESTABLISHMENT OF FOREIGN FIRMS IN RWANDA AND PROVIDES FOR
ENFORCEMENT MEASURES TO ENSURE PAYMENT OF SUCH TAXES.

AT THE SAME TIME, THE GOVERNMENT SIDE STRESSED THAT IT
EXPECTED THE SAME FLEXIBILITY ON THE PART OF THE UNITED NATIONS IN
OTHER AREAS, IN PARTICULAR, THE ACTION TO BE TAKEN ON THEIR REQUEST
TO THE SECRETARY-GENERAL AND SECURITY COUNCIL RESOLUTION 1029 OF 18
DECEMBER 1995 ON MAKING UNAMIR EQUIPMENT AVAILABLE TO THEM.

THE GOVERNMENT SIDE INSISTED ON A CONCRETE TIME-FRAME FOR
OBTAINING A DECISION ON THAT ISSUE. THE RWANDA SIDE MADE IT CLEAR
THAT SUCH A DECISION WOULD MAKE IT EASIER TO EXPLAIN TO THEIR
GOVERNMENT THE SUSPENSION OF THE APPLICATION OF THEIR LAW ON THE
TAXATION ISSUE.

INFORMAL CONSULTATIONS BETWEEN THE TWO SIDES ON 1 AND 2
FEBRUARY INDICATE THAT THE GOVERNMENT MAY RAISE AGAIN THE QUESTION
ON INCOME TAX OF THE EXPATRIATE PERSONNEL OF THE UNAMIR
CONTRACTORS, IF A DECISION ON THE EQUIPMENT WAS NOT FORTHCOMING.

DISCUSSIONS WITH THE RWANDA DELEGATION WILL CONTINUE
LATER TODAY.



UNAMIR

42-038 4/6

OUTGOING FAX NO. 544 1996 JAN 31 PAGES 1 OF 3

MIR NO. _____

MISC NO. _____

[Signature]

TO: Ambassador Shaharyar M. Khan SRSG for Rwanda at United Nations Headquarters	FROM: Wilfrid de Souza Executive Director and Acting Chief of Mission UNAMIR, KIGALI
ATTN:	DATE: 31 January 1996
FAX NO: 963.64.60	FAX NO: 963.30.90
AUTHORIZED BY:	
SUBJECT: Disposal of UNAMIR assets	

Please find attached a proposal regarding the disposal of UNAMIR equipment which has been prepared in consultation with the delegation from New York. You may wish to use its contents in your consultations on this issue at Headquarters.

Best regards.

UNAMIR
1996 JAN 31 P 7:33

Proposal on the disposal of UNAMIR's equipment
in compliance with S/RES/1029

P2/3
CLN-28 5/6

1. The Government of Rwanda has requested on numerous occasions the Special Representative of the Secretary-General that telecommunication and broadcast equipment, vehicles, generators, office equipment and other special equipment of the United Nations Assistance Mission in Rwanda (UNAMIR) be given to the Government on UNAMIR's departure from the country. More recently, the Security Council has referred to this issue in its resolution S/RES/1029 of 12 December 1995 in the following terms: "Requests the Secretary-General to examine, in the context of existing United Nations regulations, the feasibility of transferring UNAMIR non-lethal equipment, as elements of UNAMIR withdraw, for use in Rwanda".

2. The regulations which are applicable regarding disposal of UN property are the financial regulations of the United Nations adopted by the General Assembly and the financial rules promulgated by the Secretary-General. In addition to these financial regulations and rules, the General Assembly, following recommendations by the Secretary-General and the ACABQ, adopted in its resolution A/49/233 of 1 March 1995 certain guidelines for the disposal of assets following liquidation of peace-keeping operations.

3. The strict application in the case of Rwanda of the guidelines approved by the General Assembly would result in only a marginal amount of the equipment being used by UNAMIR to remain for use in the country. In carrying out the mandate given to the Secretary-General by the Security Council in its resolution S/RES/1029, and in order to satisfy the requirements made by the Government of Rwanda, a different approach is therefore requested from the Secretariat in this case, which may on occasions depart from the above-mentioned guidelines.

4. High value items which are considered to be essential for future peace-keeping operations should be set aside and prepared for transportation out of Rwanda subject, of course, to any request that may be made by the Government in this regard and the decision required as indicated in paragraph 6 below. A great majority of items could thus be left for use in Rwanda, as requested by the Security Council, on the basis of an agreement to be concluded by the United Nations or any United Nations office established in Rwanda, as the

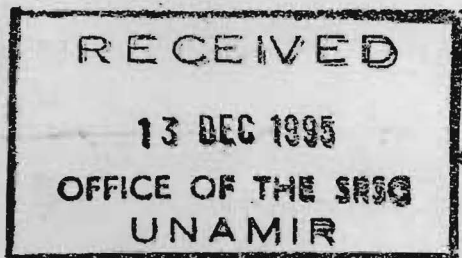
CRW-038 6/6 P 3/3

-2-

Secretary-General may decide, and the Government . The United Nations would therefore retain the ownership of the equipment while that equipment may be used in reconstruction and rehabilitation projects to be executed by the Government. The final disposal of the equipment would thus be deferred to such time as the Government and the United Nations would agree.

5. In the case the Secretariat determines that certain items are redundant or too expensive to transport out of Rwanda, these should be written-off in accordance with the relevant financial regulations and rules and may be made available to the Government of Rwanda.

6. Should the Secretariat receive any requests from the Government of Rwanda for outright donations of certain items, the Secretary-General would then, after examining the merits of the demands put by the Government of Rwanda, seek the authorization from the General Assembly for carrying out these donations.



CNR 345 P 1/19

OUTGOING CODE CABLE

IMMEDIATE

UNAMIR
1995 DEC 13 04 17 27
RECEIVED
SECRETARY GENERAL'S OFFICE
UNAMIR

TO: KHAN, UNAMIR, KIGALI
FROM: KITTANI, UNATIONS, NEW YORK
DATE: 12 December 1995
NUMBER: 3847

S. J. Rize

SUBJECT: Security Council action on UNAMIR

1. The attached text was unanimously adopted by the Security Council on 12 December as resolution 1029 (1995). We also attach two statements made by Canada and the United States in the course of the Council debate. Please note the following passage from the American statement:

Not Attached
P.O.
20 Jan

"United Nations forces have the right, indeed the obligation, to come to the aid of other United Nations and other international personnel in times of need."

2. Complete verbatim records will be sent to you as soon as available. Best regards.

*Pi. keep a copy for me.
Canada's statement is harsh but very (great)
USA looks like future.*

ED.

FC.

*Su
13-12*

SRSG only

*A
18/01*

*P.O.
18 Jan*

18/01

OUTGOING CODE CABLE

MOST URGENT

TO: KITTANI, UNATIONS, NEW YORK

INFO:VAN KAPPEN, DPKO, NEW YORK

FROM:KHAN/TOUSIGNANT, UNAMIR, KIGALI

DATE: 12 DECEMBER 1995

NUMBER:

1. REF YOUR CODE CABLE NO 3829 DATED 11 DEC 95.

2. SUBJECT TO ACCEPTANCE BY GOVT OF RWANDA AND THE SECURITY COUNCIL, THE PROPOSED STRENGTH OF 1200 FORMED TROOPS AND 200 MILOBS INCLUDING HQ STAFF AND SUPPORT STAFF (ONLY MPs) IS FUNCTIONALLY ACCEPTABLE TO UNAMIR.

3. THE PROPOSED SUB-DIVISION OF 1200 FORMED TROOPS RECOMMENDED FOR RETENTION IN THE NEW MANDATE IS AS UNDER:

(A) ENGINEERS	-	202
(B) SIGNALS	-	90
(C) NIGERIAN COY	-	133
(D) GHANAIAI COY	-	135
(E) MOV CON	-	15
(F) CMSG	-	85
(G) INDIAN BATTALION	-	540
		<hr/>
		1200

4. WE INTEND REDUCING THE MILOBS TO 140, STAFF OFFICERS TO 30 AND THE MILITARY POLICE TO 30, MAKING A TOTAL OF 200 ALL RANKS. THIS WOULD MAKE THE OVERALL STRENGTH OF UNAMIR TO 1400 ALL RANKS.

5. CONCEPT OF OPS

(A) FORMED TPS: GOVT OF RWANDA IS OPPOSED TO DEPLOYMENT OF FORMED TROOPS IN PREFECTURES. HOWEVER, DURING THE DISCUSSIONS HELD, IT WAS CLEARLY INDICATED TO THEM THAT THERE WOULD BE A REQUIREMENT TO POSITION SOME FORMED TROOPS AT NYUNDO AND SHAGASHA AS LOGISTIC OR ADMINISTRATIVE BASES FROM WHERE OWN SUPPORT ELEMENTS INCLUDING VEHICLES WOULD OPERATE AND TAKE PART IN REPATRIATION OF REFUGEES. THIS WAS NOT CONTESTED BY THE RWANDESE. WE INTEND HAVING A COY PLUS OF TROOPS, I.E. TWO PLATOONS EACH AT BOTH LOCATIONS. A COY WOULD BE EARMARKED FOR THE PROTECTION OF THE INTERNATIONAL TRIBUNAL AND REST WOULD BE EMPLOYED FOR PROVISION OF ENGINEERING, LOGISTIC AND SECURITY SUPPORT TO THE MISSION

Handwritten signature and date:
24/12

AND THE GOVT ON AS REQUIRED BASIS. EXACT DETAILS WILL BE INTIMATED ONCE THE MANDATE AND STRENGTH IS FORMALISED.

