

PLEASE RETAIN  
ORIGINAL ORDER

[ 2 CONFIDENTIAL ]  
EL/WG APR 2009

UNARCHIVES  
SERIES S-1120  
BOX 30  
FILE 5  
ACC. 1998/0278

# **REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS ASSISTANCE MISSION FOR RWANDA (UNAMIR)**

## **I. INTRODUCTION**

The present report is submitted pursuant to resolution 1029 (1995) of 12 December 1995, by which the Security Council adjusted and extended the Mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) for a final period until 8 March 1996 and authorized the reduction of its troop level to 1,200, curtailing the number of military observers, headquarters and other military support staff to 200. Consequently, it called upon, to initiate planning for the complete withdrawal of UNAMIR, within a period of six weeks after the expiry of the Mandate. The Civilian Police component of UNAMIR is to draw out completely. It further called for examining, in the context of existing United Nations regulations, the feasibility of transferring UNAMIR non-lethal equipment for use in Rwanda. In accordance with the current Mandate, UNAMIR would assist the United Nations High Commissioner for Refugees (UNHCR) and other international agencies in encouraging the return of refugees with necessary logistical support and provision of good offices, etc. The present report provides an up-date of the situation as of 31 January and contains recommendations regarding the United Nations role after the conclusion of the Mandate of the United Nations Assistance Mission for Rwanda on 8 March.

## **II. POLITICAL DEVELOPMENTS**

Internally, the climate of relative security and stability that I have reported earlier continues to consolidate itself.

There are increasing signs of normalcy in Rwanda with a marked absence of overt violence and curfews. Moreover, since my last report, Rwanda's relations with its neighbours, Tanzania and Zaire have shown an improvement. President Bizimungu visited Tanzania on 14 December 1995 and held discussions with President Benjamin Mkapa. With Zaire a bilateral meeting under UNHCR aegis was held on the refugee issue which was followed by the Rwandan Foreign Minister's bilateral visit to Kinshasa during which Zaire has agreed in principle to return the assets that were carried across to Zaire in 1994. These internal and external developments continue to reflect a positive trend in Rwanda.

There were two events, however, that had a negative impact. The first related to the arbitrary manner in which 38 NGOs were asked to cease activities in Rwanda and 18 suspended. Their assets were frozen and their equipment impounded. The international community's concern on this announcement was conveyed to the Minister of Foreign Affairs by my Special Representative in Rwanda and I hope that appeals by NGOs would be given due

Out Going  
Progress  
Report



consideration by the Government. One of them headed the State Bank of Rwanda. Following the departure of former Prime Minister Faustin Twagiramungu and that of his Cabinet colleagues, these defections have dealt a setback to the Government's effort to evolve a national consensus.

In the region bordering Zaire, the infiltration and sabotage campaign by elements sympathetic to the former Government continues at a low-level of intensity. Electric pylons have been targeted as also bridges and tea factories. There have also been some successive attacks on cachots [improvised detention centres] leading to break-outs by prisoners. The RPA has, in turn, increased its patrolling and the preemptive measures taken by RPA against local population is noticeably more severe in this border region than in other parts of the country with a commensurate increase in tension. On 4 January the RPA rocketed parts of Ijwi island (Zaire) being used by saboteurs. However, this infiltration and sabotage remains at a low-level and is regarded by the Government as containable.

UNAMIR's current three-month Mandate is being implemented according to schedule. The troop strength is down from 1,800 to 1,200 while the MILOB/Headquarter staff strength has also been reduced to 200. CIVPOL has ceased activity altogether and all CIVPOL personnel have been repatriated. UNAMIR's deployment is now essentially in Kigali with small logistic units near Gisenyi and Cyangugu.

UNAMIR's termination of its final Mandate on 8 March and its complete phase-out six weeks later is taking place in a cordial and cooperative atmosphere with the Rwandan Government. However, the equipment issue remains to be addressed in accordance with para 7 of Security Council resolution No. 1029 1995) which 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". I have already set in motion such an examination and I will shortly submit for approval to the General Assembly a resolution which could be in consonance with the Security Council's Mandate. I shall, of course, consult the Security Council before conveying the resolution to the General Assembly.

UNAMIR's current Mandate is related essentially to assisting in the return of refugees. So far, despite supreme efforts by UNHCR, the voluntary return of refugees from Rwanda's neighbours remains at a trickle. Monthly figures of refugees have declined from 35,000 last January to 6,000 last December. The main hurdles to refugee return remain psychological .... of oppressive treatment for the new caseload on return, intimidation and political discussion by FRFF leaders in the camps and the relatively better life than the expectation of a camp dweller on return home. Unless these issues are addressed simultaneously and with total commitment, a significant number of refugees returning is likely not to materialize.

The International Criminal Tribunal for Rwanda issued its first indictments on 12 December so as to carry forward the process of bringing to justice persons accused of genocide and crimes against humanity. All member States in the region have assured the Tribunal to

cooperate with it as agreed at the Cairo Summit. Kenya has also indicated clearly to the Tribunal that it would cooperate with its decisions. The proceedings are to start very soon against eight suspects accused of genocide in Rwanda. There will be proceedings against more suspects shortly. President Ntibantunganya of Burundi has also assured that Burundi will do everything to facilitate the working of the International Tribunal for Rwanda. He added that his country will identify and arrest criminals who are hiding in the refugee camps.

The plenary session of the International Criminal Tribunal for Rwanda provided an opportunity to the judges to meet for the first time in Arusha on 8 January and examined indictments presented by Prosecutors concerning suspects who are in Belgium and those who are jailed in Zambia, Zaire and Namibia.

The recently set-up Supreme Court has begun to review working conditions, so that the judicial system becomes operative and those responsible for genocide could be brought to justice. The Court shall also examine other cases left unsettled following the genocide and war. Arrest and detention procedures are also being reviewed. A Draft Law on the amendment of the Rwandese Fundamental Law is being debated by Parliament Deputies so that articles creating judicial inconveniences could be removed. These measures are indicative of reconstructing the juridical system.

The process of reconciliation can only be achieved if justice is allowed to take its course. The Rwandese Government has been asked to take concrete action with regard to the illegal occupation of properties by the old refugees. The Government, however, confirmed the principle of private property inviolability so as to grant people their rights. The trial of RPA excesses in military courts will also contribute positively towards national reconciliation.

The crash plan undertaken by my Special Representative for improving prison conditions has mitigated the problem of over-crowding in the Rwandese prisons. 6,000 detainees have now been transferred to the semi-permanent detention site at Nsinda and to the extension of Nyanza Prison. The completion of the second courtyard at Gitarama prison and the transfers there, the imminent opening of the six temporary detention sites and the launching of transfers from communal lock-ups in Kibungo to the Prefecture's civilian prison are to be noted as a partial improvement in the conditions of detention in Rwanda. Additional space of 15,500 is likely to be created by end January through development and expansion of temporary and semi-permanent detention centres.

### **III. HUMAN RIGHTS**

The staffing of the United Nations Human Rights Field Operation in Rwanda fell from 120 at 30 November 1995 to 93 by 31 January 1996. Voluntary contributions received by the High Commissioner for Human Rights were not sufficient for new field officers, the majority of whom

---

are United Nations Volunteers, to be contracted to replace those who completed their contracts. While the Field Operation continued to maintain its field offices in 10 prefectures, this level of staffing is limiting the Field Operation's ability to monitor conditions in all communes, and to give particular attention to the communes to which the largest number of refugees have returned or are expected to return.

The Field Operation continued to undertake regular visits to prisons and detention centres. While transfers to new accommodation alleviated some of the overcrowding suffered by detainees, this remained an acute problem in both prisons and local detention centres. Arrests continued to be carried out, in most cases outside legal procedures. progress in the creation and preparation of case files was slow. "Triage committees" (commissions de triage) met in only three prefectures, and very few detainees were released as a result. The Minister of Justice sought international assistance for plans to revitalize the committees, and to establish such committees at the local level in all 147 communes. In addition to over-crowding, HRFOR expressed concern to the Government about ill-treatment in many local detention centres, resulting in a number of deaths.

The authorities took some significant steps to address reported human rights violations. Four soldiers were tried and convicted by a military court in late December for their involvement in an incident earlier in the month in which four civilians were shot, and three of them killed. The RPA cooperated with the Field Operation in its investigation of the 25 November killing by soldiers of civilians at a temporary settlement in Nyungwe forest; the official investigation is now in the hands of the Military Prosecutor. The need to build a state of law while addressing security concerns was publicly emphasized by the Vice-President when he headed visits by the National Security Council to two prefectures in December. However, the Field Operation remained concerned that official investigations were carried out only in some of the cases of possible human rights violations reported to it, including killings of civilians allegedly by members of the security forces.

The Field Operation continued its efforts of assistance to the judicial system and human rights promotion, and of confidence-building and human rights monitoring in the context of refugee return.

#### **IV. INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA**

The Office of the Prosecutor of the International Tribunal for Rwanda issued indictments against eight individuals on 12 December 1995. These persons were charged with responsibility for massacres which occurred in the prefecture of Kibuye. Judge Navanethem Pillay confirmed the indictment on 28 November 1995. The Tribunal did not disclose the names of the accused to facilitate their arrests by the authorities of the State(s) in which they now reside.

---

The Office of the Prosecutor recently began its first mass grave exhumations in Kibuye in connection with its initial indictments. Supplies and equipment have arrived from Europe and will be transported shortly to Kibuye. Nine members of the forensic team are currently working at the site; these staff include archaeologists and anthropologists. It is anticipated that the mass grave will be opened within the next two weeks. At that time, a pathological examination will take place.

The Prosecutor has sought the provisional arrest of four suspects who are currently in prisons in Zambia, as well as two suspects who are not yet in custody. Indictments against these persons are expected within the next few months. The Prosecutor has also made an application seeking the deferral of investigations involving four suspects currently being held by the Belgian authorities.

The investigation of last year's massacres undertaken by the Office of the Prosecutor have been facilitated by the addition of new staff. The staff of the Office of the Prosecutor now numbers 72. The efforts of the Office of the Prosecutor have, however, been severely impeded as a result of a shortage of vehicles and office equipment. The Office of the Prosecutor will be recruiting additional staff members in the coming months. The Tribunal appreciates the contributions of United Nations Member States to date and calls upon States to continue to provide financial and material assistance to the Tribunal.

#### **V. MILITARY ASPECTS**

Pursuant to the provisions of the current mandate the force level now stands at 1200 troops and 200 Military Observers and Staff Officers. UNAMIR logistic bases consisting about 40 personnel each have been deployed at Nyundo and Shagasha to assist in the return of refugees. All other formed troops are deployed in Kigali as is Normed. The area of operation for Military Observer is divided into five Sectors with their Headquarters at Kibungo, Gitarama, Gisenyi, Cyangugu and Butare.

Primarily, the deployment is meant to provide logistic support to UNHCR to move the refugees from the borders to the transit camps in Sectors 4 and 5. The Military Observers would monitor the return of refugees as well as their subsequent settling down in their respective home communes. The troops stationed in Kigali are for Tribunal Security, humanitarian services and construction works and to assist in rehabilitation and the repair of infrastructure. A small contingent is also deployed at Kibuye for the protection of members of the International Criminal Tribunal (ICTR) working in Kibuye.

Since the new mandate was announced on 12 December 1995 by Security Council Resolution 1029, a total of 13,500 refugees have returned to Rwanda from Burundi, Tanzania and Zaire. However, the average rate of influx of refugees remains below the expected figure.

---

Military Observers continue to actively patrol their areas of responsibility and provide the necessary information of activities in all sectors. They assist agency representatives and work in close liaison with Human Rights Observers. They are, however, handicapped by the reduced strength of 140 according to the new Mandate.

#### VI. SECURITY ASPECTS

It appears that the raid by the Rwandese Patriotic Army (RPA) on Iwawa Island in the beginning of November and the acquisition of fast moving armed motor-boats has had the desired effect. The rate of infiltrations in Kibuye Prefecture is noticeably lower. The main infiltration route into Rwanda now appears to be through the volcanoes into Ruhengeri Prefecture. The RPA have Ruhengeri and Gisenyi Prefectures well covered, as it is the area of operations for 211 Brigade, with six battalions of infantry. Low-grade sabotage activities continue as for example, the blowing up of three power pylons. The Ex-FAR also blew up two reinforced concrete bridges in Cyangugu Prefecture and secured the release of compatriots imprisoned in a cachot near Ruhengeri.

There were eight reported mine incidents in which, civilians and RPA soldiers were injured mostly losing their legs and/or arms while picking up or stepping on anti personnel mines.

The RPA is determined to have effective security control in the country and has introduced military court martials for RPA soldiers who unnecessarily harass or kill civilians. The ex FAR still has the capability of organizing attacks on civil and military targets within Rwanda. The RPA has however been carrying out redeployment of its forces in order to deal with these attacks and have the confidence of the populace as being able to provide for their security. As of date, it can be said that the security situation in Rwanda has improved. However it is yet to be seen what the situation would be like if the return of refugees starts in earnest.

#### VII. HUMANITARIAN DEVELOPMENTS

In December the number of returnees increased significantly. According to UNHCR, more than 13,500 refugees returned to Rwanda in December, compared with approximately 6,700 in November. This increase was due to an influx of returnees from Burundi between 19 and 23 December, when a total of 5,499 returnees crossed the border into Rwanda in UNHCR organized convoys. Slightly over 5,000 refugees returned from Zaire during December, around the same number as in November. The flow of returnees from Tanzania nearly ceased; only some 200 returnees crossed the border from Tanzania (see annexes on refugees and returnees).



During the reporting period, UNHCR issued a \$288 million appeal to cover the cost of its 1996 operations for Rwandese and Burundian refugees and returnees in the Great Lakes region. The new appeal places special emphasis on voluntary repatriation to Rwanda in 1996, and plans for a shift in UNHCR's programs from care and maintenance of refugees in countries of asylum to return and reintegration in the country of origin. UNDP, WFP, UNICEF, other UN Agencies and NGOs are collaborating in these efforts. UNHCR plans to provide substantial assistance in villages where returnees are expected to reintegrate. The UNHCR appeal also calls for some urgent measures to address the serious economic and environmental problems resulting from large numbers of refugees in the three asylum countries.

Insecurity in the Masisi region northwest of Goma has prompted over 5,000 Rwandese "old caseload" refugees (mainly from 1959 and 1972) to request repatriation. Ongoing conflict and difficult access have thus far postponed convoys which were scheduled to begin on 26 December and continue into the new year. Approximately 1,700 "old caseload" refugees have returned spontaneously through Gisenyi during the reporting period.

At the Zaire/Rwanda/UNHCR Tripartite Commission meeting held in Geneva on 20 December, the three parties expressed strong concern at the recent decline in refugees willing to repatriate to Rwanda. The High Commissioner for Refugees told the meeting that political factors, an increase in insecurity in the region, and a failure by the parties to translate earlier commitments into concrete action were in part responsible for the slow progress in getting people back home. In the communiqué issued at the end of the meeting, Rwanda reaffirmed its commitment to establish the necessary conditions for a safe return of refugees and to strengthen its capacity to welcome them home. For its part, Zaire reaffirmed its commitment to rid the refugee camps of those using intimidation to block the return of refugees. The meeting was the second between UNHCR, Rwanda and Zaire.

The Tripartite Commission including Rwanda, Tanzania and UNHCR held its third meeting in Kigali on 7-8 December 1995. The meeting was preceded by two other sub-committee meetings namely the sub-committee on security and safety and the sub-committee on the facilitation of repatriation. While the sub-committee on security and safety deals with issues of security at the borders due to the refugee presence in the neighbouring country and the separation of intimidators, the sub-committee on the facilitation of repatriation looks after matters pertaining to refugee/returnee visits and the dissemination of information to the camps.

Two "go and see" visits from Ngara and Karagwe camps in Tanzania took refugees to their home communes in Byumba and Kibungo prefectures from 18 to 23 December. During the first visit, one refugee was detained by local authorities for allegedly having participated in the genocide. The second visit, which took 26 persons on a four-day visit to five communes in Kibungo prefecture encountered no difficulties. In all, 474 refugees participated in over 30 "go and see" visits from three countries of asylum since the programme was initiated in mid-1995: 342 from Burundi, 122 from Tanzania and ten from Zaire.

Reported clashes between armed groups and soldiers in Burundi provoked the surge in returns to Rwanda. Some 7,000 Rwandese refugees returned to Rwanda during December. Another 2,000 Rwandese refugees who were trying to cross into Tanzania from Burundi on 21 December were forced back by Tanzanian authorities.

Insecurity has compelled NGOs and UN agencies to curtail their activities throughout the country, cutting off humanitarian assistance to refugees from Rwanda and Burundi and internally displaced persons (IDPs) alike. The sudden jump in repatriation from Mugano camp came at a time when most NGO expatriate personnel had been withdrawn to Bujumbura after many direct attacks and repeated threats to their safety. The aid community has called on the Government of Burundi to defend the apolitical and humanitarian character of its mission. The World Food Programme and UNHCR are exploring ways to guarantee food delivery for the six refugee camps in the north should WFP be forced to limit staff presence in certain provinces. Stocks in Ngozi and in camp storage facilities are sufficient to feed the refugee population for several weeks but trucking of supplies to and from warehouses, as well as to the 86,000 IDPs currently receiving food aid in the same provinces, has become uncertain.

On 15 December, UNDP and the Ministry of Planning signed a project for the Urgent Urban Resettlement of Refugees. The one-year project will be executed by the United Nations Centre for Human Settlements (Habitat) in cooperation with the Ministry of Rehabilitation and Social Integration (MINIREISO) and will start on 1 January 1996. The budget, US\$ 1.5 million, is financed by the United Kingdom. The objective of the project is to facilitate the resettlement of returnees in urban and semi-urban areas by preparing and developing sites. The mission to prepare proposals for reinstallation and reinsertion activities in support of the Government's Accelerated Plan of Action has been completed. Following field visits, two UNDP consultants prepared, in cooperation with MINIREISO representatives, a project proposal outlining the "Structure de Pilotage" and the personnel requirements for the management of activities falling within the Accelerated Plan of Action for the Reinstallation and the Reinsertion of Refugees and Formerly Displaced Persons.

UNDP signed on 9 December a Preparatory Assistance project to support MINIREISO in the implementation of the Government's Accelerated Plan for Action. The one-year project will be executed by UNOPS and implemented by MINIREISO. The budget is US\$ 1,159,000, of which US\$ 186,336 comes from Dutch co-financing. This preparatory assistance will reinforce Government and local administration capacity to plan, implement, monitor and evaluate reinstallation activities at both the national and local level. The project will put into place the initial elements of the "Structure de Pilotage" described in the plan of Action financing the posts of Chief Technical Advisor, national and UNV officers and supplying them with the necessary equipment and support staff.

Due to the departure of 43 NGOs of which four - Bornefondon, Partage, Terre des Hommes and CUAMM - were UNICEF's implementing partners, UNICEF has taken emergency steps to avoid the breakdown of services in several unaccompanied children's centres run by these NGOs. In

---

two centres, replacement agencies have been found. The three other centres remain without NGO financial and technical assistance although national staff are still present. The activities of UNHCR, WFP and other UN Agencies were also affected by the GoR's decision to expel NGOs.

UNICEF is collaborating with a number of NGOs for its 1996 activities on behalf of vulnerable women and children. Separate agreements are to be signed with ASEO-Wihogora and Save the Children's Fund-UK to continue tracing and reunification efforts. In order to support a study on street children and to provide technical expertise in the Miyove centre for women prisoners and their children, UNICEF will sign two separate agreements with Save the Children's Fund-USA. UNICEF will support the NGOs Food for the Hungry and ADAP in providing assistance to vulnerable households within the country and for the reintegration and resettlement of returnee foster families.

#### VIII. REHABILITATION, RECONSTRUCTION AND DEVELOPMENT

##### A. Round Table Process

Funds pledged to date by donors have reached US\$ 1,264 million, against US\$ 587 million registered initially at the Geneva Round Table conference of January 1995. The increase came mainly from: (1) a continuation of projects previously in the pipe-line which the GoR had not considered to be on their new priority list and; (2) additional pledges made by donors at the July 1995 Round Table Mid-Term Review, mainly the European Union and the Netherlands. As well, France officially pledged assistance to Rwanda at the Review. Additional pledges from the European Union, Japan and the Netherlands were made at the Thematic Consultation on Refugees held in November 1995.

"Commitments" to date by donors are estimated at US\$ 878.5 million, equivalent to 150% of the pledges made in Geneva. Making good their intentions confirmed at the RT Mid-Term Review, donors accelerated commitments of funds further, especially in sub-programmes 2 and 3. The largest commitments to date have come from the World Bank (US\$ 224 million), European Union (US\$ 125 million), USA (US\$ 122 million) and Germany (US\$ 103 million).

Disbursements to date by donors are estimated at US\$ 403.9 million, equivalent to 69% of the total pledged in Geneva, a remarkable improvement over May (9%), July (15%) and September (43%) disbursements. At the Government's request, a few donors have expedited their bilateral disbursement procedures and/or contributed through the Secretary-General's Trust Fund or the UNDP Trust Fund. To date, several bilateral donors have disbursed more than the amounts they had pledged in Geneva: United Kingdom (483%), USA (169%), Netherlands (143%) and Canada (142%).

In an effort to monitor incoming aid flows to Rwanda, the GoR has differentiated "direct aid" from assistance channelled through UN Agencies and NGOs ("indirect aid"). The latter is estimated to amount to almost US\$ 302 million (31% of total pledges), over and above the US\$ 500

---

million reported by UN-DHA under the Consolidated Appeal. Provisional data tend to indicate that disbursements by UN Agencies and NGOs are somewhat faster than in the case of assistance channelled directly to the GoR, especially for resettlement of refugees. Combined disbursements of "indirect aid" and "humanitarian assistance" in 1995 are also estimated to be much higher than those of "direct aid". In fact, aid disbursed through Government agencies and UNDP would only total US\$ 220 million in 1995, prompting some Government officials to question the real purpose of external support.

The Secretary-General's Trust Fund was established in the immediate aftermath of the Rwandese crisis, with particular support from the Netherlands, in order to facilitate the rapid disbursement of funds. In early 1995, the UNDP Trust Fund was constituted to channel resources from donors for rehabilitation projects. The United Kingdom has become a major donor through its contribution to the Economic Management programme. France, Spain, Switzerland, Japan, Ireland and the World Bank have also contributed to the fund. To date, contributions pledged via the Trust Fund and cost-sharing arrangements managed by UNDP total US\$ 43.5 million.

Programming of Trust Fund and cost-sharing resources is undertaken by UNDP in close consultation with the GoR, especially the Ministry of Planning, and in accordance with donors' instructions. UNDP has so far, programmed 17 projects totalling US\$ 18.1 million, equivalent to 113% of pledges made in Geneva (US\$ 16 million). These projects have mainly concentrated on "Financial Support" (US\$ 6.1 million) and "Rehabilitation" (US\$ 9.5 Million). In addition, four projects totalling US\$ 9 million are awaiting Government approval. In order to expedite programming and disbursements of donors' contributions to the UNDP Trust Fund, UNDP has often advanced its own money to cover preparation and start-up costs. Disbursements by UNDP (including contributions through both the Secretary General's and UNDP Trust Funds) are estimated at US\$ 10.5 million, equivalent to 66% of Geneva pledges.

The Round Table Conference on Rwanda, held in Geneva in January 1995, pledged to convene a follow-up Round Table, in order to review progress on the reconstruction programme for Rwanda and assess the need for further support from the international community. Tentatively scheduled for early May, the 1996 Rwanda Round Table Conference may be held in Bonn rather than Geneva as initially planned. A thematic consultation on private sector development, with joint support from the European Union, the World Bank and UNDP, is also scheduled to take place in February 1996.

The 1996 Round Table will focus on the following three themes, as agreed with donors at the November Thematic Consultation held in Kigali:

Justice and security - to support measures to strengthen internal and external security, demobilization, assistance to the justice system, and initiatives to ensure popular participation in stable political institutions.

---



**Transition from humanitarian aid to development - to strengthen food security, reintegrate returning refugees and provide support to vulnerable groups, in addition to focusing on modalities of coordination for UN agencies and NGOs.**

**Capacity building - to cover organizational reform and capacity building in the public sector, initiatives to strengthen national execution of the development process and technical assistance policy.**

With the support of UNDP, the Government of Rwanda has established three task forces, one for each theme, with an additional working group addressing the necessary macro-economic framework for recovery and development over the 1996-98 period. Under the direction of the Prime Minister's office, all GoR Ministries are involved in drafting sectoral strategies for presentation at the Round Table and in contributing to the work of the task forces.

Draft documentation on sectoral policies by each Ministry is scheduled to be finalized by 24 January 1996 when representatives of all ministries will meet with the Prime Minister's office. Input documentation will be finalized and discussed with donors in February, and final versions are scheduled to be available in March. UN Agencies have been requested to assist in documentation preparation and may also present their needs for donor funding, thus continuing to coordinate their fund raising campaigns within the Round Table process.

In spite of bilateral donor support to settle external arrears and debt service to 14 selected multilateral donors, mainly the World Bank and the African Development Bank, Rwanda still incurred public debt arrears as of December 1995, bringing the external outstanding debt to 94% of GDP, against 56% two years earlier. The country's debt burden remains heavy and a continuation of prudent borrowing policies is still necessary.

### **C. Capacity Building**

As a result of assistance provided since September 1995 under UNDP's Economic Management Capacity Building programme to the Ministry of Public Service, the process of testing candidates for over 300 posts in Government has been completed. The appointment of Directors in nearly all Ministries is now underway. UNDP also financed a one-week training program for bourgmestres (mayors) from all of Rwanda's 145 communes from 8-14 January. Topics covered included inter alia: democracy, human rights and justice; ethics and the management of public goods; leadership and decision making and; promotion of income-generating projects.

#### **(1) Judicial System**

Reactivating the judicial system remains a priority of UN agencies operating in Rwanda. Although progress is slow due to the GoR's lack of capacity and the enormous complexity of trying those suspected of genocide, steps were taken in December. Four priority areas of the

Ministry for the Rehabilitation and Functioning of the Judiciary were identified and implementation of programmes designed to rehabilitate the judicial system is underway.

In accordance with a recommendation made during the recent Conference on the Genocide held in Kigali, the Ministry of Justice announced its desire to establish 11 "special courts" for the treatment of genocide cases. These courts could be supported by six international experts who could be recruited through UNDP's "Support to the Rehabilitation of the Judiciary" phase II project. Four more specialists could be recruited to support the Public Prosecutor of the Supreme Court. Incentive measures are being examined in order to increase the productivity of judiciary public servants and recruit qualified and experienced candidates in key positions. According to the plan, up to 1000 persons could receive enhanced remuneration through the aforementioned UNDP project.

The work of the "Commissions de Triage" is scheduled to begin in mid-January and the necessary administrative decisions are being prepared by the Ministry of Justice to be presented to the GoR Cabinet for official approval. Assessment of material needs for the proper functioning of the Supreme Court has been completed. It is expected that these needs will be covered through contributions made by Germany.

The total number of detainees in Rwanda's prisons and detention centres did not change significantly during December. Although transfers to new sites in November alleviated some of the overcrowding problems faced by detainees, overcrowding remained acute. The Government of the Netherlands has provided US\$ 2,839,000 through the UNDP Trust Fund for the Rehabilitation of the Justice System project. This project focuses on relieving prison overcrowding. At the request of the Netherlands, these funds will be used according to priorities set by the Ministry of Justice.

\* \*\*\* \*

**REPORT OF THE SECRETARY-GENERAL ON THE  
UNITED NATIONS ASSISTANCE MISSION FOR RWANDA (UNAMIR)**

**I. INTRODUCTION**

1. The present report is submitted pursuant to resolution 1029 (1995) of 12 December 1995, by which the Security Council adjusted and extended the Mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) for a final period until 8 March 1996 and authorized the reduction of its troop level to 1,200, curtailing the number of military observers, headquarters and other military support staff to 200. Consequently, it called upon, to initiate planning for the complete withdrawal of UNAMIR, within a period of six weeks after the expiry of the Mandate. The Civilian Police component of UNAMIR is to draw out completely. It further called for examining, in the context of existing United Nations regulations, the feasibility of transferring UNAMIR non-lethal equipment for use in Rwanda. In accordance with the current Mandate, UNAMIR would assist the United Nations High Commissioner for Refugees (UNHCR) and other international agencies in encouraging the return of refugees with necessary logistical support and provision of good offices, etc. The present report provides an up-date of the situation as of 31 January and contains recommendations regarding the United Nations role after the conclusion of the Mandate of the United Nations Assistance Mission for Rwanda on 8 March.

**II. POLITICAL DEVELOPMENTS**

The climate of relative security and stability that prevailed in Rwanda is beset with two shocking developments showing cracks in the political edifice of the governing hierarchy and repulsive attitude towards the international community. The first related to the defection of two senior Hutu officials who had returned to Rwanda after July 1994 and had now left the country denouncing the Government publicly. The second development related to the arbitrary manner in which 38 NGOs were asked to stop their operations and leave the country, while 18 were suspended from carrying on their operations. The international community's concern on this announcement was conveyed to the Minister of Foreign Affairs by my Special Representative in Rwanda and I hope that appeals by NGOs would be given due consideration by the Government.

Both these developments indicate a widening of the gap between extremist Tutsis and moderate Hutus elements that form the coalition in the Government. Extremism needs to be controlled from within and from neighbouring countries and should be dealt with seriously. Rwandan Patriotic Army's successful operation in wiping out the former Rwandese Government forces (FRGF) from the Iwawa Island had a demoralizing effect upon the FRGF and infiltrations from the Zairian border had a declining trend. However, the insurgent activities have again started picking up in the prefectures bordering Zaire. In Nyungwe forest the RPA had an

exchange of fire with people alleged to have been involved in FRGF activities, resulting in the death of about 85 persons. In early January there had been a jail-break in the Nyakinama commune jail. Eight armed men in uniform, suspected to be the FRGF, came to the jail, killed the Chief of the Communal Police and released eight prisoners. Similarly seven people were killed in Bugeza sector of Gafanza commune close to Ijwi Island. The killers came from Zaire to Ijwi Island. On 4 January there was a clash between RPA and the FRGF. The RPA used heavy machine guns and mortars.

The current Mandate is closely tied up with the return of refugees and with the Accelerated Programme of Action for Resettlement and Reintegration of Returnees (APARR) as contemplated during the Thematic Consultation Meeting held in November 1995. Major inter-agency efforts headed by UNHCR is underway to persuade Rwandese refugees to return home voluntarily. At the Zaire/Rwanda/UNHCR Tripartite Commission Meeting held in Geneva on 20 December, my High Commissioner for Refugees, Mrs. Sadako Ogata, expressed concern over the failure by the concerned parties to translate earlier commitments into concrete actions, resulting in slow progress over refugee repatriation. Similarly, the Tripartite Commission Meeting between Rwanda, Tanzania and UNHCR took note of conditions that could facilitate the return of refugees. The spirit of the Cairo Declaration has demonstrated increased cooperation and understanding required to the pressing issues of refugee return and stability. The intimidators from the camps in Tanzania and Zaire are being separated as to encourage voluntary repatriation. Very recently, eight members of the leading political elements of the former FRGF operating in the former Rwandese Government Forces (RGF) camps in Zaire have been arrested and taken to a separate camp.

Reported clashes between armed groups and soldiers in Burundi provoked the surge of return to Rwanda. Some 7,000 Rwandese refugees returned to Rwanda during the reporting period. Voluntary repatriation movement figures have increased with some 13,000 returning to Rwanda. The increase is largely due to the massive return of Rwandese refugees from Burundi during the later part of December 1995.

The International Criminal Tribunal for Rwanda issued its first indictments on 12 December so as to carry forward the process of bringing to justice persons accused of genocide and crimes against humanity. All member States in the region have assured the Tribunal to cooperate with it as agreed at the Cairo Summit. Kenya has also indicated clearly to the Tribunal that it would cooperate with its decisions. The proceedings are to start very soon against eight suspects accused of genocide in Rwanda. There will be proceedings against more suspects shortly. President Ntibantunganya of Burundi has also assured that Burundi will do everything to facilitate the working of the International Tribunal for Rwanda. He added that his country will identify and arrest criminals who are hiding in the refugee camps.