(B) MILOBS: MILOBS WILL CONTINUE TO BE DEPLOYED AROUND THE COUNTRY AS EXISTING NOW WITH THE EXCEPTION THAT THERE WOULD BE NO SUB-SECTORS BUT ONLY SECTORS. THEY WOULD HAVE FIVE SECTORS INCLUDING KIGALI AND A RESERVE HELD AT KIGALI TO MEET UNFORESEEN CONTINGENCIES. SECTORS 4 AND 5 WILL BE HEAVY IN NUMBER OF MILOBS DEPLOYED AS OPPOSED TO OTHER SECTORS. DETAILS BEING FORWARDED LATER.

6. THE ISSUE OF TRANSFERRING UNAMIR NON-LETHAL EQUIPMENT TO GOVT OF RWANDA SHOULD BE REWORDED. UNAMIR EQUIPMENT INCLUDES BOTH UNOE AND COE EQUIPMENT. UN MAY NOT BE IN A POSITION TO TRANSFER COE EQUIPMENT WITHOUT THE EXPRESS CONSENT OF TROOP CONTRIBUTING COUNTRIES AND THIS BE CLARIFIED ACCORDINGLY.

7. REGARDS.

1995-12-12 01:58

5602

UNITED NATIONS HQS NEW YORK

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12 DEC 1995

OFFICE OF THE SRSG
UNAMIR

UNAMIR

OUTGOING CODE CABLE

UNAMIR

CNR 342 P 1/2

1995 DEC 12 A 7 06

1995 DEC 12 A 7 06 IMMEDIATE

TO: KHAN, UNAMIR, KIGALI
FROM: KITTANI, UNATIONS, NEW YORK
DATE: 11 December 1995
NUMBER: 3829

S. J. Rizzo
would FC
fl. give me an
outline proposal.
Shawny
12-12
FC

SUBJECT: UNAMIR new mandate and concept of operations

*Confirmation
Khan
See memo*

1. As you know, consultations are continuing regarding the future of UNAMIR, with a new proposal to authorize the retention of 1,200 formed troops along with 200 military observers. A copy of the proposed amendments to the draft resolution submitted today to Rwanda by the "troika" are attached. On the assumption that these proposals are accepted by the Rwandese and adopted by SecCo, it will be necessary to review our concept of operation in light of the modified mandate and the reduced troop strength.
2. We would appreciate receiving your views and suggestions on this subject. In particular we need to know asap how you would propose to deploy the troops and the military observers and whether you intend to station some of them outside Kigali and, if so, where and in what numbers.
3. As you know, the Council is due to take action on the draft resolution by 12 December. It would therefore be most helpful if we could receive your response to the above questions at your earliest convenience.

Many thanks and best regards.

OPERATIONS
SHAWNY
12-12
P 403

CNR 342 P 2/2

UNAMIR
Proposed Amendments

Op 2 (d)

Contribute, in consultation with the Government of Rwanda, which retains sovereign responsibility for security in Rwanda, administrative, logistical and protective support to the International Tribunal for Rwanda as an interim measure until alternative arrangements can be put in place, but no later than March 1996, and assist the Government of Rwanda in ensuring the safety of international personnel, in case of need;

Op 3

Requests the Secretary-General to reduce the force level of UNAMIR to 1200 troops to carry out the mandate set out in paragraph 2 above;

Op 4 (new)

Requests the Secretary-General to reduce the number of military observers and headquarters and other support staff to 200;

Op 5 (new)

Requests the Secretary-General to withdraw the Civilian Police component of UNAMIR;

GESAMT S.01

1995-12-12

02:06

PAGE = 02

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18 NOV 1995

OFFICE OF THE SRS
UNAMIF

OUTGOING CODE CABLE

CNR-329 P1/2

UNITED NATIONS
OPERATIONS

IMMEDIATE

NOV 17 P 7:34

TO: KHAN, UNAMIR, KIGALI
FROM: KITTANI, UNATIONS, NEW YORK
DATE: 17 November 1995
NUMBER: 3595
SUBJECT: Meeting with the Ambassador of Rwanda

Pl. show (WHP)
cc's to EC/ED

1. On 17 November, the Ambassador of Rwanda came to see us at our request. Our intention in arranging this meeting was to dispel any misunderstanding which might have arisen between the Rwandese authorities in Kigali and UNations on the subject of the disposition of UNAMIR equipment upon the termination of the mission, as well as the question of SOFA.

2. As regards the issue of equipment, we felt that the Ambassador may have misunderstood some of the points that we had made during our 18 October meeting with him. We disabused the Ambassador of the notion that we had given the SRS full authority to decide on the disposition of the equipment in question. We explained that we had simply asked the SRS to provide UNations Headquarters with lists of equipment falling into the three relevant categories foreseen by existing rules and regulations. The SRS had done so, but the decision belonged to DPKO and other Departments concerned, as well as the appropriate UNations legislative bodies. The Ambassador pleaded guilty and assumed full responsibility for the misunderstanding. He undertook to clarify this matter promptly for the benefit of his authorities in Kigali.

3. As regards the SOFA, we confirmed that, in consultation with OLA, we had sent the necessary instructions to you. However, to our surprise, you had been informed that the Rwandese authorities preferred to have this issue dealt with in New York. The Permanent Representative expressed his personal preference for

[Signature]
20/11

CNR-329 P2/2

having this question handled in Kigali since, in his view, the outstanding issues concerned the implementation rather than the substance of the SOFA. We explained that we differed on this point since, in our opinion, the proposed changes in the SOFA touched upon an established body of practice which had been developed over the past 40 years in the administration of peace-keeping operations. We stressed, in this connection, that most of the proposed changes to the SOFA were unacceptable to this Headquarters.

4. We hope that the above clarifications will be useful for our forthcoming meeting with the Rwandese authorities next Monday.

Best regards.

UN RESTRICTED

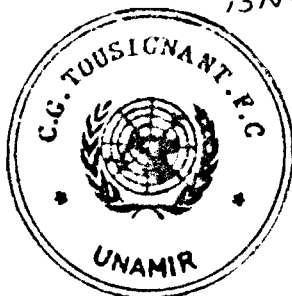
FC

①

UNAMIR NEXT MANDATE

1. Sir, as directed by you for a review of our present mandate to make our military presence more relevant and also to make our mission more peace-keeping oriented an appreciation has been made. (copy att).
2. The highlights of the appreciation are;
 - a. Consideration of the present external and internal situations.
 - b. Threat Analysis beyond 8 Dec 95, with deductions at page 6 (flag A).
 - c. Review of the mandate from page 7 - 8 (flag B).
 - d. Options for future mandate and their considerations from page 8 - 10 (flag C).
 - e. The recommended OPTIONS in order of Priority at page 11 (flag D).
3. My recommended option is option 1.

②
Sam
Let's keep on file
for future reference
Thanks. *[Signature]*
13 Nov 95



③ *[Signature]*
15/11/95

[Signature]
P/COs
4 Nov 95

UN RESTRICTED

UNAMIRS NEXT MANDATE-VIEWS AND RECOMMENDATIONS

GENERAL

1. The current mandate will come to an end on 08 Dec 95. There is thus a need to assess the security, political and humanitarian situation in Rwanda and the neighboring countries in order to foresee the relevance of UNAMIR in Rwanda beyond Dec 95.
2. UNAMIR has of now passed through four crucial stages, each representing a qualitative change from the other. UNAMIR's mandate began as an assistance and peace keeping mission and graduated to a humanitarian form due to the changed situation in and around Rwanda and the Government's stance. The Rwandan government has been successful in asserting its authority over its people and there is a semblance of law and order and normalcy in most parts of Rwanda. The situation has undergone a substantial change during the current mandate.

Review of the Situation

3. Internal (Rwanda).

- (a). **Security.** The situation has considerably improved during the current mandate, specially in Central and Eastern Rwanda. However, the Western part of Rwanda bordering Zaire is relatively tense due to the frequent incidents of armed thefts, sabotage and exchange of fire between RPA and believed to be FRGF elements who successfully infiltrate in small groups to carry out insurgent activities. The insurgent activities have increased in the past and presently restricted to the Western part of Rwanda. It has the potential to increase in intensity and magnitude in the near future and also spread to other parts of Rwanda. There have been reports of ex-FAR elements' infiltration from Uganda border. This development was unexpected and is probably due to the thin presence of Ugandan National Army in the region because of its preoccupation on the Sudanese border. Apart from the above there had been arbitrary arrests related to participation in 1994 genocide, massacre at Kanamma where about one hundred innocents were killed, thefts and human rights violations.

- (b) **Humanitarian.** Human right violations still continue. Judicial system does not exist and there have been many arrests for participation in the 1994 genocide. The condition of prisons continue to be appalling despite all possible efforts of UNAMIR. There are still over 1.5 million refugees in Zaire camps, about two to three hundred thousand in Burundi and approximately two hundred thousand in Tanzania. The refugees still await, in their perception, for the situation to improve in Rwanda.

4. **External (neighboring countries).**

- (a) **Zaire.** Zaire continues to be as unstable as ever. It is alive to the presence of such a large number of refugees in its territory. The position of Zaire regarding refugees is increasingly unclear. The deadline of 31 Dec 95 was severely compromised by President Mobutu's statement of 24 Oct when he said that they do not have to return by the end of the year and the camps may be relocated further deeper. However the threat still persists as the Kivu Province has always been difficult for Kinshasa to control. The relocation of refugee camps deeper is also likely to decrease Rwanda's concern for the threat posed by close vicinity of these camps and thus the activities of FRGF and INTERHAMWE in Rwandan territory. There is an increasing threat for the UN and NGO relief workers in Zaire. There had been various incidents involving mines and grenades around the camps. Some feel that it is to discourage relief workers from providing services in the camps which may result in increased return of refugees to Rwanda.
- (b) **Burundi.** There are about 300,000 Rwandan refugees, 200,000 Burundi refugees and 500,000 internally displaced persons in the Burundi camps. Burundi remains unstable with a delicate balance of power. The government remains ineffective and losing control over its army and gendarmerie which are Tutsi predominant. The recent fierce insurgency and counter insurgency operations in Burundi has left a sense of insecurity in society. There have also been reports of Hutu militants' incursions across Tanzanian territory when they were chased back by the Tanzanian army. The internal situation in Burundi continues to be delicate and causing anxiety in the region. Though the crises is continuing for the past few months, it is likely to deteriorate in the near future. The crises, if erupts, will certainly have an adverse impact on the region and the already worsened refugee problem. There will then be yet another population

movement in this region. Most Rwandan refugees being Hutus may prefer Tanzania and Zaire as their destination. Tanzania is likely to be less amenable to accept refugees due to the recent border clash with Hutu militants from Burundi side.

(b) **Tanzania.** The first ever multi party elections were held on 29 Oct 95 in Tanzania. The results are not yet clear however these were marred by allegations of confusion, disarray and rigging. Tanzania is also losing its patience on refugee issue and has closed its borders to refugee traffic which may assist in channeling the Rwandan refugees from Burundi to Rwanda. It continues to be neutral towards Rwanda politically.

(c) **Uganda.** Uganda supports the cause of RPA government. Thus there is an amicable understanding between the two and RPA can request to increase military vigilance along the border to stop the reported infiltration of FRGF elements. However its army is quite preoccupied on the border with Sudan.

5. **FRGF Activities.** At the end of the 94 war, about 35,000 soldiers crossed over to Zaire with most equipment which included 37 mm anti aircraft guns, 105 mm howitzers and a number of AML armoured cars. These are guarded by the Zairian soldiers. There are reports of platoon and company level training being conducted in the past. They were also reported to be reorganizing their command and control structure in order to start some sort of activities into Rwandan territory. There also seems to be an understanding between Zairian forces and INTERHAMWE for operations in Rwanda. It has embarked upon the insurgency operations in the Western part of Rwanda in order to maintain the resolve of its cadre and aspirations of Hutu population which was fading with the prolonged inactivity. They had been inactive for long probably due to the preparations needed for military activities. Their elements are able to successfully infiltrate in small groups to carry out insurgent tasks like sabotage, killings, thefts and ambush including planting of mines on the frequented routes by RPA. Their immediate aim may be to destabilise the RPA government in order to render it ineffective to deal with such activities and thus loss of confidence in it by the people of Rwanda. They have restricted the insurgent activities to the Western part of Rwanda but the near future may see its spread to other parts as well. It is likely to endeavor to establish bases in the Hutu dominated areas inside Rwandan territory while maintaining the external ones in Zaire. Thus there is likely to be increase in the intensity and magnitude of insurgent activities.

Threat Analysis Beyond 08 Dec 95

6. The threat to peace and stability, which has so far been achieved, can be perceived at this stage on the present situation in the country and the various activities carried out by FRGF both within and outside the state. The kind of situation which would actually emerge will in all probability hinge on two crucial factors, namely the presence or otherwise and the role of UNAMIR and the, actions, both internal as well as external, by the FRGF. Since the aim of this appreciation is to determine the former we shall restrict ourselves to the threat in isolation .

Internal Threat

7. **Insurgent Activities** During the last three months a number of incidents of sabotage , selective killings, organized attacks and ambushes on the RPA positions have occurred which clearly indicates that the FRGF have been able to establish bases for launching the insurgency phase of its operations in Rwanda. Recent operations by the RPA in the Gishwati and Nyungwe Forests attest to this fact . If this be the situation now, the scenario after 08 Dec could well be mining of roads and tracks, disruption of lines of communications, sabotage and creating a sense of panic among the local population so that they lose confidence in the Government. Initially this would be restricted to the Western part of Rwanda bordering Zaire ie Cyangugu, Kibuye, Gyseni and Ruhengeri Prefectures, but progressively as they gain confidence and internal bases in Hutu dominated areas it is likely to spread to other parts of Rwanda including Kigali. The aim of this could be threefold. Firstly, to destabilise the Government and force them to respond to its activities and thereby making the populace realize that it is unable to provide for their security. Secondly, keep the issue alive in the international fora with a view to bring the present government on the negotiating table and thus gain a bargaining edge; and lastly if the second option does not make a headway gain adequate time and space for launching a conventional offensive with or without external support.

8. **Political** The present Government in Rwanda does not surely represent the complete population as it is not a democratically elected one . While there is some

semblance of power sharing between the two ethnic tribes, the actual authority continues to rest with a selected few. Overtly it may appear that the country is politically stable but as long as the process of reconciliation is incomplete there is always a possibility of the system falling apart in no time.

9. **Role of RPA** It is unfortunate that RPA also continues to remain a threat to the local population specially in remote areas. Arbitrary arrests have been on the rise since August. The general population in some of the border communes are extremely fearful of the RPA to the extent that people had to flee from their houses to safer communes. Reports of cattle rustling, extortion and killings have also been received. The worst example is, of course, the Kanama massacre (Gyseni Prefecture) in Sep 95 in which over 100 people including women and children were killed without reason.

External Threat

10. **Military** As already indicated above, the FRGF does have this option of launching a conventional attack on Western Rwanda for which they do have the requisite resources both in terms of manpower and equipment. However what they do lack at the moment is combat training and high morale, both of which have no substitutes except time and good leadership. It would therefore be prudent to assume that the earliest the FRGF can venture this option is early next year based on the success it gets in the insurgency operations.

11. **Humanitarian** The return of refugees from camps in Zaire as well as neighboring countries has not commenced on the scale it was anticipated. There are still over 1.5 million refugees awaiting return and this is a mammoth task ahead for the international community as well as the local government. As long as the refugees are in the camps outside the country the problem in Rwanda will continue to be reflected in some form or the other. The present Government is ill equipped to handle this task on its own as it lacks the necessary infrastructure. Events of August 95 would confirm that an integrated effort by UNHCR, UNAMIR and other NGO's can only ensure their smooth and safe repatriation. This operation will also have to be undertaken on a war footing at the earliest as Zaire is soon likely to show signs of impatience due to security and financial constraints. The Zairian Government's deadline of 31 Dec is an indication to this effect. Considering the fact that all agencies put together can only handle a maximum of 20000 refugees a day, it would take over six months to complete the process. Any forced repatriation by the Government of Zaire after the deadline could

cause utter chaos and confusion resulting in a possible civil war, which in turn, could lead to instability in the region and specifically in Rwanda. The voluntary returnees figure of 20,000 per day seems to be grossly unrealistic seeing the voluntary returnees till date.

Deductions

12. From the aforesaid facts the following deductions emerge:-

- (a) The FRGF will increase its insurgent activities in areas close to western borders. It will gradually spread to other parts and its intensity is likely to increase with time.
- (b) Terrorist attacks in major towns and capital Kigali would create instability in the country.
- (c) Conventional offensive by the FRGF may be anticipated, once insurgency gains momentum and external support by vested interests is guaranteed.
- (d) Reconciliation is the key to lasting political stability in the country.
- (e) Infiltration cannot be stopped by RPA alone if it is expected to control the internal situation as well as tackle the refugee inflow.
- (f) Return of refugees is paramount for return of normalcy in the country.
- (g) Safe , smooth and voluntary return of refugees can only be ensured by a integrated organization comprising of UNHCR, UNAMIR and other NGO's.
- (h) Any increase in the insurgent activity will have a corresponding effect on the attitude of the RPA towards the locals resulting in more atrocities.
- (j) The judicial system does not exist and thus human rights violations and appalling conditions in prisons are likely to continue.

Review of the Current Mandate

✓ 13. The Security Council Resolution 997(1995) dated 09 June spells out the adjusted and extended mandate upto 08 Dec 95. The role and specific tasks assigned to UNAMIR pertains to the following issues:-

- (a) Assist to achieve national reconciliation within the framework of Arusha Agreement.
- (b) Assist Rwanda Government's efforts to facilitate the voluntary and safe return of refugees.
- (c) Support the provision of humanitarian aid.
- (d) Assist in the training of national police force.
- only one
related
to peacekeeping ** (e) Contribute to the security of UN personnel and premises, International Tribunal for Rwanda including fulltime protection for the Prosecutor's Office and Human Right offices.

14. The above mandate drastically reduced the tasks of UNAMIR since there was a sharp reduction in the troop level. While there was adequate scope for both MILOBS and CIVPOL Observers to function and contribute to the overall improvement of the situation, the Formed troops had hardly any Peace-keeping role to play. Infact, task at para 13(e) was the only well defined task which was also secondary in the form of only contribution. Provision of humanitarian aid for which formed troops were employed actually does not fall in perview of their primary tasks. The presence of troops for confidence building so that refugees return to their home communes could also not be accomplished. This can be attributed to the fact that patrolling by them to show their presence was not part of the mandate and the deployment restricted by the understanding with the Rwandan government.