The plenary session of the International Criminal Tribunal for Rwanda provided an opportunity to the judges to meet for the first time in Arusha on 8 January and examined indictments presented by Prosecutors concerning suspects who are in Belgium and those who are jailed in Zambia.

The recently set-up Supreme Court has begun to review working conditions, so that the judicial system becomes operative and those responsible for genocide could be brought to justice. The Court shall also examine other cases left unsettled following the genocide and war. Arrest and detention procedures are also being reviewed. A Draft Law on the amendment of the Rwandese Fundamental Law is being debated by Parliament Deputies so that articles creating judicial inconveniences could be removed. These measures are indicative of reconstructing the juridical system.

The process of reconciliation could only be achieved if justice is allowed to take its course. The Rwandese Government has been asked to take concrete action with regard to the illegal occupation of properties by the old refugees. The Government, however, confirmed the principle of private property inviolability so as to grant people their rights. The trial of RPA excesses in military courts will also contribute positively towards national reconciliation.

The crash plan undertaken by my Special Representative for improving prison conditions have to some extent mitigated the problem of over-crowding in the Rwandese prisons. 6,000 detainees have now been transferred to the semi-permanent detention site at Nsinda and to the extension of Nyanza Prison. The completion of the second courtyard at Gitarama prison and the transfers there, the imminent opening of the six temporary detention sites and the launching of transfers from communal lock-ups in Kibungo to the Prefecture's civilian prison are to be noted as a partial improvement in the conditions of detention in Rwanda. Additional space of 15,500 is likely to be created by end January through development and expansion of temporary and semi-permanent detention centres.

The disposal of UNAMIR equipment remains the most important outstanding issue between the United Nations and the Government of Rwanda. Its resolution is likely to have significant implications on future relationship. The Rwandese Government, particularly the extremist elements recognizes its strong bargaining position in this land-locked country. The confiscation of NGOs' equipment demonstrated this ability with scant regard for the loss of international goodwill. The Rwandese think that it is their moral right to have a significant portion of this equipment. There is a likelihood that the extremist elements of the RPA adopts an intimidatory approach and may even attempt to highjack UNAMIR vehicles.

Besides, the equipment issue and UNAMIR's relation with Rwanda seems to have no problem. There is no rift and no difficulty in implementing the current Mandate as given by the United Nations. This situation has been acknowledged at the highest level when H.E. Mr. Pasteur Bizimungu categorically stated that Rwanda sees no confrontational role with UNAMIR. Rather, UNAMIR II activities in Rwanda have been termed as successful.

**REPORT OF THE SECRETARY-GENERAL ON THE  
UNITED NATIONS ASSISTANCE MISSION FOR RWANDA (UNAMIR)**

**I. INTRODUCTION**

1. The present report is submitted pursuant to resolution 1029 (1995) of 12 December 1995, by which the Security Council adjusted and extended the Mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) for a final period until 8 March 1996 and authorized the reduction of its troop level to 1,200, curtailing the number of military observers, headquarters and other military support staff to 200. Consequently, it called upon, to initiate planning for the complete withdrawal of UNAMIR, within a period of six weeks after the expiry of the Mandate. The Civilian Police component of UNAMIR is to draw out completely. It further called for examining, in the context of existing United Nations regulations, the feasibility of transferring UNAMIR non-lethal equipment for use in Rwanda. In accordance with the current Mandate, UNAMIR would assist the United Nations High Commissioner for Refugees (UNHCR) and other international agencies in encouraging the return of refugees with necessary logistical support and provision of good offices, etc. The present report provides an up-date of the situation as of 31 January and contains recommendations regarding the United Nations role after the conclusion of the Mandate of the United Nations Assistance Mission for Rwanda on 8 March.

**II. POLITICAL DEVELOPMENTS**

The climate of relative security and stability that prevailed in Rwanda is beset with two shocking developments showing cracks in the political edifice of the governing hierarchy and repulsive attitude towards the international community. The first related to the defection of two senior Hutu officials who had returned to Rwanda after July 1994 and had now left the country denouncing the Government publicly. The second development related to the arbitrary manner in which 38 NGOs were asked to stop their operations and leave the country, while 18 were suspended from carrying on their operations. The international community's concern on this announcement was conveyed to the Minister of Foreign Affairs by my Special Representative in Rwanda and I hope that appeals by NGOs would be given due consideration by the Government.

Both these developments indicate a widening of the gap between extremist Tutsis and moderate Hutus elements that form the coalition in the Government. Extremism needs to be controlled from within and from neighbouring countries and should be dealt with seriously. Rwandan Patriotic Army's successful operation in wiping out the former Rwandese Government forces (FRGF) from the Iwawa Island had a demoralizing effect upon the FRGF and infiltrations from the Zairian border had a declining trend. However, the insurgent activities have again started picking up in the prefectures bordering Zaire. In Nyungwe forest the RPA had an

---

exchange of fire with people alleged to have been involved in FRGF activities, resulting in the death of about 85 persons. In early January there had been a jail-break in the Nyakinama commune jail. Eight armed men in uniform, suspected to be the FRGF, came to the jail, killed the Chief of the Communal Police and released eight prisoners. Similarly seven people were killed in Bugeza sector of Gafanza commune close to Ijwi Island. The killers came from Zaire to Ijwi Island. On 4 January there was a clash between RPA and the FRGF. The RPA used heavy machine guns and mortars.

The current Mandate is closely tied up with the return of refugees and with the Accelerated Programme of Action for Resettlement and Reintegration of Returnees (APARR) as contemplated during the Thematic Consultation Meeting held in November 1995. Major inter-agency efforts headed by UNHCR is underway to persuade Rwandese refugees to return home voluntarily. At the Zaire/Rwanda/UNHCR Tripartite Commission Meeting held in Geneva on 20 December, my High Commissioner for Refugees, Mrs. Sadako Ogata, expressed concern over the failure by the concerned parties to translate earlier commitments into concrete actions, resulting in slow progress over refugee repatriation. Similarly, the Tripartite Commission Meeting between Rwanda, Tanzania and UNHCR took note of conditions that could facilitate the return of refugees. The spirit of the Cairo Declaration has demonstrated increased cooperation and understanding required to the pressing issues of refugee return and stability. The intimidators from the camps in Tanzania and Zaire are being separated as to encourage voluntary repatriation. Very recently, eight members of the leading political elements of the former FRGF operating in the former Rwandese Government Forces (RGF) camps in Zaire have been arrested and taken to a separate camp.

Reported clashes between armed groups and soldiers in Burundi provoked the surge of return to Rwanda. Some 7,000 Rwandese refugees returned to Rwanda during the reporting period. Voluntary repatriation movement figures have increased with some 13,000 returning to Rwanda. The increase is largely due to the massive return of Rwandese refugees from Burundi during the later part of December 1995.

The International Criminal Tribunal for Rwanda issued its first indictments on 12 December so as to carry forward the process of bringing to justice persons accused of genocide and crimes against humanity. All member States in the region have assured the Tribunal to cooperate with it as agreed at the Cairo Summit. Kenya has also indicated clearly to the Tribunal that it would cooperate with its decisions. The proceedings are to start very soon against eight suspects accused of genocide in Rwanda. There will be proceedings against more suspects shortly. President Ntibantunganya of Burundi has also assured that Burundi will do everything to facilitate the working of the International Tribunal for Rwanda. He added that his country will identify and arrest criminals who are hiding in the refugee camps.

The plenary session of the International Criminal Tribunal for Rwanda provided an opportunity to the judges to meet for the first time in Arusha on 8 January and examined indictments presented by Prosecutors concerning suspects who are in Belgium and those who are jailed in Zambia.

The recently set-up Supreme Court has begun to review working conditions, so that the judicial system becomes operative and those responsible for genocide could be brought to justice. The Court shall also examine other cases left unsettled following the genocide and war. Arrest and detention procedures are also being reviewed. A Draft Law on the amendment of the Rwandese Fundamental Law is being debated by Parliament Deputies so that articles creating judicial inconveniences could be removed. These measures are indicative of reconstructing the juridical system.

The process of reconciliation could only be achieved if justice is allowed to take its course. The Rwandese Government has been asked to take concrete action with regard to the illegal occupation of properties by the old refugees. The Government, however, confirmed the principle of private property inviolability so as to grant people their rights. The trial of RPA excesses in military courts will also contribute positively towards national reconciliation.

The crash plan undertaken by my Special Representative for improving prison conditions have to some extent mitigated the problem of over-crowding in the Rwandese prisons. 6,000 detainees have now been transferred to the semi-permanent detention site at Nsinda and to the extension of Nyanza Prison. The completion of the second courtyard at Gitarama prison and the transfers there, the imminent opening of the six temporary detention sites and the launching of transfers from communal lock-ups in Kibungo to the Prefecture's civilian prison are to be noted as a partial improvement in the conditions of detention in Rwanda. Additional space of 15,500 is likely to be created by end January through development and expansion of temporary and semi-permanent detention centres.

The disposal of UNAMIR equipment remains the most important outstanding issue between the United Nations and the Government of Rwanda. Its resolution is likely to have significant implications on future relationship. The Rwandese Government, particularly the extremist elements recognizes its strong bargaining position in this land-locked country. The confiscation of NGOs' equipment demonstrated this ability with scant regard for the loss of international goodwill. The Rwandese think that it is their moral right to have a significant portion of this equipment. There is a likelihood that the extremist elements of the RPA adopts an intimidatory approach and may even attempt to highjack UNAMIR vehicles.

Besides, the equipment issue and UNAMIR's relation with Rwanda seems to have no problem. There is no rift and no difficulty in implementing the current Mandate as given by the United Nations. This situation has been acknowledged at the highest level when H.E. Mr. Pasteur Bizimungu categorically stated that Rwanda sees no confrontational role with UNAMIR. Rather, UNAMIR II activities in Rwanda have been termed as successful.



Future United Nations presence in Rwanda should be instrumented in furthering the search for peace and stability through justice, reconciliation and refugee returnees and in assisting the Government of Rwanda in its pressing task of rehabilitation and reconstruction. A United Nations civilian presence with a clearly defined role and the necessary means to achieve its objectives could prove very meaningful. This would be justified in the context that an agenda of outstanding political issues remains to be completed, especially the issues mentioned above with special emphasis on human rights and socio-economic recovery. While relevant agencies are engaged in addressing these issues, a guiding coordinating political presence is needed for a further period of 6 months to a year to provide direction and consolidation of the achievements that UNAMIR II has made in Rwanda.

### III. HUMAN RIGHTS

1. The staffing of the United Nations Human Rights Field Operation in Rwanda fell from 120 at 30 November 1995 to 93 by 31 January 1996. Voluntary contributions received by the High Commissioner for Human Rights were not sufficient for new field officers, the majority of whom are United Nations Volunteers, to be contracted to replace those who completed their contracts. While the Field Operation continued to maintain its field offices in 10 prefectures, this level of staffing is limiting the Field Operation's ability to monitor conditions in all communes, and to give particular attention to the communes to which the largest number of refugees have returned or are expected to return.

2. The Field Operation continued to undertake regular visits to prisons and detention centres. While transfers to new accommodation alleviated some of the overcrowding suffered by detainees, this remained an acute problem in both prisons and local detention centres. Arrests continued to be carried out, in most cases outside legal procedures. progress in the creation and preparation of case files was slow. "Triage committees" (*commissions de triage*) met in only three prefectures, and very few detainees were released as a result. The Minister of Justice sought international assistance for plans to revitalize the committees, and to establish such committees at the local level in all 147 communes. In addition to over-crowding, HRFOR expressed concern to the Government about ill-treatment in many local detention centres, resulting in a number of deaths.

3. The authorities took some significant steps to address reported human rights violations. Four soldiers were tried and convicted by a military court in late December for their involvement in an incident earlier in the month in which four civilians were shot, and three of them killed. The RPA cooperated with the Field Operation in its investigation of the 25 November killing by soldiers of civilians at a temporary settlement in Nyungwe forest; the official investigation is now in the hands of the Military Prosecutor. The need to build a state of law while addressing security concerns was publicly emphasized by the Vice-President when he headed visits by the National Security Council to two prefectures in December. However, the Field Operation remained

concerned that official investigations were carried out only in some of the cases of possible human rights violations reported to it, including killings of civilians allegedly by members of the security forces.

4. The Field Operation continued its efforts of assistance to the judicial system and human rights promotion, and of confidence-building and human rights monitoring in the context of refugee return.

#### **IV. INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA**

1. The Office of the Prosecutor of the International Tribunal for Rwanda issued indictments against eight individuals on 12 December 1995. These persons were charged with responsibility for massacres which occurred in the prefecture of Kibuye. Judge Navanethem Pillay confirmed the indictment on 28 November 1995. The Tribunal did not disclose the names of the accused to facilitate their arrests by the authorities of the State(s) in which they now reside.

2. The Office of the Prosecutor recently began its first mass grave exhumations in Kibuye in connection with its initial indictments. Supplies and equipment have arrived from Europe and will be transported shortly to Kibuye. Nine members of the forensic team are currently working at the site; these staff include archaeologists and anthropologists. It is anticipated that the mass grave will be opened within the next two weeks. At that time, a pathological examination will take place.

3. The Prosecutor has sought the provisional arrest of four suspects who are currently in prisons in Zambia, as well as two suspects who are not yet in custody. Indictments against these persons are expected within the next few months. The Prosecutor also intends to make an application seeking the deferral of investigations involving four suspects currently being held by the Belgian authorities.

4. The investigation of last year's massacres undertaken by the Office of the Prosecutor have been facilitated by the addition of new staff. The staff of the Office of the Prosecutor now numbers 72, with the breakdown as follows: 1 deputy prosecutor, 30 investigators, 5 legal officers, 1 external relations officer, 5 international translators, 9 scientific support staff, and 12 local translators. The efforts of the Office of the Prosecutor have been severely impeded as a result of a shortage of vehicles and office equipment. The Office of the Prosecutor will be recruiting additional staff members in the coming months. The Tribunal appreciates the contributions of United Nations Member States to date and calls upon States to continue to provide financial and material assistance to the Tribunal.

5. **Given the imminent termination of UNAMIR's Mandate, the Tribunal will require alternative security provisions. In order to preserve the Tribunal's independence, an international security force will be essential.**

#### **V. MILITARY ASPECTS**

Pursuant to the provisions of the current mandate the force level now stands at 1200 troops and 200 Military Observers and Staff Officers. UNAMIR Military contingent has been deployed at Nyundo and Shagasha to secure the locations for the return of refugees. All other formed troops are deployed in Kigali as is Normed. The complete area of operation is divided into five Military Observers Sectors with their HQ as Kibungo, Gitarama, Gisenyi, Cyangugu and Butare.

2. Primarily the deployment is meant to provide necessary logistic support to UNHCR to move the refugees from the borders to the transit camps in Sector 4 and 5. The Military Observers monitor the return of refugees as well as their subsequent settling down in their respective home communes. The troops stationed in Kigali one for Tribunal Security, humanitarian services and construction works to assist in the rehabilitation of the Rwandese society and infrastructure. A small contingent is also deployed at Kibuye for the protection of members of the ITR working in Kibuye.

3. Since the new mandate was announced on 12 December, 1995 vide security council Resolution 1029, a total of refugees have returned to Rwanda from Burundi, Tanzania and Zaire. This number is comparatively high. Due to the brewing trouble in Burundi which resulted in a sudden influx from 15 to 20 December, 95. The average rate of influx of refugees remains for below the expected figure.

4. Military Observers continue to actively patrol their Areas of responsibility and provide the necessary information of activities in all sectors. They are however, handicapped by the reduced strength of 140 as per the new mandate.

#### **VI. SECURITY ASPECTS**

5. It appears that the raid on Iwawa Island in the beginning of November has had the desired effect. The rate of infiltrations in Kibuye Prefecture is noticeably down. The main infiltration route into Rwanda now appears to be through the volcanoes into Ruhengeri Prefecture. The RPA have Ruhengeri and Gisenyi Prefectures well covered, as it is the area of operations for 211 Brigade, with six battalions of infantry. Sabotage activities also continue with the blowing up of three power pylons, two of which were effective and disrupted power supply to the Cyangugu Prefecture. The Ex-FAR also blew up two reinforced concrete bridges in Cyangugu Prefecture.

7.

There were eight reported mine incidents in which, civilians and RPA soldiers were injured mostly losing their legs and/or arms while picking up or stepping on anti personnel mines.

7. The RPA is determined to have effective security control in the country and has introduced military court martials for RPA soldiers who unnecessarily harass or kill civilians. The ex FAR still has the capability of organizing attacks on civil and military targets within Rwanda. The RPA has however been carrying out redeployment of its forces in order to deal with these attacks and have the confidence of the populace as being able to provide for their security. As of date, it can be said that the security situation in Rwanda has improved. However it is yet to be seen what the situation would be like if the return of refugees starts in earnest.

## VII. HUMANITARIAN DEVELOPMENTS / REPATRIATION

In December the number of returnees increased significantly. According to UNHCR, more than 13,500 refugees returned to Rwanda in December, compared with approximately 6,700 in November. This increase was due to an influx of returnees from Burundi between 19 and 23 December, when a total of 5,499 returnees crossed the border into Rwanda in UNHCR organised convoys. Slightly over 5,000 refugees returned from Zaire during December, around the same number as in November. The flow of returnees from Tanzania nearly ceased; only some 200 returnees crossed the border from Tanzania (see annexes on refugees and returnees).

During the reporting period, UNHCR issued a \$288 million appeal to cover the cost of its 1996 operations for Rwandese and Burundian refugees and returnees in the Great Lakes region. The new appeal places special emphasis on voluntary repatriation to Rwanda in 1996, and plans for a shift in UNHCR's programs from care and maintenance of refugees in countries of asylum to return and reintegration in the country of origin. UNDP, WFP, UNICEF, other UN Agencies and NGOs are collaborating in these efforts. Plans for assistance to returnees in Rwanda include the provision of reception facilities and transport in both countries. Upon arrival, the returnees will receive a repatriation package that will include non-food items such as blankets, kitchen sets, plastic sheeting and roofing materials, a two-month supply of basic foodstuffs from the WFP along with seeds and tools. UNHCR also plans to provide substantial assistance in villages where returnees are expected to reintegrate. The UNHCR appeal also calls for some urgent measures to address the serious economic and environmental problems resulting from large numbers of refugees in the three asylum countries.

Insecurity in the Masisi region northwest of Goma has prompted over 5,000 Rwandese "old caseload" refugees (mainly from 1959 and 1972) to request repatriation. Ongoing conflict and difficult access have thus far postponed convoys which were scheduled to begin on 26 December and continue into the new year. Approximately 1,700 "old caseload" refugees have returned spontaneously through Gisenyi during the reporting period.

---



At the Zaire/Rwanda/UNHCR Tripartite Commission meeting held in Geneva on 20 December, the three parties expressed strong concern at the recent decline in refugees willing to repatriate to Rwanda. The High Commissioner for Refugees told the meeting that political factors, an increase in insecurity in the region, and a failure by the parties to translate earlier commitments into concrete action were in part responsible for the slow progress in getting people back home. In the communiqué issued at the end of the meeting, Rwanda reaffirmed its commitment to establish the necessary conditions for a safe return of refugees and to strengthen its capacity to welcome them home. For its part, Zaire reaffirmed its commitment to rid the refugee camps of those using intimidation to block the return of refugees. The meeting was the second between UNHCR, Rwanda and Zaire.

The Tripartite Commission including Rwanda, Tanzania and UNHCR held its third meeting in Kigali on 7-8 December 1995. The meeting was preceded by two other sub-committee meetings namely the sub-committee on security and safety and the sub-committee on the facilitation of repatriation. While the sub-committee on security and safety deals with issues of security at the borders due to the refugee presence in the neighbouring country and the separation of intimidators, the sub-committee on the facilitation of repatriation looks after matters pertaining to refugee/returnee visits and the dissemination of information to the camps.

Two "go and see" visits from Ngara and Karagwe camps in Tanzania took refugees to their home communes in Byumba and Kibungo prefectures from 18 to 23 December. During the first visit, one refugee was detained by local authorities for allegedly having participated in the genocide. The second visit, which took 26 persons on a four-day visit to five communes in Kibungo prefecture encountered no difficulties. In all, 474 refugees participated in over 30 "go and see" visits from three countries of asylum since the programme was initiated in mid-1995: 342 from Burundi, 122 from Tanzania and ten from Zaire.

Reported clashes between armed groups and soldiers in Burundi provoked the surge in returns to Rwanda. Some 7,000 Rwandese refugees returned to Rwanda during December. Another 2,000 Rwandese refugees who were trying to cross into Tanzania from Burundi on 21 December were forced back by Tanzanian authorities.

Insecurity has compelled NGOs and UN agencies to curtail their activities throughout the country, cutting off humanitarian assistance to refugees from Rwanda and Burundi and internally displaced persons (IDPs) alike. The sudden jump in repatriation from Mugano camp came at a time when most NGO expatriate personnel had been withdrawn to Bujumbura after many direct attacks and repeated threats to their safety. The aid community has called on the Government of Burundi to defend the apolitical and humanitarian character of its mission. The World Food Programme and UNHCR are exploring ways to guarantee food delivery for the six refugee camps in the north should WFP be forced to limit staff presence in certain provinces. Stocks in Ngozi and in camp storage facilities are sufficient to feed the refugee population for several

weeks but trucking of supplies to and from warehouses, as well as to the 86,000 IDPs currently receiving food aid in the same provinces, has become uncertain.

WFP has made contingency plans to meet requirements in the event of a large-scale repatriation of refugees. Refugees will be integrated as quickly as possible into FFW projects throughout the entire country. WFP has planned three phases in its preparations for a massive influx of Rwandese refugees. In phase I, WFP has stocked 1438 MTs of cereals, 346 MTs of pulses and 56 MTs of fats at the six entry points into Rwanda, sufficient for the needs of 93,578 people. In phase II, WFP will have stocked 455 MTs of cereals, 137 MTs of pulses, and 23 MTs of fats in Gikongoro and Ruhengeri as a back-up to the two main border crossings, sufficient for 18,961 people. In Phase III, WFP will stock 822 MTs of cereals, 247 MTs of pulses, and 41 MTs of fats in Kigali to meet additional needs. This latter amount is sufficient for 34,251 people. WFP has buffer stocks in Kigali for the repatriation operation, amounting to 734 MTs of cereals, 220 MTs of pulses and 37 MTs of fats. This is sufficient for 30,581 people. In addition to the aforementioned stocks, WFP has regional food aid stocks, located in Zaire, Burundi, Uganda, Tanzania, amounting to 19,113 MTs of cereals, 6,121 MTs of pulses and 170 MTs of fats. There is also 27,222 MTs of cereals, 12,572 MTs of pulses, and 2,076 MTs of fats. All of these stocks can be mobilised in case of a massive influx of refugees.

On 15 December, UNDP and the Ministry of Planning signed a project for the Urgent Urban Resettlement of Refugees. The one-year project will be executed by the United Nations Centre for Human Settlements (Habitat) in cooperation with the Ministry of Rehabilitation and Social Integration (MINIREISO) and will start on 1 January 1996. The budget, US\$ 1.5 million, is financed by the United Kingdom. The objective of the project is to facilitate the resettlement of returnees in urban and semi-urban areas by preparing and developing sites. The mission to prepare proposals for reinstallation and reinsertion activities in support of the Government's Accelerated Plan of Action has been completed. Following field visits, two UNDP consultants prepared, in cooperation with MINIREISO representatives, a project proposal outlining the "Structure de Pilotage" and the personnel requirements for the management of activities falling within the Accelerated Plan of Action for the Reinstallation and the Reinsertion of Refugees and Formerly Displaced Persons.

UNDP signed on 9 December a Preparatory Assistance project to support MINIREISO in the implementation of the Government's Accelerated Plan for Action. The one-year project will be executed by UNOPS and implemented by MINIREISO. The budget is US\$ 1,159,000, of which US\$ 186,336 comes from Dutch co-financing. This preparatory assistance will reinforce Government and local administration capacity to plan, implement, monitor and evaluate reinstallation activities at both the national and local level. The project will put into place the initial elements of the "Structure de

**Pilotage” described in the plan of Action financing the posts of Chief Technical Advisor, national and UNV officers and supplying them with the necessary equipment and support staff.**

**Due to the departure of 43 NGOs of which four - Bornefonden, Partage, Terre des Hommes and CUAMM - were UNICEF’s implementing partners, UNICEF has taken emergency steps to avoid the breakdown of services in several unaccompanied children’s centres run by these NGOs. In two centres, replacement agencies have been found. The three other centres remain without NGO financial and technical assistance although national staff are still present. The activities of UNHCR, WFP and other UN Agencies were also affected by the GoR’s decision to expel NGOs.**

**UNICEF is collaborating with a number of NGOs for its 1996 activities on behalf of vulnerable women and children. Separate agreements are to be signed with ASEO-Wihogora and Save the Children’s Fund-UK to continue tracing and reunification efforts. In order to support a study on street children and to provide technical expertise in the Miyove centre for women prisoners and their children, UNICEF will sign two separate agreements with Save the Children’s Fund-USA. UNICEF will support the NGOs Food for the Hungry and ADAP in providing assistance to vulnerable households within the country and for the reintegration and resettlement of returnee foster families.**

## **VIII. REHABILITATION, RECONSTRUCTION AND DEVELOPMENT**

### **A. Round Table Process**

**Funds pledged to date by donors have reached US\$ 1,264 million, against US\$ 587 million registered initially at the Geneva Round Table conference of January 1995. The increase came mainly from: (1) a continuation of projects previously in the pipe-line which the GoR had not considered to be on their new priority list and; (2) additional pledges made by donors at the July 1995 Round Table Mid-Term Review, mainly the European Union and the Netherlands. As well, France officially pledged assistance to Rwanda at the Review. Additional pledges from the European Union, Japan and the Netherlands were made at the Thematic Consultation on Refugees held in November 1995.**

**“Commitments” to date by donors are estimated at US\$ 878.5 million, equivalent to 150% of the pledges made in Geneva. Making good their intentions confirmed at the RT Mid-Term Review, donors accelerated commitments of funds further, especially in sub-programmes 2 and 3. The largest commitments to date have come from the World Bank (US\$ 224 million), European Union (US\$ 125 million), USA (US\$ 122 million) and Germany (US\$ 103 million).**

Disbursements to date by donors are estimated at US\$ 403.9 million, equivalent to 69% of the total pledged in Geneva, a remarkable improvement over May (9%), July (15%) and September (43%) disbursements. At the Government's request, a few donors have expedited their bilateral disbursement procedures and/or contributed through the Secretary-General's Trust Fund or the UNDP Trust Fund. To date, several bilateral donors have disbursed more than the amounts they had pledged in Geneva: United Kingdom (483%), USA (169%), Netherlands (143%) and Canada (142%).

In an effort to monitor incoming aid flows to Rwanda, the GoR has differentiated "direct aid" from assistance channelled through UN Agencies and NGOs ("indirect aid"). The latter is estimated to amount to almost US\$ 302 million (31% of total pledges), over and above the US\$ 500 million reported by UN-DHA under the Consolidated Appeal. Provisional data tend to indicate that disbursements by UN Agencies and NGOs are somewhat faster than in the case of assistance channelled directly to the GoR, especially for resettlement of refugees. Combined disbursements of "indirect aid" and "humanitarian assistance" in 1995 are also estimated to be much higher than those of "direct aid". In fact, aid disbursed through Government agencies and UNDP would only total US\$ 220 million in 1995, prompting some Government officials to question the real purpose of external support.

The Secretary-General's Trust Fund was established in the immediate aftermath of the Rwandese crisis, with particular support from the Netherlands, in order to facilitate the rapid disbursement of funds. In early 1995, the UNDP Trust Fund was constituted to channel resources from donors for rehabilitation projects. The United Kingdom has become a major donor through its contribution to the Economic Management programme. France, Spain, Switzerland, Japan, Ireland and the World Bank have also contributed to the fund. To date, contributions pledged via the Trust Fund and cost-sharing arrangements managed by UNDP total US\$ 43.5 million.

Programming of Trust Fund and cost-sharing resources is undertaken by UNDP in close consultation with the GoR, especially the Ministry of Planning, and in accordance with donors' instructions. UNDP has so far, programmed 17 projects totalling US\$ 18.1 million, equivalent to 113% of pledges made in Geneva (US\$ 16 million). These projects have mainly concentrated on "Financial Support" (US\$ 6.1 million) and "Rehabilitation" (US\$ 9.5 Million). In addition, four projects totalling US\$ 9 million are awaiting Government approval. In order to expedite programming and disbursements of donors' contributions to the UNDP Trust Fund, UNDP has often advanced its own money to cover preparation and start-up costs. Disbursements by UNDP (including contributions through both the Secretary General's and UNDP Trust Funds) are estimated at US\$ 10.5 million, equivalent to 66% of Geneva pledges.

(Brief Summary of 1996 Round Table : Preparations for the 1996 Round Table are underway. The Government has established three interministerial task forces to

prepare for the 1996 Round Table, which will focus on the following themes: (1) security and justice; (2) transition from humanitarian aid to development and; (3) strengthening national capacity. At the conference, the Government will also present for policy dialogue a macro-economic framework covering the 1996-98 period. : End of Summary)

The Round Table Conference on Rwanda, held in Geneva in January 1995, pledged to convene a follow-up Round Table, in order to review progress on the reconstruction programme for Rwanda and assess the need for further support from the international community. Tentatively scheduled for early May, the 1996 Rwanda Round Table Conference may be held in Bonn rather than Geneva as initially planned. A thematic consultation on private sector development, with joint support from the European Union, the World Bank and UNDP, is also scheduled to take place in February 1996.

The 1996 Round Table will focus on the following three themes, as agreed with donors at the November Thematic Consultation held in Kigali:

- Justice and security - to support measures to strengthen internal and external security, demobilisation, assistance to the justice system, and initiatives to ensure popular participation in stable political institutions.
- Transition from humanitarian aid to development - to strengthen food security, reintegrate returning refugees and provide support to vulnerable groups, in addition to focusing on modalities of coordination for UN agencies and NGOs.
- Capacity building - to cover organisational reform and capacity building in the public sector, initiatives to strengthen national execution of the development process and technical assistance policy.

With the support of UNDP, the Government of Rwanda has established three task forces, one for each theme, with an additional working group addressing the necessary macro-economic framework for recovery and development over the 1996-98 period. Under the direction of the Prime Minister's office, all GoR Ministries are involved in drafting sectoral strategies for presentation at the Round Table and in contributing to the work of the task forces.

Draft documentation on sectoral policies by each Ministry is scheduled to be finalised by 24 January 1996 when representatives of all ministries will meet with the Prime Minister's office. Input documentation will be finalised and discussed with donors in February, and final versions are scheduled to be available in March. UN Agencies

have been requested to assist in documentation preparation and may also present their needs for donor funding, thus continuing to coordinate their fund raising campaigns within the Round Table process.

#### IX. ECONOMY/FINANCIAL SUPPORT

At the end of 1995, annual budgetary revenue is estimated to have reached a total of RWF 20.9 billion (about US\$ 70 million), surpassing the target of RWF 19.4 billion projected with IMF assistance in June 1995. As in the past, the largest components of 1995 revenue came from taxes on goods and services and on international trade, 41% and 45% respectively. On the spending side, military expenditure has accounted for 4.5% of GDP, a relatively high ratio by international standards. The GoR will, however, have incurred a total budget deficit (commitment basis) of RWF 17.2 billion, against initial estimates of RWF 21.8 billion. This has been achieved through both higher revenue collection and lower expenditure than anticipated. A sustainable budgetary framework in the future would call for a significant reduction in military expenditure in the immediate years ahead.

Budgetary support from donors during 1995 came mainly from: (1) drawings on "counterpart funds" from Belgium, Canada, the European Union, Germany, the Netherlands, the United States and the World Bank; (2) disbursements from the UNDP managed Trust Fund, in particular contributions from the Netherlands and the United Kingdom and; (3) direct support from bilateral donors for selected debt repayments and rehabilitation activities. These contributions were insufficient to meet the deficit and the Treasury is estimated to have incurred additional arrears of RWF 10.9 billion (domestic: 7.5 and external: 3.3). Much higher imports by the private sector are needed to generate the necessary counterpart funds for budgetary funding.