15. It is therefore essential that the following issues need to be considered while deliberating on the proposal of revision and extension of the current mandate:-

- (a) Monitoring of the border situation by UNAMIR has now become relevant. Such monitoring should not be restricted to unarmed MILOBS but also formed troops.
- (b) UNAMIR should be responsible for promotion of security and confidence upto the lowest administrative zone. This can be achieved through continuous patrolling by formed troops in addition to MILOBS who should also continue to perform this task as hithertofore.
- (c) The presence of UNAMIR as a deterrence is essential in all prefectures to avoid repetition of incidents like Kanamma.
- (d) An integrated approach involving all agencies has to be applied to ensure voluntary and safe return of refugees.
- (e) A two pronged strategy, as under, has to be applied to achieve national reconciliation within the framework of Arusha Agreement:-
 - i) Reconciliation at the leadership level of the two ethnic tribes through the good offices of the SRSG.
 - ii) Reconciliation at the grassroots level through MILOBS and formed troops .
- (f) The term Humanitarian aid, should be confined to civilian assistance in the form of aid provided by UNDP and Engineering support tasks.
- (g) UNAMIR should continue to train the police and help in the revival of the judicial system. The overcrowding in the prisons can only be reduced once the judiciary becomes responsive.

Options for Future Mandate

16. The options considered below are derived from the deductions arrived at from threat analyses, unaccomplished tasks and lessons learnt from the current mandate and the ground situation prevailing now.

- (a) OPTION-1 Maintain status-quo in terms of strength of forces with suitable amendments to the mandate with a view to make military presence relevant.
- (b) OPTION-2 Reduction in the formed troops strength(minimum required for Engg tasks ,protection of International Tribunal and local security duties) with increase in the strength of MILOBS.
- (c) OPTION-3 Convert the mission into a **MILITARY OBSERVER and CIVILIAN ASSISTANCE Mission in RWANDA (UNOCAMIR)** with increased strength of MILOBS.
- (d) OPTION-4 Complete withdrawal of UNAMIR from Rwanda.

Consideration of Options

17. Option 2 is ruled out since it has numerous inherent problems of security, operational viability and a negative reflection of UNAMIRS presence in the country. **IMPLICATIONS** of other options are given in the succeeding paragraphs.

18 Option-1

- (a) This may not be accepted by the Rwandan Government for reasons of infringement (alleged) of their sovereignty.
- (b) The functioning of NGO'S and other UN agencies are secured.
- (c) Presence of formed troops would instill a sense of confidence amongst the local population.
- (d) RPA's actions are subject to scrutiny.
- (e) Military presence of UNAMIR can deter misadventure by external forces in disturbing the peace in the country.

- (f) Safe and smooth return of refugees within a reasonable time frame is possible.
- (g) Presence of UNAMIR forces in Rwanda will also ensure regional stability.
- (h) Paragraph 3(b) of the Security Council Resolution 997 (1995) of 9 June 95 could be amended as under to make the Military presence more relevant :-

Facilitate the voluntary and safe return of refugees and their reintegration in their home communes, and, to that end, to support the government of Rwanda in its ongoing efforts to promote a climate of confidence and trust through the performance of patrolling and monitoring tasks throughout the country with formed troops, military and police observers

19. Option -3

- (a) Likely to be acceptable to the Government of Rwanda as this option guarantees ongoing aid to the country.
- (b) This has a negative effect on the regional stability.
- (c) Reconciliation at the grassroots level may not move at the desired pace.
- (d) Strength of MILOBS would have to be increased so that monitoring of the situation in the Communes is not affected.
- (e) Functioning of the Human rights officers would be adversely effected due to lack of security.
- (f) The International Tribunal for Rwanda will have to be shifted to a neutral country or alternatively armed security provided by organizations like OAU or a contracted security firm.
- (g) The aims of UNAMIR in the present mandate can be achieved at greatly reduced cost in view of the ongoing financial crunch in the UN.

20 **Option -4** The positive aspects mentioned at para 18 and 19(Option 1 and Option 3) are obviously negated. This approach is also unlikely to find favour with all donor countries as it will adversely effect the return of refugees. UNHCR, other UN agencies and NGO'S may find it difficult to operate in such a scenario. Finally, closure of the mission at this critical juncture would be a retrograde step as the mandate laid out in Resolution 997(1995) of 9 June 1995 remains unaccomplished.

Recommended Priority

21. The recommended priority is as under:-

Priority-1 **Option 1**

Priority-2 **Option 3**

Priority-3 **Option 4**

Priority-4 **Option 2**

CNR 312 P 1/1

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TO: KHAN, UNAMIR, KIGALI
FROM: Mr ANNAN, UNATIONS, NEW YORK
DATE: 27 October 1995
NUMBER: 3392

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OPERATIONS
27 OCT 21 P 0-31

SUBJECT: UK position on the future of UNAMIR

1. Mr. Derek Plumbly, Head of Chancery at the UK Mission, came to see us on 26 October to convey the views of his Government concerning the future of UNAMIR. They consider that there is no valid case for the continued presence of formed UNations troops after 8 December. The troops are, in their view, under-employed now and it would be difficult to devise a useful set of tasks for them in the next mandate. On the other hand, the UK feels there would be room for a UNations presence headed by a Special Representative, consisting mainly of Milobs and Human Rights monitors who would act as the eyes and ears of the international community. The British Government did not accept the argument that military observers might be subject to intimidation in the absence of formed troops.

2. Continuing, Mr. Plumbly indicated that there was also a valid case to be made for the protection of the International Tribunal which might require the retention of a small military unit. It was important to avoid giving the impression that the UNations was disengaging from Rwanda. In particular, radio UNAMIR should continue its programmes which were seen as playing a useful role. In the course of his recent visit to London, General Kagame had "conceded" to Lady Chalker that if the international community so wished, some UNations presence could be retained. Concerning the SecGen's forthcoming report to the SecCo, the UK considered that it would be preferable if it contained specific recommendations as to the future of UNAMIR, rather than a list of options. The latter would only result in a protracted debate in the Council. Best regards.

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28 OCT 1995

OFFICE OF THE SRSG

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27 OCT 1995

OFFICE OF THE SRSG
UNAMIR

OUTGOING CODE CABLE

CNR 309 P 1/3

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 26 October 1995
NUMBER: 3380
SUBJECT: UNAMIR's Mandate



1. Many thanks for your very useful MIR-3675 of 24 October 1995. Indeed time is pressing and it is necessary that specific progress be achieved very soon in your current consultations with the Government of Rwanda on the future of UNAMIR. We hope that our comments below will prove helpful in the forthcoming meeting with your Rwandese interlocutors on 31 October.

2. Concerning your para. 2 (i), you may wish to remind the Rwandese that UNAMIR, though called an "assistance" mission, was obviously never intended to be a channel for humanitarian or development aid. It was designed to help implement the military/security aspects of the Arusha Agreements. The type of assistance which the Rwandese seem to have in mind is a function of UNDP and the UNations agencies, not of peace-keeping and certainly not of Milcbs.

3. Concerning your 2 (ii), we consider that it is important to disabuse the Rwandese Government of the notion that the UNations

CNR 309 P 2/3

- 2 -

is pressing for an extension of the mandate and is prepared to make concessions to the Rwandese in exchange for their consent. It may be useful to remind the Rwandese that peace-keeping operations are not deployed as "a favour" to the international community, but at the request of the host country in response to a particular need. You may in fact wish to point out to your interlocutors that, in the absence of such a request, we will have no choice but to proceed with preparations for the withdrawal of UNAMIR after 8 December. At a time of increasingly scarce resources, there should be no misunderstanding on this point. We are not there to "drum up" business for ourselves and would certainly be ready to phase out at any time, should that be the wish of the Government of Rwanda.

4. It is essential for the Rwandese Government to clarify, as soon as possible, its stands on this issue, so that we can proceed with our planning in an orderly manner. The sooner they clarify their position, the better.

5. You might add that the international community is not likely to react favourably to the argument that the quid-pro-quo for accepting a continued UNations presence is a commitment by UNAMIR that it would leave equipment behind upon its withdrawal. In this connection, the decision to relinquish any such equipment upon closure of the mission will, as already discussed, be determined on the basis of well-established UNations rules and

CNR 309 P 3/3

- 3 -

regulations which must apply equally to all peace-keeping operations.

6. Concerning your para. 3, we fully endorse your analysis in 3 (iv) of the reasons why a further reduction of UNAMIR troops is feasible only as part of a complete withdrawal of the formed infantry units. In this connection, the suggestion in 3 (v) for a specific increase in the UNAMIR troop strength cannot be entertained in the climate currently prevailing in the Security Council. We would, however, appreciate clarification of your suggestion for "fine-tuning" the mandate to make our military presence relevant.

7. In the meantime, we will continue to press the Rwandese Permanent Representative here for clarifications on the views of his Government. As indicated in our cable 3316 of 19 October, we expect a reply from the Rwandese Ambassador by end of this week. We shall also continue to seek the views of interested Governments on the future mandate of UNAMIR.

9. We will of course keep you fully informed of developments at this end. Best regards.

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27 OCT 1995
OFFICE OF THE SRSG
UNAMIR

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CNR 309 P 1/3

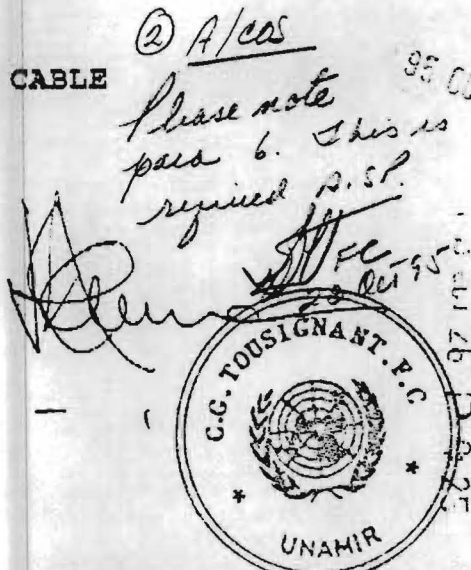
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27-10-95

95 OCT 27

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TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 26 October 1995
NUMBER: 3380
SUBJECT: UNAMIR's Mandate



1. Many thanks for your very useful MIR-3675 of 24 October 1995. Indeed time is pressing and it is necessary that specific progress be achieved very soon in your current consultations with the Government of Rwanda on the future of UNAMIR. We hope that our comments below will prove helpful in the forthcoming meeting with your Rwandese interlocutors on 31 October.