In the external area, coffee exports are now expected to total 17,000 tonnes in 1995, some 15% higher than anticipated earlier. Proceeds from exports and disbursements from the World Bank's Emergency Recovery Credit (US\$ 28 million to date), the IMF's Compensatory and Contingency Financing Facility (US\$ 13.6 million) and the African Development Bank (US\$ 18.8 million) have contributed to stabilise the exchange rate. The Central Bank's strict policy stance on refinancing has also forced commercial banks to sell their dollar holdings. As a consequence, the parity of the US dollar has been hovering under RWF 300, after having peaked at RWF 328 on August 14, 1995. At the end of December 1995, Rwanda's gross international reserves amounted to US\$ 82.1 million, providing an import coverage of 4.7 months against 1.3 months at the end of 1994. This should allow the current exchange rate levels to be maintained in the months ahead.

In spite of bilateral donor support to settle external arrears and debt service to



selected multilateral donors, mainly the World Bank and the African Development Bank, Rwanda still incurred public debt arrears as of December 1995, bringing the external outstanding debt to 94% of GDP, against 56% two years earlier. The country's debt burden remains heavy and a continuation of prudent borrowing policies is still necessary.

As mentioned above, the Government has maintained a tight monetary policy over the period under consideration. More specifically, domestic credit has only increased by approximately 0.5% per month, to accommodate net claims on the private sector for coffee trading and exports. Increases in the private demand for credit was offset by the decline in net claims on the public sector (including public enterprises). Money supply has thus been increasing by approximately 2% per month over the period, in line with the rapid accumulation of foreign reserves. In this context of controlled growth in money supply and a stabilised exchange rate, price inflation, which reached 6% a month over the May-July period, has slowed to an average monthly rate of 0.6% between August and November. Attention to projected budgetary deficits in the future, including a continuation of budgetary support, is desirable to enable the GoR to maintain a stable macro-economic framework.

### C. Capacity Building

As a result of assistance provided since September 1995 under UNDP's Economic Management Capacity Building programme to the Ministry of Public Service, the process of testing candidates for over 300 posts in Government has been completed. The appointment of Directors in nearly all Ministries is now underway. UNDP also financed a one-week training program for bourgmestres (mayors) from all of Rwanda's 145 communes from 8-14 January. Topics covered included *inter alia*: democracy, human rights and justice; ethics and the management of public goods; leadership and decision making and; promotion of income-generating projects.

#### (1) Judicial System

Reactivating the judicial system remains a priority of UN agencies operating in Rwanda. Although progress is slow due to the GoR's lack of capacity and the enormous complexity of trying those suspected of genocide, steps were taken in December. Four priority areas of the Ministry for the Rehabilitation and Functioning of the Judiciary were identified and implementation of programmes designed to rehabilitate the judicial system is underway.

In accordance with a recommendation made during the recent Conference on the Genocide held in Kigali, the Ministry of Justice announced its desire to establish 11 "special courts" for the treatment of genocide cases. These courts could be supported by six international experts who could be recruited through UNDP's "Support to the

Rehabilitation of the Judiciary" phase II project. Four more specialists could be recruited to support the Public Prosecutor of the Supreme Court. Incentive measures are being examined in order to increase the productivity of judiciary public servants and recruit qualified and experienced candidates in key positions. According to the plan, up to 1000 persons could receive enhanced remuneration through the aforementioned UNDP project.

The work of the "Commissions de Triage" is scheduled to begin in mid-January and the necessary administrative decisions are being prepared by the Ministry of Justice to be presented to the GoR Cabinet for official approval. Assessment of material needs for the proper functioning of the Supreme Court has been completed. It is expected that these needs will be covered through contributions made by Germany.

The total number of detainees in Rwanda's prisons and detention centres did not change significantly during December. Although transfers to new sites in November alleviated some of the overcrowding problems faced by detainees, overcrowding remained acute. The Government of the Netherlands has provided US\$ 2,839,000 through the UNDP Trust Fund for the Rehabilitation of the Justice System project. This project focuses on relieving prison overcrowding. At the request of the Netherlands, these funds will be used according to priorities set by the Ministry of Justice.

In its efforts to increase State capacity, UNDP, in conjunction with the Rwandese Ministry of Planning and Ministry of Interior, signed on 15 December a budget revision which 15

contributes an additional US\$ 50,000 to the construction of the Communal Police Training School in Gishari. This addition to the budget comes from a contribution made by the Government of Ireland.

During the month of December the FAO undertook various activities in the framework of its projects for populations at-risk. In particular FAO continued to collect information on distributions of agricultural inputs for the 1996 Season (September 1995-January 1996). In collaboration with the Ministry of Agriculture (MINAGRI), FAO conducted an information campaign for the promotion of vegetable gardens. WFP and FAO also undertook an evaluation of the current season's harvest and food needs for the first semester of 1996.

+++

X "OBSERVATIONS"

**REPORT OF THE SECRETARY-GENERAL ON THE  
UNITED NATIONS ASSISTANCE MISSION FOR RWANDA (UNAMIR)**

**I. INTRODUCTION**

1. The present report is submitted pursuant to resolution 1029 (1995) of 12 December 1995, by which the Security Council adjusted and extended the Mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) for a final period until 8 March 1996 and authorized the reduction of its troop level to 1,200, curtailing the number of military observers, headquarters and other military support staff to 200. Consequently, it called upon, to initiate planning for the complete withdrawal of UNAMIR, within a period of six weeks after the expiry of the Mandate. The Civilian Police component of UNAMIR is to draw out completely. It further called for examining, in the context of existing United Nations regulations, the feasibility of transferring UNAMIR non-lethal equipment for use in Rwanda. In accordance with the current Mandate, UNAMIR would assist the United Nations High Commissioner for Refugees (UNHCR) and other international agencies in encouraging the return of refugees with necessary logistical support and provision of good offices, etc. The present report provides an up-date of the situation as of 31 January and contains recommendations regarding the United Nations role after the conclusion of the Mandate of the United Nations Assistance Mission for Rwanda on 8 March.

**II. POLITICAL DEVELOPMENTS**

The climate of relative security and stability that prevailed in Rwanda is beset with two shocking developments showing cracks in the political edifice of the governing hierarchy and repulsive attitude towards the international community. The first related to the defection of two senior Hutu officials who had returned to Rwanda after July 1994 and had now left the country denouncing the Government publicly. The second development related to the arbitrary manner in which 38 NGOs were asked to stop their operations and leave the country, while 18 were suspended from carrying on their operations. The international community's concern on this announcement was conveyed to the Minister of Foreign Affairs by my Special Representative in Rwanda and I hope that appeals by NGOs would be given due consideration by the Government.

Both these developments indicate a widening of the gap between extremist Tutsis and moderate Hutus elements that form the coalition in the Government. Extremism needs to be controlled from within and from neighbouring countries and should be dealt with seriously. Rwandan Patriotic Army's successful operation in wiping out the former Rwandese Government forces (FRGF) from the Iwawa Island had a demoralizing effect upon the FRGF and infiltrations from the Zairian border had a declining trend. However, the insurgent activities have again started picking up in the prefectures bordering Zaire. In Nyungwe forest the RPA had an

exchange of fire with people alleged to have been involved in FRGF activities, resulting in the death of about 85 persons. In early January there had been a jail-break in the Nyakinama commune jail. Eight armed men in uniform, suspected to be the FRGF, came to the jail, killed the Chief of the Communal Police and released eight prisoners. Similarly seven people were killed in Bugeza sector of Gafanza commune close to Ijwi Island. The killers came from Zaire to Ijwi Island. On 4 January there was a clash between RPA and the FRGF. The RPA used heavy machine guns and mortars.

The current Mandate is closely tied up with the return of refugees and with the Accelerated Programme of Action for Resettlement and Reintegration of Returnees (APARR) as contemplated during the Thematic Consultation Meeting held in November 1995. Major inter-agency efforts headed by UNHCR is underway to persuade Rwandese refugees to return home voluntarily. At the Zaire/Rwanda/UNHCR Tripartite Commission Meeting held in Geneva on 20 December, my High Commissioner for Refugees, Mrs. Sadako Ogata, expressed concern over the failure by the concerned parties to translate earlier commitments into concrete actions, resulting in slow progress over refugee repatriation. Similarly, the Tripartite Commission Meeting between Rwanda, Tanzania and UNHCR took note of conditions that could facilitate the return of refugees. The spirit of the Cairo Declaration has demonstrated increased cooperation and understanding required to the pressing issues of refugee return and stability. The intimidators from the camps in Tanzania and Zaire are being separated as to encourage voluntary repatriation. Very recently, eight members of the leading political elements of the former FRGF operating in the former Rwandese Government Forces (RGF) camps in Zaire have been arrested and taken to a separate camp.

Reported clashes between armed groups and soldiers in Burundi provoked the surge of return to Rwanda. Some 7,000 Rwandese refugees returned to Rwanda during the reporting period. Voluntary repatriation movement figures have increased with some 13,000 returning to Rwanda. The increase is largely due to the massive return of Rwandese refugees from Burundi during the later part of December 1995.

The International Criminal Tribunal for Rwanda issued its first indictments on 12 December so as to carry forward the process of bringing to justice persons accused of genocide and crimes against humanity. All member States in the region have assured the Tribunal to cooperate with it as agreed at the Cairo Summit. Kenya has also indicated clearly to the Tribunal that it would cooperate with its decisions. The proceedings are to start very soon against eight suspects accused of genocide in Rwanda. There will be proceedings against more suspects shortly. President Ntibantunganya of Burundi has also assured that Burundi will do everything to facilitate the working of the International Tribunal for Rwanda. He added that his country will identify and arrest criminals who are hiding in the refugee camps.

The plenary session of the International Criminal Tribunal for Rwanda provided an opportunity to the judges to meet for the first time in Arusha on 8 January and examined indictments presented by Prosecutors concerning suspects who are in Belgium and those who are jailed in Zambia.

The recently set-up Supreme Court has begun to review working conditions, so that the judicial system becomes operative and those responsible for genocide could be brought to justice. The Court shall also examine other cases left unsettled following the genocide and war. Arrest and detention procedures are also being reviewed. A Draft Law on the amendment of the Rwandese Fundamental Law is being debated by Parliament Deputies so that articles creating judicial inconveniences could be removed. These measures are indicative of reconstructing the juridical system.

The process of reconciliation could only be achieved if justice is allowed to take its course. The Rwandese Government has been asked to take concrete action with regard to the illegal occupation of properties by the old refugees. The Government, however, confirmed the principle of private property inviolability so as to grant people their rights. The trial of RPA excesses in military courts will also contribute positively towards national reconciliation.

The crash plan undertaken by my Special Representative for improving prison conditions have to some extent mitigated the problem of over-crowding in the Rwandese prisons. 6,000 detainees have now been transferred to the semi-permanent detention site at Nsinda and to the extension of Nyanza Prison. The completion of the second courtyard at Gitarama prison and the transfers there, the imminent opening of the six temporary detention sites and the launching of transfers from communal lock-ups in Kibungo to the Prefecture's civilian prison are to be noted as a partial improvement in the conditions of detention in Rwanda. Additional space of 15,500 is likely to be created by end January through development and expansion of temporary and semi-permanent detention centres.

The disposal of UNAMIR equipment remains the most important outstanding issue between the United Nations and the Government of Rwanda. Its resolution is likely to have significant implications on future relationship. The Rwandese Government, particularly the extremist elements recognizes its strong bargaining position in this land-locked country. The confiscation of NGOs' equipment demonstrated this ability with scant regard for the loss of international goodwill. The Rwandese think that it is their moral right to have a significant portion of this equipment. There is a likelihood that the extremist elements of the RPA adopts an intimidatory approach and may even attempt to hijack UNAMIR vehicles.

Besides, the equipment issue and UNAMIR's relation with Rwanda seems to have no problem. There is no rift and no difficulty in implementing the current Mandate as given by the United Nations. This situation has been acknowledged at the highest level when H.E. Mr. Pasteur Bizimungu categorically stated that Rwanda sees no confrontational role with UNAMIR. Rather, UNAMIR II activities in Rwanda have been termed as successful.

Future United Nations presence in Rwanda should be instrumented in furthering the search for peace and stability through justice, reconciliation and refugee returnees and in assisting the Government of Rwanda in its pressing task of rehabilitation and reconstruction. A United Nations civilian presence with a clearly defined role and the necessary means to achieve its objectives could prove very meaningful. This would be justified in the context that an agenda of outstanding political issues remains to be completed, especially the issues mentioned above with special emphasis on human rights and socio-economic recovery. While relevant agencies are engaged in addressing these issues, a guiding coordinating political presence is needed for a further period of 6 months to a year to provide direction and consolidation of the achievements that UNAMIR II has made in Rwanda.

### III. HUMAN RIGHTS

1. The staffing of the United Nations Human Rights Field Operation in Rwanda fell from 120 at 30 November 1995 to 93 by 31 January 1996. Voluntary contributions received by the High Commissioner for Human Rights were not sufficient for new field officers, the majority of whom are United Nations Volunteers, to be contracted to replace those who completed their contracts. While the Field Operation continued to maintain its field offices in 10 prefectures, this level of staffing is limiting the Field Operation's ability to monitor conditions in all communes, and to give particular attention to the communes to which the largest number of refugees have returned or are expected to return.

2. The Field Operation continued to undertake regular visits to prisons and detention centres. While transfers to new accommodation alleviated some of the overcrowding suffered by detainees, this remained an acute problem in both prisons and local detention centres. Arrests continued to be carried out, in most cases outside legal procedures. progress in the creation and preparation of case files was slow. "Triage committees" (commissions de triage) met in only three prefectures, and very few detainees were released as a result. The Minister of Justice sought international assistance for plans to revitalize the committees, and to establish such committees at the local level in all 147 communes. In addition to over-crowding, HRFOR expressed concern to the Government about ill-treatment in many local detention centres, resulting in a number of deaths.

3. The authorities took some significant steps to address reported human rights violations. Four soldiers were tried and convicted by a military court in late December for their involvement in an incident earlier in the month in which four civilians were shot, and three of them killed. The RPA cooperated with the Field Operation in its investigation of the 25 November killing by soldiers of civilians at a temporary settlement in Nyungwe forest; the official investigation is now in the hands of the Military Prosecutor. The need to build a state of law while addressing security concerns was publicly emphasized by the Vice-President when he headed visits by the National Security Council to two prefectures in December. However, the Field Operation remained



concerned that official investigations were carried out only in some of the cases of possible human rights violations reported to it, including killings of civilians allegedly by members of the security forces.

4. The Field Operation continued its efforts of assistance to the judicial system and human rights promotion, and of confidence-building and human rights monitoring in the context of refugee return.

#### **IV. INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA**

1. The Office of the Prosecutor of the International Tribunal for Rwanda issued indictments against eight individuals on 12 December 1995. These persons were charged with responsibility for massacres which occurred in the prefecture of Kibuye. Judge Navanethem Pillay confirmed the indictment on 28 November 1995. The Tribunal did not disclose the names of the accused to facilitate their arrests by the authorities of the State(s) in which they now reside.

2. The Office of the Prosecutor recently began its first mass grave exhumations in Kibuye in connection with its initial indictments. Supplies and equipment have arrived from Europe and will be transported shortly to Kibuye. Nine members of the forensic team are currently working at the site; these staff include archaeologists and anthropologists. It is anticipated that the mass grave will be opened within the next two weeks. At that time, a pathological examination will take place.

3. The Prosecutor has sought the provisional arrest of four suspects who are currently in prisons in Zambia, as well as two suspects who are not yet in custody. Indictments against these persons are expected within the next few months. The Prosecutor also intends to make an application seeking the deferral of investigations involving four suspects currently being held by the Belgian authorities.

4. The investigation of last year's massacres undertaken by the Office of the Prosecutor have been facilitated by the addition of new staff. The staff of the Office of the Prosecutor now numbers 72, with the breakdown as follows: 1 deputy prosecutor, 30 investigators, 5 legal officers, 1 external relations officer, 5 international translators, 9 scientific support staff, and 12 local translators. The efforts of the Office of the Prosecutor have been severely impeded as a result of a shortage of vehicles and office equipment. The Office of the Prosecutor will be recruiting additional staff members in the coming months. The Tribunal appreciates the contributions of United Nations Member States to date and calls upon States to continue to provide financial and material assistance to the Tribunal.