2. Concerning your para. 2 (i), you may wish to remind the Rwandese that UNAMIR, though called an "assistance" mission, was obviously never intended to be a channel for humanitarian or development aid. It was designed to help implement the military/security aspects of the Arusha Agreements. The type of assistance which the Rwandese seem to have in mind is a function of UNDP and the UNations agencies, not of peace-keeping and certainly not of Milobs.

3. Concerning your 2 (ii), we consider that it is important to disabuse the Rwandese Government of the notion that the UNations

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CNR 309 P 2/3

- 2 -

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4. It is essential for the Rwandese Government to clarify, as soon as possible, its stands on this issue, so that we can proceed with our planning in an orderly manner. The sooner they clarify their position, the better.

5. You might add that the international community is not likely to react favourably to the argument that the quid-pro-quo for accepting a continued UNations presence is a commitment by UNAMIR that it would leave equipment behind upon its withdrawal. In this connection, the decision to relinquish any such equipment upon closure of the mission will, as already discussed, be determined on the basis of well-established UNations rules and

CNR 309 P 3/3

- 3 -

regulations which must apply equally to all peace-keeping operations.

6. Concerning your para. 3, we fully endorse your analysis in 3 (iv) of the reasons why a further reduction of UNAMIR troops is feasible only as part of a complete withdrawal of the formed infantry units. In this connection, the suggestion in 3 (v) for a specific increase in the UNAMIR troop strength cannot be entertained in the climate currently prevailing in the Security Council. We would, however, appreciate clarification of your suggestion for "fine-tuning" the mandate to make our military presence relevant.

7. In the meantime, we will continue to press the Rwandese Permanent Representative here for clarifications on the views of his Government. As indicated in our cable 3316 of 19 October, we expect a reply from the Rwandese Ambassador by end of this week. We shall also continue to seek the views of interested Governments on the future mandate of UNAMIR.

9. We will of course keep you fully informed of developments at this end. Best regards.



UNAMIR - MINUAR

OUTGOING CODE CABLE

IMMEDIATE

TO: ANNAN/GOULDING/HANSEN, UNATIONS, NEW YORK

INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

DATE: 24 OCTOBER 1995

NO.:

MIR

NO. OF PAGES: 4

SUBJECT: UNAMIR'S MANDATE

1. Please refer to my previous code cables on the above subject.
2. As we near the date for the conclusion of the present mandate, now only six weeks away, the following parameters have emerged in bolder relief:

i) The Rwandese Government has given no indication that it has changed its position that UNAMIR's present mandate should end after December 9 when the military component (essentially formed troops) should phase out. The Rwandese Government may accept Milobs, some Civpol trainers and possibly a small (300) contingent of formed troops for guard duties. The Rwandese Government feels that UNAMIR should convert itself into a civilian assistance mission aiming to channel UN aid into Rwanda.

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ii) **The Rwandese Government** is aware of the positive role that UNAMIR's continued military presence would play in the critical 6-12 months ahead to persuade refugees to return voluntarily. It is aware also that a phase-out of UNAMIR troops at this critical juncture would be viewed with concern by donor countries, UNHCR and other agencies. Rwanda leaves itself "open to persuasion" by the international community for the continuation of the current mandate. Any agreement to continue the mandate would be presented as a "favour" to the international community for which a quid-pro-quo would be expected. This would take the form of matériel to be left behind on conclusion of the mandate.

iii) **Rwanda** feels it is likely to gain maximum advantage by allowing negotiations to take place nearer the time of the mandate's termination.

iv) As far as the **UN** is concerned, it has a completely neutral view on the extension of the current mandate for a further period. Unlike the negotiations for the present mandate, in June, when the UN had a clear interest in staying on even in reduced form, the UN has no particular preference and would willingly phase out after the current mandate.

v) **Only the donor countries** (minus USA?), UNHCR and UN Agencies appear keen that UNAMIR should continue its mandate as, otherwise refugee return could be adversely affected. Zaire, Tanzania and OAU are likely to adopt a similar approach, as may the non-aligned caucus in the Security Council. Incidentally, the majority of people in Rwanda, though not necessarily the ruling elite, would also prefer UNAMIR to stay on in Rwanda mainly for security reasons.

Conclusion

3. Given the parameters stated above, the following broad conclusions may be drawn:

i) It is in our interest to engage the Rwandese immediately in discussions on the future mandate. The Rwandese Government should be asked to reveal its hand on the issue at all levels, eg, in New York, through friendly delegations and secretariat demarches, and here in Kigali.

CH-366

ii) It is important that the Security Council should be made aware of the need to engage in discussions **now** rather than close to the wire which would be Rwanda's preference.

iii) It needs to be made clear to the Rwandese government that the UN is willing to phase-out after 9th December.

iv) It should be made clear to Rwanda and to Security Council members that a further reduction in formed troops is not feasible because a) we cease to be an operational unit, b) we are unable to provide the security and logistic back-up that is expected of us to induce refugee return, c) we give the negative image of "garrison Kigali" in which peace-keepers are seen only to be protecting themselves and d) we are not capable of fulfilling our mandate particularly if events turn ugly. Therefore, a reduction of our formed troops is not feasible. However a reduction from 320 to 280 Milobs and from 120 to 55 Civpol is possible.

v) Ideally, we need an additional two companies in the prefectures (Kibuye and Gitarama) where we currently have no presence. Moreover if we are to continue, the relevant subparagraphs of our mandate should be fine-tuned so that our military presence in Rwanda becomes relevant.

vi) An indication may be given to Rwanda that as much material as possible (ie that is redundant or is counter-productive to transport elsewhere) would be left behind.

Recommendations

4. Based on the above conclusions, I would recommend the following course of action:

i) We may take advantage of President Bizimungu's visit to New York for the 50th Anniversary Celebration and place the ball squarely in his court regarding his government's stand in UNAMIR's future mandate. I shall endeavour to do the same with Vice-President Kagame who has just returned from a visit to UK.

ii) The UN may also make it clear to President Bizimungu that it is prepared to phase-out.

iii) It should also be explained to Rwanda and to Security Council members that a curtailment of the military contingent is not feasible.

iv) Important donor countries and Security Council members may also take the opportunity of President Bizimungu's presence in New York to inform him of their expectations of Rwanda regarding the future mandate.

v) In Kigali, during my next round of negotiations with the Rwandese delegation planned for 31 October, I may be authorised to make points at para 4 (i-iii) above.

Best regards.

CNR 305 P 1/3

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24-10-95

RECEIVED
OPERATIONS
23 OCT 1995

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 23 October 1995
NUMBER: 3345
SUBJECT: Future of UNAMIR

[Signature]
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Please find attached copy of the letter dated 18 October 1995 that the SecGen has addressed to the SecCo regarding the future of UNAMIR.

Best regards.

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THE SECRETARY-GENERAL

CNR 305 P 2/3

18 October 1995

Dear Mr. President,

I have the honour to refer to my progress report dated 7 October 1995 on the United Nations Assistance Mission for Rwanda (S/1995/848). In paragraph 53 of that report, I indicated that in view of the acute financial crisis currently faced by the Organization, I had requested my Special Representative to study the possibility of a substantial troop reduction and that I would be reporting to the Security Council in due course on this matter.

I have now received from my Special Representative and the Force Commander their assessment of the implications of a reduction in UNAMIR's troop strength before the end of its current mandate on 8 December 1995. Members of the Security Council will recall in this connection that, in accordance with resolution 997 (1995) of 9 June 1995, the number of UNAMIR troops was reduced over the past four months from 5,500 to 1,800 all ranks. My Special Representative and the Force Commander have stressed that any further troop reduction would seriously affect UNAMIR's ability to discharge the tasks entrusted to it under its current mandate. In view of this assessment and the possibility of major repatriations of refugees to Rwanda, and taking into account the situation in Rwanda and the subregion as described in my report, I have decided, after careful consideration of the matter, not to pursue the idea of reducing the UNAMIR troop level at this time.

His Excellency
Professor Ibrahim A. Gambari
President of the Security Council
New York

CNR 305 P 3/3

I have, however, instructed UNAMIR to prepare the necessary contingency plans, so that it may be in a position promptly to implement any decisions which the Security Council may take regarding the mandate of this operation beyond 8 December. It will be recalled, in this connection, that in my progress report of 7 October on UNAMIR (S/1995/858), I had stated that it is now time for the Government of Rwanda and the International Community to give serious consideration to the future role of the United Nations in Rwanda. My Special Representative is currently consulting the Government of Rwanda on this matter. I will submit appropriate recommendations to the Security Council in due course, taking into account the position of the Government of Rwanda and the views which Member States may wish to express in this regard.

Please accept, Mr. President, the assurances of my highest consideration.



Boutros Boutros-Ghali

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20 OCT 1995

OFFICE OF THE SRSG
UNAMIRUNITED NATIONS
OPERATIONS

TO: KHAN, UNAMIR, KIGALI

FROM: ANNAN, UNATIONS, NEW YORK

DATE: 19 October 1995

NUMBER: 3316

SUBJECT: Conversation with Permanent Representative of Rwanda

1. The Permanent Representative of Rwanda came to see us on 18 October at our request to discuss the future status of UNAMIR. We pointed out that we were yet to hear about his Government's position on this subject, since no clear indications were being given by the Government in your discussions with them. We stressed that, for planning purposes, we needed this information within two weeks, since we wished to ensure that our decision as to what was operationally and financially feasible in this regard should fully take into account the Rwandese position. We therefore asked him to press his Government for an early reply, failing which, we told him, we would have no option but to proceed on the assumption the mission will close upon the expiration of its mandate on 8 December.