---

✓  
MILITARY ASPECTS

Pursuant to the provisions of the current mandate the force level now stands at 1200 troops and 200 Military Observers and Staff Officers. UNAMIR Military contingent has been deployed at Nyundo and Shagasha to secure the locations for the return of refugees. All other formed troops are deployed in Kigali as is Normed. The complete area of operation is divided into five Military Observers Sectors with their HQ as Kibungo, Gitarama, Gisenyi, Cyangugu and Butare.

2. Primarily the deployment is meant to provide necessary logistic support to UNHCR to move the refugees from the borders to the transit camps in Sector 4 and 5. The Military Observers monitor the return of refugees as well as their subsequent settling down in their respective home communes. The troops stationed in Kigali one for Tribunal Security, humanitarian services and construction works to assist in the rehabilitation of the Rwandese society and infrastructure. A small contingent is also deployed at Kibuye for the protection of members of the ITR working in Kibuye.

3. Since the new mandate was announced on 12 December, 1995 vide security council Resolution 1029, a total of refugees have returned to Rwanda from Burundi, Tanzania and Zaire. This number is comparatively high. Due to the brewing trouble in Burundi which resulted in a sudden influx from 15 to 20 December, 95. The average rate of influx of refugees remains for below the expected figure.

4. Military Observers continue to actively patrol their Areas of responsibility and provide the necessary information of activities in all sectors. They are however, handicapped by the reduced strength of 140 as per the new mandate.

✓  
SECURITY ASPECTS

5. It appears that the raid on Iwawa Island in the beginning of November has had the desired effect. The rate of infiltrations in Kibuye Prefecture is noticeably down. The main infiltration route into Rwanda now appears to be through the volcanoes into Ruhengeri Prefecture. The RPA have Ruhengeri and Gisenyi Prefectures well covered, as it is the area of operations for 211 Brigade, with six battalions of infantry. Sabotage activities also continue with the blowing up of three power pylons, two of which were effective and disrupted power supply to the Cyangugu Prefecture. The Ex-FAR also blew up two reinforced concrete bridges in Cyangugu Prefecture.

6. There were eight reported mine incidents in which, civilians and RPA soldiers were injured mostly losing their legs and/or arms while picking up or stepping on anti personnel mines.

---

-(2):-

7. The RPA is determined to have effective security control in the country and has introduced military court martials for RPA soldiers who unnecessarily harass or kill civilians. The ex FAR still has the capability of organizing attacks on civil and military targets within Rwanda. The RPA has however been carrying out redeployment of its forces in order to deal with these attacks and have the confidence of the populace as being able to provide for their security. As of date, it can be said that the security situation in Rwanda has improved. However it is yet to be seen what the situation would be like if the return of refugees starts in earnest.

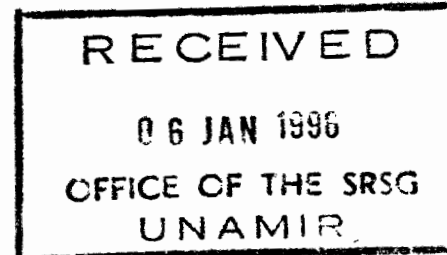
FROM: A/FC  
TO: SRSG  
POL AFFAIRS OFFICER

3000-1/AFC/01

DATE: 06 JAN 96

SUBJECT: PROGRESS REPORT OF THE SECY GEN TO THE SECURITY COUNCIL  
ON UNAMIR

1. Ref you letter on the above subject dated 27 Dec 95.
2. The military input for the report is forwarded herewith.
3. Best regards.



ED  
JNK 9.1

Military Input to Draft SG's Report

UNAMIR Mission from 08 Dec 95 to 08 Mar 96

1. On termination of the previous mandate, protracted negotiation followed in UNNY and on 12 Dec 95, vide Security Council Resolution 1029, the mandate of UNAMIR was extended for a final period of three months till 08 Mar 95 followed by a six weeks period during which UNAMIR is required to pull out completely from Rwanda. As per the new mandate, UNAMIR is required to do the following:

- a. Exercise its offices to assist the Govt of Rwanda in facilitating the voluntary and safe repatriation of refugees.
- b. Assist UNHCR and other International Agencies in the provision of logistical sp for the repatriation of refugees.
- c. Contribute to the protection of the International Tribunal as an interim measure till such time alternate arrangements can be made by the Rwandan Govt.

2. The resolution also calls for a reduction in the force to 1200 tps and 200 Milobs and Staff Offrs. The distribution of the remaining force is as under:

- a. NICOY - 133.
- b. GHANCOY - 135.
- c. ENGR COY - 202.
- d. SIG COY - 90.
- e. 95 CMSG - 85.
- f. INDBATT - 540.
- g. MOVCON - 15.  
-----  
1200
- h. HQ STAFF - 27.
- j. MIL POLICE - 31.
- k. MILOBS - 142.  
-----  
1400

### Concept of Ops and Dply

3. In order to fulfill the above mandate, Nicoy has deployed coy less a pl at Nyundo and a pl at Shagasha to secure the two locs as adm bases for the return of refugees. All other formed tps i.e Indbatt, Force Engr Coy, Force Sig Coy, 95 CMSG and Ghancoy are deployed in Kigali as is Normed. The complete AOR is divided into five Milobs sectors with their HQ at Kibungo, Gitarama, Gisenyi, Cyangugu and Butare.

4. With this deployment, the concept of ops aims at providing two log bases at Nyundo and Shagasha to provide the necessary lgs sp to UNHCR to move the refugees from the border to the transit camps in sectors 4 and 5. The Milobs are to monitor the return of refugees as well as their subsequent settling down in their respective home communes. The troops conc in Kigali are for Tribunal security, humanitarian services and constructional works to assist in the rehabilitation of the Rwandese society and infrastructure. The coy providing security to the International Tribunal, has deployed a platoon at Kibuye wef 26 Dec 95 till the end of the mandate, for the protection of members of the ITR working in Kibuye.

### Progress of Downsizing

5. The reduction in force will be achieved by repatriating Malicoy, Malawicoy, Ghancoy I and pers of Indbatt in the following manner:

- a. Malicoy - 132 pers to depart on 08 Jan 96.
- b. Malawicoy - 132 pers to depart on 17 Jan 96.
- c. 95 CMSG - 86 pers to leave on 26 Jan 96 and be replaced by 85 pers from Canada.
- d. Ghancoy I - 151 pers to depart on 28 Jan 96.
- e. Civpol - All pers of Civpol to leave by 15 Jan 96.
- f. Milobs - 107 Milobs to be repatriated by 20 Jan 96.
- g. MP Coy - 15 pers of MP Coy to be repatriated by 31 Jan 96.
- h. Staff - 08 Staff Offrs are to be repatriated by 31 Jan 96.

6. A total military strength of 1400 would be achieved by 31 Jan 96.



### Return of Refugees

7. Since the new mandate was announced on 12 Dec 95 vide Security Council Resolution 1029, a total of        refugees have returned to Rwanda from Burundi, Tanzania and Zaire. This number is comparatively high due to the brewing trouble in Burundi which resulted in a sudden influx from 15 to 20 Dec 95. The average rate of inflow of refugees remains far below the expected figures.

### Milobs Activities

8. Military Observers continue to actively patrol their Areas of Responsibility and provide the necessary information of activities in all sectors. They are however, handicapped by the reduced strength of 140 as per the new mandate.

### Overall Security Situation

#### 9. Infiltration/Banditry/Assassinations

a. It appears that the raid on Iwawa Island in the beginning of November has had the desired effect. The rate of infiltrations in Kibuye Prefecture is noticeably down. The main infiltration route into Rwanda now appears to be through the volcanoes into Ruhengeri Prefecture. The RPA have Ruhengeri and Gisenyi Prefectures well covered, as it is the area of operations for 211 Brigade, with six battalions of infantry.

b. Sabotage activities also continue with the blowing up of three power pylons, two of which were effective and disrupted power supply to the Cyangugu Prefecture. The Ex-FAR also blew up two reinforced concrete bridges in Cyangugu Prefecture.

10. Mines There were eight reported mine incidents in which, civilians and RPA soldiers were injured mostly losing their legs and/or arms while picking up or stepping on anti personnel mines.

11. Security Assessment The RPA is determined to have effective sy control in the country and has introduced military court martials for RPA soldiers who unnecessarily harass or kill civilians. The ex FAR still has the capability of organizing attacks on civil and military targets within Rwanda. The RPA has however been carrying out redeployment of its forces in order to deal with these attacks and have the confidence of the populace as being able to provide for their security. As of date, it can be said that the security situation in Rwanda has improved. However, it is yet to be seen what the situation would be like if the return of refugees starts in earnest.



(K S Sivakumar)  
Brig  
A/Force Commander

FROM: A/FC

3000-1/AFC/01

TO: SRSG  
POL AFFAIRS OFFICER

DATE: 05 JAN 96

SUBJECT: PROGRESS REPORT OF THE SECY GEN TO THE SECURITY COUNCIL  
ON UNAMIR

1. Ref you letter on the above subject dated 27 Dec 95.
2. The military input for the report is forwarded herewith.
3. Best regards.

## Military Input to Draft SG's Report

### UNAMIR Mission from 08 Dec 95 to 08 Mar 96

1. On termination of the previous mandate, protracted negotiation followed in UNNY and on 12 Dec 95, vide Security Council Resolution 1029, the mandate of UNAMIR was extended for a final period of three months till 08 Mar 95 followed by a six weeks period during which UNAMIR is required to pull out completely from Rwanda. As per the new mandate, UNAMIR is required to do the following:

- a. Exercise its offices to assist the Govt of Rwanda in facilitating the voluntary and safe repatriation of refugees.
- b. Assist UNHCR and other International Agencies in the provision of logistical sp for the repatriation of refugees.
- c. Contribute to the protection of the International Tribunal as an interim measure till such time alternate arrangements can be made by the Rwandan Govt.

2. The resolution also calls for a reduction in the force to 1200 tps and 200 Milobs and Staff Offrs. The distribution of the remaining force is as under:

- a. NICOY - 133.
- b. GHANCOY - 135.
- c. ENGR COY - 202.
- d. SIG COY - 90.
- e. 95 CMSG - 85.
- f. INDBATT - 540.
- g. MOVCON - 15.  
-----  
1200
- h. HQ STAFF - 27.
- j. MIL POLICE - 31.
- k. MILOBS - 142.  
-----  
1400

### Concept of Ops and Dply

3. In order to fulfill the above mandate, Nicoy has deployed coy less a pl at Nyundo and a pl at Shagasha to secure the two locs as adm bases for the return of refugees. All other formed tps i.e Indbatt, Force Engr Coy, Force Sig Coy, 95 CMSG and Ghancoy are deployed in Kigali as is Normed. The complete AOR is divided into five Milobs sectors with their HQ at Kibungo, Gitarama, Gisenyi, Cyangugu and Butare.

4. With this deployment, the concept of ops aims at providing two log bases at Nyundo and Shagasha to provide the necessary lgs sp to UNHCR to move the refugees from the border to the transit camps in sectors 4 and 5. The Milobs are to monitor the return of refugees as well as their subsequent settling down in their respective home communes. The troops conc in Kigali are for Tribunal security, humanitarian services and constructional works to assist in the rehabilitation of the Rwandese society and infrastructure. The coy providing security to the International Tribunal, has deployed a platoon at Kibuye wef 26 Dec 95 till the end of the mandate, for the protection of members of the ITR working in Kibuye.

### Progress of Downsizing

5. The reduction in force will be achieved by repatriating Malicoy, Malawicoy, Ghancoy I and pers of Indbatt in the following manner:

- a. Malicoy - 132 pers to depart on 08 Jan 96.
- b. Malawicoy - 132 pers to depart on 17 Jan 96.
- c. 95 CMSG - 86 pers to leave on 26 Jan 96 and be replaced by 85 pers from Canada.
- d. Ghancoy I - 151 pers to depart on 28 Jan 96.
- e. Civpol - All pers of Civpol to leave by 15 Jan 96.
- f. Milobs - 107 Milobs to be repatriated by 20 Jan 96.
- g. MP Coy - 15 pers of MP Coy to be repatriated by 31 Jan 96.
- h. Staff - 08 Staff Offrs are to be repatriated by 31 Jan 96.

6. A total military strength of 1400 would be achieved by 31 Jan 96.

### Return of Refugees

7. Since the new mandate was announced on 12 Dec 95 vide Security Council Resolution 1029, a total of        refugees have returned to Rwanda from Burundi, Tanzania and Zaire. This number is comparatively high due to the brewing trouble in Burundi which resulted in a sudden influx from 15 to 20 Dec 95. The average rate of inflow of refugees remains far below the expected figures.

### Milobs Activities

8. Military Observers continue to actively patrol their Areas of Responsibility and provide the necessary information of activities in all sectors. They are however, handicapped by the reduced strength of 140 as per the new mandate.

### Overall Security Situation

#### 9. Infiltration/Banditry/Assassinations

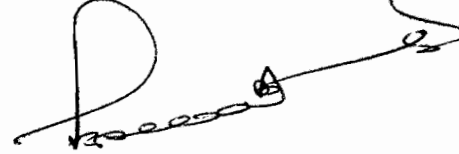
a. It appears that the raid on Iwawa Island in the beginning of November has had the desired effect. The rate of infiltrations in Kibuye Prefecture is noticeably down. The main infiltration route into Rwanda now appears to be through the volcanoes into Ruhengeri Prefecture. The RPA have Ruhengeri and Gisenyi Prefectures well covered, as it is the area of operations for 211 Brigade, with six battalions of infantry.

b. Sabotage activities also continue with the blowing up of three power pylons, two of which were effective and disrupted power supply to the Cyangugu Prefecture. The Ex-FAR also blew up two reinforced concrete bridges in Cyangugu Prefecture.

10. Mines There were eight reported mine incidents in which, civilians and RPA soldiers were injured mostly losing their legs and/or arms while picking up or stepping on anti personnel mines.



11. Security Assessment The RPA is determined to have effective sy control in the country and has introduced military court martials for RPA soldiers who unnecessarily harass or kill civilians. The ex FAR still has the capability of organizing attacks on civil and military targets within Rwanda. The RPA has however been carrying out redeployment of its forces in order to deal with these attacks and have the confidence of the populace as being able to provide for their security. As of date, it can be said that the security situation in Rwanda has improved. However, it is yet to be seen what the situation would be like if the return of refugees starts in earnest.



(K S Sivakumar)  
Brig  
A/Force Commander



UNAMIR - MINUAR

INTEROFFICE MEMORANDUM

**URGENT**

To: See Distribution List

27 December 1995

From: Shaharyar M. Khan,  
Special Representative of the  
Secretary-General

Subject: Progress Report of the Secretary-General  
to the Security Council on UNAMIR

As you are aware, the present mandate of UNAMIR is scheduled to end on 8 March 1996. Under Security Council resolution 1029 of 12 December 1995, the Secretary-General is expected to report to the Security Council by 1st February on UNAMIR's mandate, the humanitarian situation, progress towards the repatriation of refugees, and to make recommendations on the future role of the UN in Rwanda. In this connection, the draft of the report should reach New York by 15 January 1996 at the latest. Accordingly, you are requested to submit your contribution covering your respective area(s) of responsibility to me, with a copy to the Political Affairs Officer, Mr. Javed N.A. Khan, no later than 10 a.m. on Monday, 8 January 1996.

Your contribution should cover developments since the Secretary-General's last progress report to the Security Council on 1 December 1995 (Document S/1995/1002) and reflect progress made and/or difficulties encountered in the implementation of the mandate entrusted to UNAMIR under Security Council resolution 1029 of 12 December 1995. You may also wish to suggest concluding observations on the overall situation in Rwanda and on the future role of the UN in Rwanda.

Your immediate attention to this matter would be greatly appreciated.

Distribution List:

- Action:
1. Force Commander
  2. UNDP Resident Coordinator
  3. UNHCR Representative in Rwanda
  4. Human Rights Field Operation in Rwanda
  5. Legal Adviser (International Tribunal, Human Rights)
  6. UN Humanitarian Coordinator
  7. Officer-in-Charge, Administration
  8. Radio UNAMIR
  9. Political/Economic Affairs Officer

Info: Executive Director



UNAMIR - MINUAR

INTEROFFICE MEMORANDUM

URGENT.