2. Ambassador Bakuramutsa promised to convey these points to his Government and to get back to us next week. We agreed, however, that the substantive discussions on this issue would have to continue in Kigali. You therefore should press for clear presentations by the Government of its position. We hope these will be forthcoming after our démarche here.

Best regards.

FC
(ED)Joa.
20/10A
13/n

++ CYCY ++
10-19 23:17

5302

UNITED NATIONS HQS NEW YORK

066 P

CNR - 300 P1/1

FC
ED

UNITED NATIONS
DEVELOPMENT OPERATIONS

OUTGOING CODE CABLE

TO: 001 19 2 7 14
KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 19 October 1995
NUMBER: 3315
SUBJECT: UNAMIR Mandate

[Handwritten signature]

RECEIVED
20 OCT 1995
OFFICE OF THE SRSG UNAMIR

Following our telephone conversation of 19 October, I wish to confirm our understanding regarding the rotation of UNAMIR Milobs whose tours of duty are due to expire prior to 8 December. We will ask the governments concerned to extend the tours of these observers until 8 December, by which time we will know the future status of the mission. Milobs whose governments are unable to extend their tours will be repatriated without replacement.

Best regards.

SRSG

*We should keep
our M.LOBs until
8 Dec. Perceptions are
everything and we should
not send a signal that
we are giving up the game.*

[Handwritten signature]

20 Oct 95



*The position is
should be Milob's rotation
in now it kept on Camp
not stable). Grateful for your
views.*

*See
20.10*

FC.

CNR - 301 P1/1

OUTGOING CODE CABLE

RECEIVED

20 OCT 1995

OFFICE OF THE SRSG
UNAMIRUNITED NATIONS
OPERATIONS

TO: KHAN, UNAMIR, KIGALI

FROM: ANNAN, UNATIONS, NEW YORK

DATE: 19 October 1995

NUMBER: 3316

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Best regards.

(4) For filing
21 Oct 95

FC
(E)

(3) yes. I agree.
We have drawn up
some recommendations
points
20/10



(2)

SRSG

We should see
The Vice President
on this issue!

30 Oct 95



CRN 359

OUTGOING CODE CABLE

TO: ANNAN/GOULDING/MEDILI, UNATIONS, NEW YORK

INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar M. Khan

DATE: 17 OCTOBER 1995

NO.: MIR 3612

NO. OF PAGES: 3

SUBJECT: TUESDAY 17TH MEETING ON THE MANDATE

1. The Tuesday Meeting between the Rwandese Government side, led by Claude Dussaidi, and UNAMIR was held at 10 a.m. After the formal meeting, Dussaidi and his senior colleagues had an informal meeting with me on the issues raised at the formal meeting. The following is a summary of the meetings:

The Mandate

2. Dussaidi gave no inkling at the formal meeting on Rwanda's views on what shape or form UNAMIR was expected to adopt after December 8. In the informal meeting, he indicated that Vice-President Kagame was "completely flexible" about UNAMIR's status. He would be guided by the situation on the ground and the benefits to Rwanda in regard to the future mandate. It was agreed that the President's visit to New York to attend the 50th Anniversary Celebrations should act as a catalyst to discussion in the Security Council on UNAMIR's future mandate.



Equipment

3. On the equipment that Rwanda expected to inherit from UNAMIR, I informed the Rwandese delegation that UNAMIR was bound to observe the regulations for the disposal of equipment in all Peace-Keeping Operations. We were obliged to implement these regulations and that a list of items indicating their state of usefulness for other missions had been sent to New York for a decision. In my informal discussion, I explained that regulations had to be observed and that Rwanda's turn would come only after the redundant items have been offered and declined by Agencies and NGO's.

4. Dussaidi made a strong appeal for a change of regulations in favour of Rwanda. He argued that Rwanda's situation was completely different as it was a post genocide syndrome. The international community and the UN in particular, needed to see Rwanda's special circumstances and leave behind as much of the material as possible. The international community had been slow to disburse funds to Rwanda. The UN could help by leaving behind vital items for Rwanda's development like generators, vehicles, communications equipment and computers. I replied that Rwanda should make this pitch with New York and with the Security Council.

5. It has been apparent that the Rwandese Government is eager to obtain equipment from a departing UNAMIR and that its attitude towards the future mandate is likely to be influenced by this factor. Put simply, the sooner we depart, the quicker they get their hands on redundant equipment. If denied this equipment, their current cooperative attitude could even turn surly and aggressive so that what they are not gifted willingly they may decide to wrest away through forcible means.

6. In order to move ahead on these issues, it is recommended that we may adopt the following course of action:

a) New York (FALD) may approve lists "A" [redundant items] and "C" [useful items] immediately in the catalogue already sent to you. List B [borderline cases] could be decided upon later after careful evaluation.



b) Once List "A" is approved, we may be authorised to proceed according to the rules to dispose of these items. Care would be taken to dispose of items that are no longer in use by UNAMIR.

c) As a gesture of goodwill towards Rwanda we may accept List "B" in its present forms.

SOMA

7. During the formal meeting, Mr. Dussaidi once more referred to the revisions to the SOMA suggested by the Government. In this regard and following my Code Cable MIR-3597, an early response from New York will be highly appreciated.

8. I shall be grateful for your early response.

Best regards.

11/11/93

5-10-17 00:51 5602

UNITED NATIONS HQS NEW YORK

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CNR 295 P 1/1

RECEIVED

17 OCT 1995

OFFICE OF THE SECRETARY-GENERAL
UNAMIR

OUTGOING CODE CABLE

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 16 October 1995
NUMBER: 3270

SUBJECT: Military strength of UNAMIR

Re your MIR-3530. As you know the question of a possible reduction of the force level of UNAMIR before 8 December has been the subject of careful consideration by the Secretary-General. On the basis of your and the Force Commander's very persuasive assessment of the consequences of the contemplated reduction, the Secretary-General has decided not to pursue the idea of reducing UNAMIR at this time. He will inform the Security Council of his decision.

Best regards.

Seen by FC. Units
infor
Hb.
n/a/FC 17



UNAMIR - MINUAR

OUTGOING CODE CABLE

MOST IMMEDIATE

CHL-354 1/7

TO: ANNAN/GOULDING/HANSEN, UNATIONS, NEW YORK

INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK

FROM: *for* SHAHARYAR M. KHAN, UNAMIR, KIGALI

U. J. Cousignani FC

DATE: 9 October 1995

NO.: MIR - 3530

NO. OF PAGES: 7

SUBJECT: IMMEDIATE REDUCTION OF UNAMIR'S MILITARY
CONTINGENT

1. Please refer to your code cables No.3127 of 29 September and 3136 of 2 October. In accordance with your directions, I am submitting this report outlining options for the reduction of UNAMIR's military contingent with a view to effecting immediate economies. I shall spell out the implications of this reduction and also submit my conclusions/recommendations.

2. As you know, we have met the current mandate's target of reducing our formed troops from 5500 to 1825 (which includes the Ghana band). We now have precisely two months i.e. till December 8 when our current mandate ends, to scale-down our military contingent by 50%. The following is the current status of our military contingent:

A. Formed Troops: Approved Strength: 1825 [including Ghana Band] Current Strength: 1818

3. The current status of our formed troops is as follows:

a) <u>In Prefectures:</u>	Malawi Coy - Cyangugu	134
	Nigeria Coy - Gisenyi	133
	Ghana Coy I - Kibungo	135
	Mali Coy - Gikongoro	<u>132</u>
	Total in Prefectures	<u>534</u>

CLN-384 2/7

		(C)		
b)	<u>In Kigali and HQ:</u>	Indian Battalion	660	
		(including rebadged elements)		
		Ghana Coy II	159	
		(including Ghanian Band)		
		Total in Kigali	819	
c)	<u>Specialized Units:</u>	Engineers	165	
		Signals	100	
		CMSG	85	
		MOVCON	15	
		MP	58	
		Staff	42	
			465	
Grand Total			1818	

4. The basic principle according to which the phase-out of our formed troops would be carried out is for the infantry contingents in the prefectures to be withdrawn first i.e para.3(a) above. Subsequently, a reduction in the contingents stationed in Kigali would be carried out with the withdrawal of the Ghana Company, (159) and a proportionate scaling down of the Indian Battalion and the specialized units [para.3(b) and (c)].

5. In order to carry out a 50% reduction of our military contingent, the following phase-out of our formed troops would be envisaged:

Ghancoy I & II	-	294 including 25 of Ghana Band
Nicoy	-	133
Malawi Coy	-	134
Mali Coy	-	132
Elements of Force Engineer Coy	-	50
Elements of Force Signal Coy	-	25
Elements of MP Coy Personnel	-	20
Elements of HQ Staff	-	20
Elements Indbatt	-	28
Total		836

This phase-down would be carried out in 46 days from the date when orders are received, as indicated in annex to this report.



Comment

6. The immediate impact of this withdrawal from the prefectures is likely to be as follows:

a) Voluntary refugee return would be adversely affected when security in the prefectures is seen by the refugees to be exclusively in the hands of RPA. Thus, our ability to implement para. 1(b) of our mandate as stated in Security Council Resolution 997 would be undermined. The relevant sub paragraph states

"Assist the Government of Rwanda in facilitating the voluntary and safe return of refugees and their integration in their home communities, and, to that end, to support the Government of Rwanda in its ongoing efforts to promote a climate of confidence and trust through the performance of monitoring tasks throughout the country with military and police observers".

b) Milobs, Human Rights Monitors, Agencies Representatives, NGOs operating in the field would not be provided the security that they currently rely on through the presence of our formed troops in the Prefectures. Our support for humanitarian activities would be severely reduced. Para. 1 (e) of the Mandate states as follows:

"contribute to the security in Rwanda of personnel and premises of United Nations agencies, of the International Tribunal for Rwanda, including full-time protection for the Prosecutor's Office, as well as those of human rights officers, and to contribute also the security of humanitarian agencies in case of need".

c) The military contingent would cease to be an operational unit with its activity limited to a "Kigali garrison" syndrome. This would raise expectations, particularly in an emergency, which we would not be capable of fulfilling.

d) The confidence and trust which has brought about a significant improvement in the overall security of Rwanda would be adversely affected. Our formed-troops presence throughout the country is seen as insurance of good behaviour by the RPA. Our withdrawal could give rise to fears of unbridled oppression. UNHCR, neighbouring states with large refugee populations and donor countries would be specially concerned.

e) We would not be able to protect our assets located in the field e.g. radio transmitters.

B) Military Observers Approved strength 320. Actual strength 286

7. The question of whether or not Military Observers should continue as part of UNAMIR's future mandate needs to be decided at a policy level. It is likely that Rwanda would favour the retention of Milobs in order to signify a continuing UN military presence in Rwanda. The retention of Milobs could also help dispel the impression that UN was "abandoning" Rwanda and Africa. On the other hand, Milobs acting without the back-up of formed troops have no real role to play in Rwanda. There are no identifiable military objectives for them to monitor and the monitoring of human rights is basically the task assigned to Human Rights Monitors. Unarmed Milobs, without the support of formed troops, would neither provide security to returning

CN-354



refugees nor to the UN Agencies/NGOs. Essentially, in the absence of military objectives, Milobs do not have a meaningful role and their continued presence in Rwanda would be more decorative than substantive.

8. However, even if the Milobs are retained, a reduction of 40 Milobs, could be justified in the interest of economy and therefore the present contingent may be curtailed from its present strength of 320 to 280.

C) Civilian Police Approved Strength 120 - Actual strength 86

9. The Civilian Police perform two functions: a) training of the gendarmerie/communal police and b) monitoring security. In order to economise, we may reduce CIVPOL strength from 120 to 55 which is the figure required for the training of the gendarmerie and communal police. The monitoring of security is, in any case, a duplication.

Civilian Component Current strength 398 (including 186 local staff)

10. With the scale-down of UNAMIR's military contingent, a reduction of the civilian component would also be made. A reduction consisting of the withdrawal of 50 posts is already being made.

11. To summarize, a 50% reduction of UNAMIR military strength by December 8 would be effected as follows:

		<u>To be withdrawn</u>	<u>Remaining</u>
a)	Formed troops	836	949
b)	MILOB	40	280
c)	CIVPOL	<u>65</u>	<u>55</u>
	Total	<u>941</u>	Total <u>1284</u>

A Chart indicating a time-frame [46 days] for a phased withdrawal of approximately 50% of our military contingent is annexed to this report. It has been prepared by the Force Commander's office.

Conclusions and Recommendations

12. Despite my deliberate prompting, the Rwandese Government has not, so far, revealed its stand on UNAMIR's future mandate. Unlike the lead-up to the previous mandate's negotiations when the Rwandese Government had built up an atmosphere of antagonism against UN and UNAMIR, the Rwandese Government have shown themselves relaxed and cooperative with regard to UNAMIR's presence. In the discussions on UN's future role, the Rwandese have

CLW-354

consistently underlined the need for the UN to play its original, "assistance role". Our informal contact suggests that the Rwandese Government has yet to decide on its final position on the mandate and that they have left themselves open to persuasion from some donor countries, UN Agencies (notably UNHCR and the Tribunal) and neighbouring countries, that a UN military presence in Rwanda, even in reduced form, should continue for a further six months after December 8.

13. On the other hand, Vice President Kagame has consistently taken the stand that UNAMIR's military presence should phase-out after the completion of the present mandate. I expect Rwanda to maintain this position agreeing, "as a concession" to the retention of Military Observers. I do not foresee insistence by Rwanda for an UNAMIR withdrawal before 9th December.

14. As regards a 50% reduction of UNAMIR military contingent before 9th December on financial grounds, the schedule for a phase out has been stated in paras 3-5 above. The repercussions of such a withdrawal have also been stated in para 6. However, it needs to be underlined that all UNAMIR's assets in Rwanda cannot be liquidated by December 8th even if a decision was taken now to phase-out completely by 8th December. Therefore, arrangements to protect our assets and to provide protection to the Tribunal would be necessary, either through UNAMIR retaining a contingent or for a replacement security force to be inducted.

15. Apart from 1800 being a minimum operational unit from a purely military point of view, my main concern at the withdrawal of formed troops is that the specialised units would phase-out with them. This would mean that the only significant lever that UNAMIR has to influence the Rwandese Government [by deploying its engineers, vehicles, helicopters and telecommunications in support of Rwanda's efforts at refugee return, resettlement etc.] would be lost.

16. As stated in para 7, Milobs acting without formed-troop support would not be performing a meaningful task nor would their presence provide the logistic, engineering back-up which provides UNAMIR with its positive image in Rwanda. Therefore, my recommendation is that if Rwanda insists on the phase out of formed troops, Milobs and CIVPOL should also phase out with them. This phase out could be started before 8th December but it would be completed after December 8.

17. Thereafter, a purely civilian assistance mission to Rwanda could be conceived under a different name. This civilian mission would oversee the achievement of outstanding issues in the mandate related to Rwanda namely: reconciliation, justice (including improvement of prison conditions), safe and voluntary return of refugees and effective disbursement of funds for socio-economic restructuring and reconciliation. In order to achieve these objectives, the SRSG, should the need for one still exist, would have to be given a clear-cut mandate beyond the present vague, co-ordination role. This mandate should include control of funds either through the Secretary-General's Trust Fund for Rwanda or through assuming a measure of control of UNDP and other Agency expenditure in Rwanda.

Chol-254



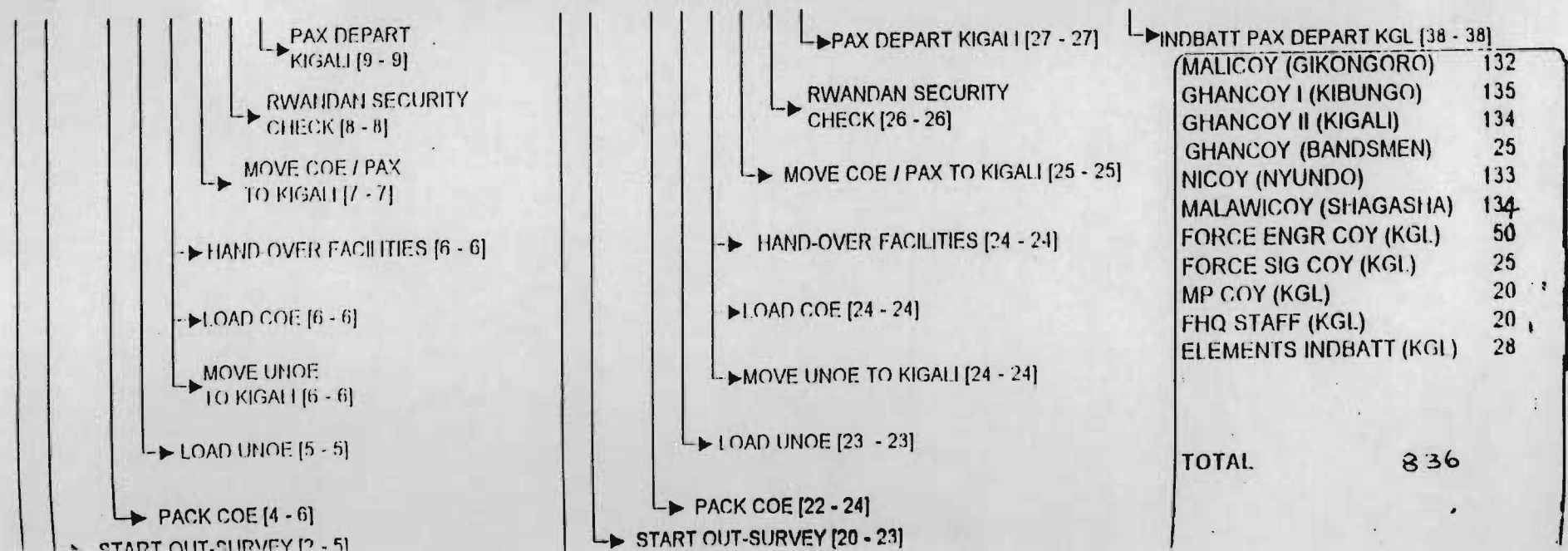
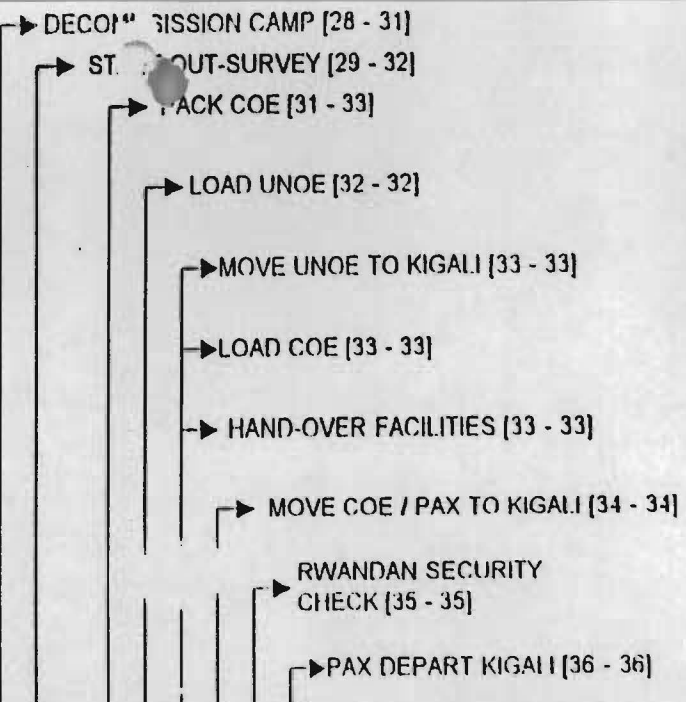
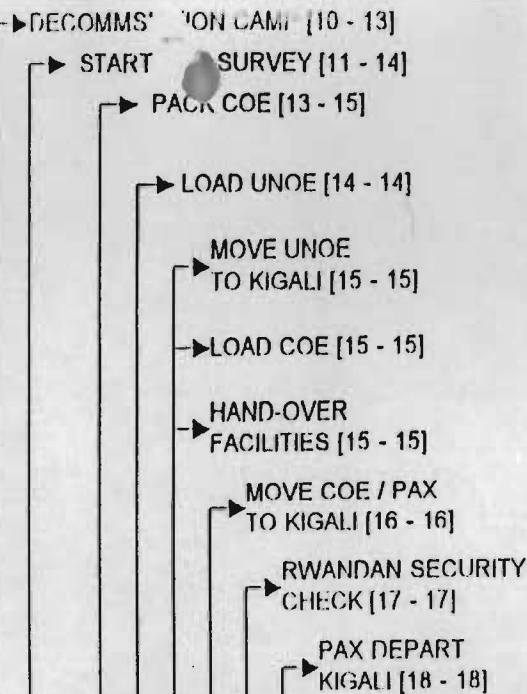
18. The critical question is whether the 50% withdrawal of the military contingent with its negative implications stated in para 6, should be followed through with a complete withdrawal of our military forces (after December 8) because, reduced by half, it ceases to be an operational unit. Or whether, the Security Council would want to stop this phase-out and retain the reduced military contingent [ie 400 formed troops, specialised units and Milobs] for a further 6 months in order to cover the sensitive period of refugee return. The advantages of this formula are that the presence of UNAMIR formed troops would still be retained in Rwanda (essentially a Kigali garrison) supported by the vitally important specialised units, providing a modicum of protection for Milobs, human rights monitors, agencies etc. This force would be available in an emergency and although absent from the provinces, UN would still maintain its presence there, through Milobs who would remain in the prefectures. I agree, however, with the Force Commander that the latter option does not provide a viable military operational contingent and that UNAMIR should phase out altogether rather than leave behind half the present contingent to defend the existing mandate.