To: See Distribution List

27 December 1995

From: Shaharyar M. Khan,  
Special Representative of the  
Secretary-General

Subject: Progress Report of the Secretary-General  
to the Security Council on UNAMIR

As you are aware, the present mandate of UNAMIR is scheduled to end on 8 March 1996. Under Security Council resolution 1029 of 12 December 1995, the Secretary-General is expected to report to the Security Council by 1st February on UNAMIR's mandate, the humanitarian situation, progress towards the repatriation of refugees, and to make recommendations on the future role of the UN in Rwanda. In this connection, the draft of the report should reach New York by 15 January 1996 at the latest. Accordingly, you are requested to submit your contribution covering your respective area(s) of responsibility to me, with a copy to the Political Affairs Officer, Mr. Javed N.A. Khan, no later than 10 a.m. on Monday, 8 January 1996.

Your contribution should cover developments since the Secretary-General's last progress report to the Security Council on 1 December 1995 (Document S/1995/1002) and reflect progress made and/or difficulties encountered in the implementation of the mandate entrusted to UNAMIR under Security Council resolution 1029 of 12 December 1995. You may also wish to suggest concluding observations on the overall situation in Rwanda and on the future role of the UN in Rwanda.

Your immediate attention to this matter would be greatly appreciated.

Distribution List:

Action:

1. Force Commander ✓
2. X UNDP Resident Coordinator
3. X UNHCR Representative in Rwanda
4. ✓ Human Rights Field Operation in Rwanda
5. Legal Adviser (International Tribunal, Human Rights)
6. UN Humanitarian Coordinator
7. ✓ Officer-in-Charge, Administration
8. Radio UNAMIR
9. Political/Economic Affairs Officer ✓

Info: Executive Director



Security Council

Distr.  
GENERAL

S/1995/1002  
1 December 1995

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS  
ASSISTANCE MISSION FOR RWANDA

I. INTRODUCTION

1/ The present report is submitted pursuant to resolution 997 (1995) of 9 June 1995, by which the Security Council adjusted and extended the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) until 8 December 1995 and authorized the gradual reduction of its troop level. Since the adoption of that resolution, I have reported to the Council on the situation in Rwanda on 8 August (S/1995/678) and 7 October (S/1995/848). The present report provides an update of the situation as of 30 November and contains recommendations regarding the United Nations role after the conclusion of the mandate of the United Nations Assistance Mission for Rwanda on 8 December.

II. POLITICAL DEVELOPMENTS

2/ Since my last report to the Security Council, a climate of relative security and stability has continued to prevail within Rwanda, despite the absence of any discernible effort towards national reconciliation. Some improvement in the socio-economic sectors has occurred, and the first effective steps towards the revival of the national judicial system have been taken, with the appointment of the Supreme Court on 17 October.

3/ The former Rwandese Government Forces and armed militia have continued their infiltration and sabotage campaigns along the Zaire-Rwanda border. In a recent counter-attack, the Rwandan Army mounted an amphibian assault on Iwawa Island in Lake Kivu, 15 kilometres west of the Rwandan mainland and just inside Rwandan territory, and cleared the island of some 500 militia. The operation led to accusations by Rwanda of Zaire's complicity with armed infiltration from the refugee camps. These, in turn, were countered by accusations from Zaire of attempts by Rwandan agents to assassinate the Zairian Chief of Army Staff at Goma airport. It is clear that the presence of large numbers of Rwandan refugees in neighbouring countries will continue to be a source of tension in the region.

95-38083 (E) 011295 041295



4. The basic framework for the voluntary return of refugees already exists in the Nairobi Declaration and the 1995 Bujumbura plan of action. These agreements need to be implemented by the Governments in the region, supported by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the international community. UNHCR is leading a major effort to start a process of voluntary return that would handle up to 6,000 to 8,000 refugees a day.

5. A number of important steps have been taken that should allow Governments in the region to cooperate on a humane asylum policy and not have recourse to closed borders and forcible return.

6. In accordance with resolution 1013 (1995) of 7 September, in which the Security Council requested me to establish an international commission of inquiry to investigate reports of military training and arms transfers to the former Rwandese Government Forces, I informed the Council on 16 October that arrangements for the establishment of the Commission had been completed. Following initial briefings in New York, the six-member Commission began its work in the Great Lakes region on 3 November. The Commission members have already visited Rwanda, where they were taken to Iwawa Island. They are expected to pursue shortly their investigation in Zaire.

7. The restoration of a national judicial system has suffered delays as a result of constitutional, administrative and human resource constraints. Consequently, there is understandable frustration both in Rwanda and within the international community over the delay in restoring the procedures of justice throughout the country. The prison population continues to grow and is now approaching 60,000. However, as a result of the efforts of the Prison Commission appointed by the Rwandan Government and the United Nations Task Force coordinated by my Special Representative, emergency measures were taken to create additional space for prisoners. This has led to noticeably fewer deaths and better medical facilities. After initial delays, prisoners have been transferred to the extensions and temporary detention centres. The Task Force is continuing its efforts to expand prison space.

8. A positive development in the revival of the judicial system has been the appointment of six Supreme Court judges by the National Assembly. These appointments constitute a first essential step, following which the remaining appointments in the judiciary will need to be made. A conference on genocide held in Kigali from 2 to 5 November focused on issues that the justice system would need to address effectively, such as special courts for those accused of genocide, degrees of culpability and plea bargaining.

9. I believe that the main factor that prevents a return to stability, security and harmony in Rwanda is the absence of a process of national reconciliation. This depends on the creation of conditions conducive to the return of the 1.6 million refugees currently outside Rwanda and for the judgement of those accused of genocide.

10. Progress continues to be made within Rwanda on security and normalization, but an atmosphere of tension and instability pervades the region. Relations between Rwanda and both Zaire and Kenya have deteriorated in recent months and conditions in Burundi have also contributed to tension in neighbouring

/...

countries. To help to address these problems, I sent my Special Envoy, Mr. José Luis Jesus, to the countries of the Great Lakes to examine with the Governments concerned how progress could be made towards a regional conference. The results of my Special Envoy's mission were conveyed to the Council in my letter of 30 October (S/1995/945). My Special Envoy was informed by the Rwandan Government that it was opposed to a regional conference. In the absence of the necessary consensus among the Governments concerned, the United Nations will continue to monitor developments in the region, and I shall notify the Council as soon as conditions materialize for the successful convening of a conference under United Nations auspices. In his letter of 10 November 1995, the President of the Security Council encouraged me to continue these efforts (S/1995/946).

11. Meanwhile, former United States President Jimmy Carter announced that he would be organizing a regional conference in Cairo. Since the objectives of this Conference were similar to those outlined by the Security Council, I welcomed this initiative. After the meeting, which was attended by the heads of State of Burundi, Rwanda, Uganda and Zaire and a representative of the United Republic of Tanzania, a declaration was issued on 29 November, in which the parties pledged to take concrete actions to advance peace, justice, reconciliation, stability and development in the region (S/1995/1001, annex). Zaire and the United Republic of Tanzania pledged to isolate those elements in the camps who were intimidating refugees wishing to return to their homes and, on its part, Rwanda guaranteed the safety of the returning refugees. The parties also said they believed that the number of returning refugees should rise to 10,000 a day within a short time.

### III. HUMAN RIGHTS

12. As of 30 November 1995, the United Nations Human Rights Field Operation in Rwanda had some 120 members deployed in Kigali and in 10 field offices located throughout the country. During the reporting period, the operation continued its activities in human rights monitoring and confidence-building, assistance to the Rwandan judicial system and human rights promotion. These activities were undertaken in close cooperation with the Rwandan national authorities and the general public.

13. The safe return of Rwandan refugees and internally displaced persons continues to play an important role in the human rights operation. Its activities are closely coordinated with UNHCR, as formalized in a memorandum of understanding between UNHCR and the Field Operation. In programming visits of human rights field officers throughout the country, the Field Operation has taken into account the areas receiving the largest numbers of refugees and internally displaced persons. It has also attempted to ensure that basic human rights are not violated at any stage of the process of return, resettlement or reintegration. It does this by monitoring conditions at the principal border crossing points; the processing of returnees in transit centres; the treatment of refugees while they await transfer to communes; the treatment of those placed in interim detention; and all aspects of reintegration into home communes. In the latter context, the Field Operation evaluates the state of readiness of home communes, determines whether they are in a position to receive returnees.

assists these communes in the resettlement process and monitors the subsequent treatment and security of resettled returnees.

14. The Field Operation undertakes regular visits to prisons and detention centres in order to monitor conditions and make proposals for their improvement. This work is carried out in cooperation with the International Committee of the Red Cross (ICRC). As indicated in paragraph 7 above, the number of detainees is now close to 60,000. In many detention facilities, prisoners are forced to stand for lack of room. There have been many deaths and serious illnesses due to the severe overcrowding, although medical conditions have been improved with international assistance. Most detainees were arrested outside the procedures laid down in Rwandan law and there are no dossiers recording evidence against them. The Field Operation seeks to promote respect for legal procedures governing arrest and detention.

15. Because the Rwandan judicial system is not yet functioning, criminal trials cannot commence and the problem of detention is exacerbated. To address this situation in part, the Government of Rwanda has established "triage committees" (commissions de triage) to review cases where detainees might be released for lack of evidence against them. The Field Operation has sought to promote the processing of cases by these bodies, while assisting in the rehabilitation of the judicial system. In cooperation with the United Nations Development Programme (UNDP), it also continues to assist local judicial authorities throughout the country.

#### IV. INTERNATIONAL TRIBUNAL FOR RWANDA

16. The Office of the Prosecutor of the International Tribunal for Rwanda has continued its investigations into last year's massacres with the objective of issuing its first indictments before the end of 1995. The staff of the Prosecutor's Office has expanded and now includes 30 investigators contributed by the Governments of the Netherlands, Norway, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. It also includes United Nations staff members whose recruitment was made possible by the exemption of the Tribunal from the financial restrictions recently imposed because of the financial crisis afflicting the United Nations. In late October, a United Nations security coordination officer visited Kigali to assess security for the Office of the Prosecutor and to make contingency plans for the provision of security to the International Tribunal in anticipation of the possible withdrawal of UNAMIR troops from Rwanda after the expiration of the current mandate.

17. Since his appointment on 8 September 1995, the Registrar of the Tribunal has travelled twice to the region and is now in residence in Arusha. Most recently he has travelled with the Prosecutor to countries neighbouring Rwanda in order to discuss with them their obligations to cooperate with the Tribunal.

18. At the end of October, a United Nations team visited Arusha to inspect the premises designated for the Tribunal and to review its security, logistical and administrative requirements. A lease agreement between the Tribunal and the Arusha International Conference Centre was signed on 31 October. Arrangements



for temporary offices and residential accommodation have been completed to enable the Tribunal's staff to be in Arusha by 1 December 1995, and the judge assigned to review the indictments has arrived in Arusha. The second plenary session of the Tribunal is scheduled to take place in Arusha between 8 and 12 January 1996. The judges will discuss and adopt the directive on assignment of defence counsel, the rules governing conditions of detention of persons awaiting trial before the Tribunal and the annual report of the Tribunal.

19. A total of \$6.4 million of cash contributions and pledges is now available in the Voluntary Fund to Support the Activities of the Tribunal.

20. Pursuant to Council resolution 955 (1994) of 8 November 1994, in which the Secretary-General was asked to report periodically to the Security Council on the implementation of the resolution establishing the Tribunal, I have so far submitted three reports, the latest dated 25 August. Given the short period since my last report and in view of the forthcoming plenary session in Arusha, I am now reporting only on the latest developments. From now on, it will be for the President of the Tribunal to submit annual reports to the Security Council and the General Assembly, in accordance with article 32 of the Tribunal's statute.

#### V. MILITARY ASPECTS

##### Deployment and activities of the United Nations Assistance Mission for Rwanda

21. Since my last report, there has been no change in the deployment of UNAMIR's military contingent. As of 30 November, the force level stood at 1,783 troops and 37 staff officers; 285 military observers out of an authorized level of 320 were also deployed throughout the country (see annex).

22. UNAMIR troops and military observers have continued to contribute to the security of the International Tribunal and the Human Rights Field Operation, as well as personnel and premises of United Nations and humanitarian agencies, as required. UNAMIR military observers have pursued their efforts to promote a climate of confidence by performing monitoring tasks with UNAMIR's civilian police observers.

23. UNAMIR has continued to facilitate the safe return and resettlement of refugees in their home communes and to support the provision of humanitarian services to the people of Rwanda. In this regard, the Mission has been ready to assist in the transportation of returnees, should the rate of repatriation exceed the handling capabilities of UNHCR and the International Organization for Migration (IOM). It has assisted in rebuilding basic infrastructure, repairing roads and bridges, re-establishing telecommunications facilities and reducing prison congestion by providing logistical and engineering expertise. It has contributed to medical assistance by delivering drugs and medical supplies and by providing emergency casualty evacuations by helicopter, surgical services, health inspections, medical training and assistance at hospitals, and disease prevention at orphanages. It has also provided vehicles for the distribution of

COMMEN

85-12-4 : 18:49 : UN-FAKPAD

UNAMIR-KIGALI-RWANDA

seeds and agricultural implements and assisted in the implementation of environmental damage prevention projects.

B. Security aspects

24. During the period under review, no major incidents of violence involving civilians have been reported. However, there has been a noticeable increase in insurgent activities in the western prefectures. Acts of banditry and sabotage, including the murder of civilians, the laying of mines and the destruction of power pylons, have been reported and often attributed to cross-border infiltration from Zaire. These attacks, which usually trigger counter-measures and retaliation by Rwandan security forces, remain the most disturbing security problem facing the country today. In this respect, it is important to note that security is markedly better in areas where formed UNAMIR troops are present than in those areas where only military observers are stationed.

25. The Zairian Camp Security Operation, a joint initiative between UNHCR and the Zairian Government, has been quite successful in restoring and maintaining security in the Rwandan refugee camps in Zaire. The future of the Security Operation is heavily dependent on the rate of repatriation of Rwandan refugees. Currently, the option of extending its mandate for at least the first three months of 1996 is being considered at UNHCR headquarters.

VI. CIVILIAN POLICE

26. In its resolution 997 (1995), the Security Council decided to maintain the authorized level of the Mission's civilian police component. As of 30 November, 85 observers from 12 countries were deployed out of an authorized strength of 120 (see annex).

27. As indicated in my previous report, the efforts of the UNAMIR civilian police component remain focused on the training of the Rwandan National Police Force as mandated by resolution 997 (1995). So far, 403 new gendarmes have completed the programme and the training of 515 others is scheduled to end on 20 December. It will provide Rwanda with 918 of the estimated 6,000 trained gendarmes who are needed. The training of the Communal Police, the second component of the Rwandan National Police Force, was inaugurated by Vice-President Paul Kagame at Gishali on 19 November.

28. During the reporting period, UNAMIR's civilian police have continued to perform monitoring activities, together with the military observers, on a daily basis throughout Rwanda. These duties involve monitoring the prisons and the gendarmerie, especially as regards human rights, in conjunction with the Human Rights Field Operation. They also include cooperation with UNHCR in monitoring the safety of returnees.

## VII. HUMANITARIAN ASPECTS

29. As of 6 October 1995, \$582.2 million was pledged to United Nations agencies for the United Nations consolidated appeal for the Great Lakes region. This amount covered 80.2 per cent of the adjusted humanitarian relief requirements for 1995. Funds pledged for the Rwanda component, however, amounted only to \$94.5 million out of \$160.3 million requested, or 58 per cent of the adjusted requirements.

30. The humanitarian situation in Rwanda continues to improve, with steady progress in the transition from emergency relief to rehabilitation, reconstruction and development. A massive or uncontrolled return of refugees, however, could have a deleterious effect on these efforts. A complex relationship exists between several critical areas: reintegration of refugees; prison overcrowding and rehabilitation of the justice system; security for returnees at the communal level; and insufficient housing and the scarcity of serviceable land.

31. During September and October, a total of 32,190 refugees returned to Rwanda, mainly in UNHCR-organized convoys. The rate of return from the United Republic of Tanzania increased from 1,000 returnees in September to 2,000 in October, of whom 1,144 were new caseload refugees. Approximately 19,000 refugees returned from Zaire, 94 per cent of whom came under UNHCR auspices. Voluntary repatriation from Burundi fell from 7,773 in September to 1,012 in October.