19. This telegram issues after full consultation with Force Commander Maj-Gen. Guy Tousignant.

Best regards.

PHASE ONE

WITHDRAWAL OF FORMED
TROOPS FROM OUTLYING
SECTORS AND ELEMENTS OF
MILOBS, CIVPOL AND KIGALI-
BASED FORCES



CRN-354

7/7

withdrawal of force

CNR 281 P 1/1

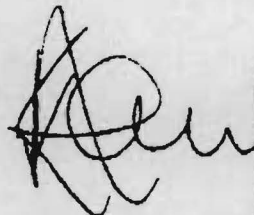
UNAMIR

OUTGOING CODE CABLE

195 OCT -3 07

IMMEDIATE

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 2 October 1995
NUMBER: 3136
SUBJECT: Future of UNAMIR



RECEIVED
- 3 OCT 1995
OFFICE OF THE SRSG
UNAMIR

11
SN
CHS

1. Please be advised that the Secretary-General has further viewed the problem outlined in our 3127 of 29 September. He considers that you should explore ways and means of streamlining and rationalizing the structure and modus operandi of UNAMIR with a view to realizing economies. This should, if possible, be accomplished within the existing parameters of the operation, and while ensuring that the operational effectiveness of UNAMIR will not be adversely affected. We understand, of course, that this will leave you with very little room for manoeuvre.

2. This message supersedes the instructions contained in our cable 3127, including the withdrawal plan which will no longer be needed at this stage.

Best regards.

PI sum FC/ED.
Ser.
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RECEIVED

30 SEP 1995

OFFICE OF THE SRSG
UNAMIR

OUTGOING CODE CABLE

CNR 280 P 1/1

IMMEDIATE

② For filing
20 Oct 95

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 29 SEPTEMBER 1995
NUMBER: 3127

SUBJECT: Withdrawal of UNAMIR troops



1. I wish to advise you that, in view of the acute financial crisis which the United Nations is currently facing, the SecGen has decided that the number of UNAMIR troops be immediately reduced by half and that the rest of the force be withdrawn on 8 December.

2. I should be grateful if you and the Force Commander would urgently prepare a plan for the implementation of these instructions and forward it to us, if possible, by the middle of next week.

3. In particular, please indicate which troops should, in your view, be part of the first reduction and which units should depart last (i.e. in December), so that we can inform the troop contributing countries concerned. Grateful you provide detailed timetable for respective departures.

4. We are, of course, in close touch with FALD on this subject and will keep you informed of developments on various aspects of this matter.

Best regards.

SRSG

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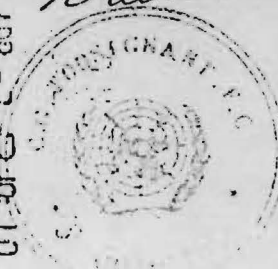
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OUTGOING CODE CABLE

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 7 APRIL 1995
NUMBER: 1122

SUBJECT: UNAMIR's future mandate② Genevieve
An dossier P.V.P.

1995 APR - 7 9:10:10

10 avril 95



1. Many thanks for your MIR-1151 of 28 March regarding UNAMIR's mandate after 9 June 1995, for the detailed analysis contained therein and for the important insights you provided on the thinking of the Rwandese senior leadership. Your cable constitutes an extremely useful basis for the consideration of the future role which the United Nations could usefully play in Rwanda.

2. Security Council resolution 918 (1994) of 17 May which expanded UNAMIR and defined its current mandate, was adopted at the time when the war and the genocide were regrettably in full swing. Since then, conditions clearly have changed, and consequently the mandate of the operation needs to be carefully reviewed and adapted, as appropriate, to address the current situation and realities in the country.

3. It is also clear, that since UNAMIR is not a Chapter VII operation, implementation of a mandate against the wishes of the Government is not under consideration. The Government, however, should not delude itself into believing that it can dictate the terms of UNAMIR's future role to suit its own purposes. The decision regarding the future mandate can be taken only by the Security Council and it can only be the result of a mutually acceptable understandings. The Government should understand,

- 2 -

before it starts actively calling for a "phase out", that the UN presence (or its withdrawal), will have, a direct impact on the level of sympathy, support and financial assistance from the international community.

4. As regards the issue of "negotiations" in the mandate, we believe that the Government should of course be consulted. We should not, however, enter into understandings with them since, as pointed out above, the final decision will be taken by the Security Council and we cannot enter into commitments on behalf of the Council. As you know, the UNAMIR progress report of 9 April will indicate that the Secretary-General expects to receive recommendations from you regarding the adjustments which may need to be made to the Mission's mandate. Once the report is issued, you could draw the attention of the Government to the relevant paragraph of the report and, on that basis, initiate consultations with them on the future of UNAMIR's mandate. This process would have to be completed by early May, so that the Secretary-General may be able to finalize his recommendations by mid-May and bring them to the attention of the Security Council by the end of that month.

5. We also would like to make some preliminary comments on your suggestions regarding the future mandate. We fully understand your concern that UNAMIR should be given a "post-conflict peace-building role". The problem, however, is that peace-building activities are generally undertaken by the specialized agencies of the UN system and not by peace-keeping operations. It is highly unlikely, for example, that the Security Council or the ACABQ would agree to fund through assessed contributions some of the activities foreseen in paragraph 10 of your cable.

6. There will be difficulties with the proposal for tasking UNAMIR to play a role in patrolling the borders with Zaire and Tanzania, even though such a role may of course make UNAMIR more

- 3 -

attractive to the Government. We think, however, that the main responsibility for ensuring security/patrolling along the borders should remain with the RPA. Our patrolling tasks should be limited to monitoring activities, more by military observers than by armed troops. Similarly, the Rwandese authorities should have primary responsibility for the protection of foreign magistrates that may be recruited by them to operate the national courts, although UNAMIR could also play a monitoring role in this regard.

7. We agree that, while the language regarding the protection of "civilians at risk" was probably justified at the time of the adoption of resolution 918 (1994), it now needs to be adapted to reflect the new circumstances on the ground. We also generally share your views regarding the continuation of UNAMIR's efforts to promote national reconciliation and assist in the training of the new gendarmerie and communal police.

8. Finally, we certainly take your point regarding the fact that the future configuration and troop strength of UNAMIR will flow from the revised mandate, once it has been determined. We believe, however, that it would be very helpful, in our further consideration of the possible future mandate, if UNAMIR could give us a preliminary estimate of the level of troops/military observers that may be required to perform the revised tasks outlined in your cable, in the context of our comments above. Many thanks and regards.