32. Most observers attribute the low number of returnees to the continuing campaign of intimidation and misinformation in the refugee camps. In addition, many refugees fear that their suspected role in last year's genocide will expose them to reprisal, denunciation or imprisonment upon their return to Rwanda. The Government has consistently affirmed that, although all Rwandan refugees abroad are welcome to return home, those involved in planning or carrying out the genocide will face imprisonment. An additional deterrent to the return of refugees is the shortage of adequate housing. Conflicts over housing and property will inevitably occur in the event of large-scale repatriation.

33. Repatriation, however, remains the only durable solution. In order to pre-empt drastic measures by the countries of asylum and avoid the chaos and probable violence that massive forced repatriation would trigger inside Rwanda, UNHCR is encouraging large-scale organized voluntary repatriation. These efforts include enlarging existing reception and transit facilities; opening new facilities to enhance capacity for processing more returnees; providing direct assistance to returnees in the form of transportation, food and relief items; providing institutional assistance to government ministries directly involved in the implementation of UNHCR assistance programmes; and supporting community assistance, shelter and the development of new rural settlements. These activities have been undertaken in collaboration with other United Nations agencies, non-governmental organizations (NGOs) and Rwandan government departments. Other important measures taken by UNHCR to promote repatriation are the strengthening of mass information campaigns (which include daily broadcasts on Radio UNAMIR), exchange visits of officials and refugees and the

regular monitoring of returnees within Rwanda, together with Human Rights Field Operation officers and UNAMIR military and civilian police observers.

34. The overall food situation in Rwanda has improved, permitting reductions in food aid allocations to populations at risk. The World Food Programme (WFP) has returned to a strategy of utilizing as much of the available food assistance as possible for food-for-work and income-generating projects. Several regions in Rwanda remain areas of concern, owing to a high concentration of either formerly displaced persons or returnees who have no assets or income. Those parts of the country that have traditionally suffered from food deficits are being monitored closely. Targeted food assistance programmes, implemented by WFP, the United Nations Children's Fund (UNICEF), ICRC and other agencies, are in place and should significantly contribute to food security among the Rwandan population.

35. In my previous report, I stated that the functions of the United Nations Rwanda Emergency Office would be assumed by the United Nations Resident Coordinator. Since emergency relief has indeed given way to rehabilitation, this transfer was completed on 31 October, as scheduled. A small team, formerly part of the Emergency Office, has been integrated into the Resident Coordinator's Office to ensure a rapid response by the international community should an emergency recur.

#### VIII. ECONOMIC AND SOCIAL ASPECTS

36. As mentioned in my previous report, disbursements of pledges made by the donor community at the Geneva Round-Table Conference gathered momentum during the third quarter of 1995. As of 15 September, donor countries had signed aid agreements with Rwanda for a cumulative total of \$267.6 million, of which \$183.6 million has been disbursed. At the same time, the total disbursed in response to the Geneva round-table conferences of January and June stood at \$252 million, equivalent to 43 per cent of the amount pledged. The volume and composition of development assistance over the 1996-1998 triennium will be discussed at the next round-table conference scheduled for March 1996 in Geneva. Thematic consultations held in Kigali from 21 to 23 November focused on immediate assistance to the rehabilitation and resettlement sectors in anticipation of a significant return of refugees.

37. During the third quarter of 1995, government revenue revived, as had been initially projected, but the improvement was insufficient to compensate for the shortfall that had been experienced during the first half of the year. The increased revenue, combined with additional support from donors, enabled the Government to pay wages and salaries punctually to all public servants except the military. The payment of salaries to the military is now overdue by at least six months, which undoubtedly compounds the difficulties of maintaining law and order.

38. In the external business sector, during the first three quarters of the year, Rwanda exported 9,444 tons of coffee and 3,449 tons of tea, at average prices of \$2.44 and \$0.73 per kilogram respectively. Coffee exports are now expected to total 20,000 tons, some 33 per cent more than previously estimated. These higher export earnings, along with disbursements from international

financial institutions for balance-of-payments support, have contributed to the stabilization of the market exchange rate. The United States dollar rate has been hovering within a range of 305 to 315 Rwandan francs, after peaking at 330 francs on 20 July.

39. In the monetary sector, the "flash" reporting system put in place by the National Bank of Rwanda has confirmed that the excess liquidity position of the reopened banks has declined significantly, accommodating increased lending to the private sector, mainly for coffee processing and exports. Borrowing from the Government has reportedly declined, offsetting increases in credit to the productive sectors. As projected in the financial programme agreed with the International Monetary Fund, the money supply may have increased only on the strength of a rapid accumulation in foreign exchange reserves. In the context of controlled growth in the money supply and a stabilized exchange rate, price inflation has declined to 1.4 per cent per month, against 6 per cent in June and July.

40. The Food and Agriculture Organization of the United Nations (FAO) reported that the 1995 agricultural season has been significantly more successful than had been anticipated, in part because of both favourable weather conditions and the timely provision of agricultural support by the international donor community. Though cereal production increased by 49 per cent and pulse production was almost double that of the corresponding season last year, crops in 1995 were all sharply down by comparison with the more normal 1990 season. This is mainly attributable to the population displacements of the past 18 months. At the production levels currently forecast, FAO anticipates a food deficit of some 140,000 tons for June-December 1995.

41. In the social sectors, the general objective of the Rwandan Government is still to regain the pre-war level of services and then to improve upon their quality and delivery by 1996. Although secondary education has resumed less quickly than its primary counterpart, the Ministry of Primary and Secondary Education has achieved a considerable degree of progress. Private schools have received food assistance from WFP and international NGOs. With technical assistance from the World Health Organization (WHO), services provided by the health sector have been adapted to address current priorities (malnutrition, AIDS and post-war trauma). As of 15 November, only the health sector had benefited substantially from donor support (\$1,182,147 disbursed). Donor assistance to the social sectors, which was discussed at the thematic consultations in November, will be further considered at the March 1996 round-table conference in Geneva.

#### IX. FINANCIAL ASPECTS

42. In its resolution 49/20 B of 12 July 1995, the General Assembly requested me to submit revised cost estimates for UNAMIR covering the period from 10 June to 31 December 1995. The revised cost estimates amount to \$96,685,400 gross.

43. I have also submitted revised cost estimates for the period from 1 January to 30 June 1996. However, should the Security Council agree with my

recommendation in paragraph 49, a cost estimate for the closure of the Mission will be submitted to the General Assembly during its current session.

44. As of 21 November 1995, total outstanding contributions to the UNAMIR special account since the inception of the Mission amounted to \$74.8 million. The total outstanding assessed contributions for all peace-keeping operations amounted to \$1,968.8 million.

#### X. OBSERVATIONS

45. As stated above, the core issue for Rwanda remains national reconciliation. This requires the rapid creation of conditions that would facilitate the safe return of 1.6 million refugees to their homes in dignity and the bringing to justice of the perpetrators of genocide. After nearly a year and a half in camps in Zaire and the United Republic of Tanzania, the refugees have placed formidable socio-economic and environmental burdens on the host countries, and this has sometimes severely strained the latter's goodwill. In addition, increasing infiltration and sabotage activities by the former Rwandese Government Forces and militia have heightened tension both within Rwanda and between Rwanda and its neighbours. This creates the danger of cycles of reciprocal recrimination, as occurred after the Iwawa Island incident. All these factors heighten the risk of forceful refoulement of the refugees.

46. Against this background, it is all the more important to address promptly the issue of the refugees' voluntary return and safe reintegration in their home communities. If forced repatriation was implemented, another humanitarian disaster could result. UNHCR is accordingly pursuing a sustained and determined effort to persuade refugees to return home voluntarily. If this is to succeed, it is vital that neighbouring States support it by demonstrating the political will to implement the existing agreements for refugee return contained in the Nairobi Declaration and the Bujumbura plan of action. The international community and United Nations agencies, for their part, will need to lend their full backing to overcome the obstacles to voluntary return, including intimidation in the camps and fears of persecution in Rwanda.

47. Efforts to induce a large-scale refugee return will need to be viewed in a time-frame extending over the next three to six months, taking account of the "commonality of interest" for the return of refugees that the High Commissioner for Refugees noted after her visit to all the countries in the Great Lakes region. It is in this context that a large part of the international community believes that a further six-month extension of the current mandate of UNAMIR is desirable. I realize, of course, that UNAMIR's role could only be one of facilitation and that the principal responsibility for providing security and material support for the return of the refugees lies with the Government of Rwanda. But the continued presence of UNAMIR could help to build confidence among the refugees and encourage them to take the decision to return.

48. Donor countries, most UNAMIR troop contributors, UNHCR, the International Tribunal, the High Commissioner for Human Rights, United Nations agencies, the Secretary-General of the Organization of African Unity, non-governmental organizations and Rwanda's neighbours have all indicated to me that they share



12/29

that view. They feel that if UNAMIR was to be perceived as abandoning Rwanda at this critical time, it would send a discouraging message to the refugees, to the region and to the international community at large.

49. The Government of Rwanda, however, has officially informed me that it does not agree to an extension of UNAMIR's mandate beyond its expiration on 8 December. The reason given for this position is that the Mission does not serve the real needs of Rwanda. However, the Government has indicated that it would be receptive to a continued United Nations presence, provided its purpose was to assist Rwanda in its pressing tasks of rehabilitation and reconstruction, including the provision of technical expertise, financial assistance and equipment. Since UNAMIR cannot remain in Rwanda without the consent of the Government, it is my intention to initiate the drawdown of the operation as of 8 December. It is estimated that the withdrawal process would take two to three months to complete. During this period, UNAMIR would no longer be able to fulfil its present mandate but would concentrate on ensuring the smooth and peaceful departure of United Nations military personnel and equipment. I expect the Government of Rwanda to take all necessary measures to facilitate the departure of UNAMIR personnel and equipment in an orderly manner.

50. In addressing the issues raised by these opposing points of view, it is necessary to bear in mind that the overarching objective of the Organization is the restoration of peace and stability not only in Rwanda but in the region as a whole. This requires solutions to the problems of reconciliation, justice and the return of refugees in Rwanda. But it also means tackling other problems that contribute to tension and instability in the Great Lakes region. Efforts to achieve a comprehensive solution must therefore continue. It is my hope that continued progress in cooperation among the countries of the region will create the necessary conditions for the early achievement of such a solution.

51. The United Nations still has a useful role to play in political efforts to this end. I recommend therefore that it should maintain a political presence in Rwanda after the withdrawal of UNAMIR. A United Nations office, headed by my Special Representative, could be established with a view to furthering, in consultation with the Government of Rwanda, the search for peace and stability through justice and reconciliation. My Special Representative would also continue to have overall authority for the coordination and expansion, as appropriate, of the assistance that the United Nations and the international community are providing in support of Rwanda's rehabilitation and reconstruction efforts. It is understood that, in accordance with the Convention on the Privileges and Immunities of the United Nations, Rwanda would allow this Office the necessary freedom of access and movement throughout the country and ensure its safety and security. Rwanda has also expressed its wish that equipment now belonging to the Mission be left to the Government after its departure. While I understand Rwanda's wish to retain non-lethal equipment that may be useful to its rehabilitation efforts, this is clearly an issue on which only the General Assembly can decide.

52. In conclusion, I should like to put on record my warm thanks to my Special Representative, Mr. Shaharyar Khan, to the Force Commander, Major General Guy Tousignant, and to all the military police and civilian personnel of UNAMIR for their devoted contribution to this United Nations



13/29

S/1995/1002  
English  
Page 12

Mission and the cause it has served. In circumstances that were sometimes very difficult, the men and the women of UNAMIR have performed in an exemplary manner the important and often daunting tasks that have been demanded of them.

COMMENT :

95-12-4 : 18:55 : UN-FAXPAD

UNAMIR 2100100000

AnnexComposition of the UNAMIR military and civilian police components  
as of 30 November 1995

Country	Military personnel				Civilian police	Grand total
	Troops	Staff	Observers	Total		
Argentina			1	1		1
Switzerland				0	3	3
Austria			15	15		15
Bangladesh			36	36		36
Canada	93	8	10	111		111
Chad					5	5
Congo			7	7		7
Djibouti				0	5	5
Ethiopia				0		0
Fiji			1	1		1
Germany				0	7	7
Ghana	307	7	32	346	10	356
Guinea			17	17		17
Guinea-Bissau			1	1	6	7
India	938	9	22	969		969
Jordan			5	5	4	9
Malawi	133		14	147		147
Mali	132		12	144	8	152
Nigeria	144	5	17	166	10	176
Niger				0	7	7
Pakistan			5	5		5
Russian Federation			17	17		17
Senegal		1	2	3		3
Tunisia	14	2		16	10	26
Uruguay			26	26		26
Zambia	22	5	20	47	10	57
Zimbabwe			25	25		25
Total	1 783	37	285	2 105	85	2 190






INTEROFFICE MEMORANDUM

**URGENT**

27 October 1995

To: See Distribution List  
From: *Fa* SRSG   
Subject: **Progress Report of the Secretary-General  
to the Security Council on UNAMIR**

As you are aware, the present mandate of UNAMIR is scheduled to end on 8 December 1995. Under Security Council resolution 997 of 9 June 1995, the Secretary-General is expected to report to the Security Council before that date on UNAMIR's mandate, the humanitarian situation, progress towards the repatriation of refugees and make recommendations on the future role of the UN in Rwanda. In this connection, Headquarters has informed us that it expects our draft of the report to reach New York by Thursday, 9 November, at the latest. Accordingly, you are kindly requested to submit your contributions covering your respective area(s) of responsibility to me, with a copy to the Executive Director no later than **10 a.m. on Friday, 3 November**.

Your contributions should cover developments since the Secretary-General's last progress report to the Security Council on 7 October 1995 (Document S/1995/848), and reflect progress made and/or difficulties encountered in the implementation of the mandate entrusted to UNAMIR under Security Council resolution 997 of 9 June 1995. You may also wish to suggest concluding observations on the overall situation in Rwanda and on the future role of the UN in Rwanda.

Your immediate attention to this matter would be greatly appreciated.

**Distribution List:**

- |                      |  |
|----------------------|--|
| <b><u>Action</u></b> | <ol style="list-style-type: none"><li>1. Force Commander, UNAMIR</li><li>2. Executive Director</li><li>3. UNDP Resident Representative</li><li>4. UN Humanitarian Coordinator</li><li>5. Commissioner, CIVPOL, UNAMIR</li><li>6. Chief of Administration, UNAMIR</li><li>7. UNAMIR Radio</li><li>8. Political/Legal Officer, UNAMIR (International Tribunal and Human Rights issues)</li><li>9. Political/Economic Affairs Officer</li></ol> |
|----------------------|--|



ORIGINAL: ENGLISH

## 1. INTRODUCTION

3. As Rwanda continues its search for healing and rehabilitation, problems relating to repatriation and security have again highlighted the challenges that remain. Continued cooperation with the United Nations and the international community as a whole, manifested at various levels during the period, is a positive and hopeful sign. The benefits of such cooperation, however, will be limited as long as the Rwandese remain divided by fear and mistrust and the spectre of renewed conflict hangs over the country.

3/1995/848

English

Page 2

## II POLITICAL DEVELOPMENTS

4. During the period under review, the Government's declared policy of promoting broad-based participation and national reconciliation was influenced by two major events. The first was the departure of Prime Minister Faustin Twagiramungu, who left office on 28 August together with four other Cabinet Ministers. The second event was the killing of 110 villagers at Kanama on 11 and 12 September. The Government, however, moved quickly to contain and counteract these events: first, it appointed a new Prime Minister and replaced the departing Cabinet Ministers; secondly, the Vice-President and Defence Minister, Major-General Paul Kagame, visited Kanama the day after the killings, acknowledged Rwanda Patriotic Army (RPA) excesses and promised punishment of the guilty.

5. The efficient manner in which the Government of Rwanda handled the forcible repatriation by Zaire of some 13,000 Rwandese refugees in August testified to the progress that has been made in stabilizing Rwanda. Despite the unexpected expulsion of the refugees, the Government, with logistical support from UNAMIR, United Nations agencies and non-governmental organizations, received and resettled its nationals in a generally humane and orderly manner.

6. On 9 September, 1,200 former members of the Rwandese Government Forces (RGF) were formally integrated into RPA after completing an intensive retraining programme, bringing to over 2,000 the number of former RGF troops now serving with RPA. Government officials point to this achievement as being consistent with the spirit of the Arusha Peace Agreement which provided for the merging of the two Rwandese armed forces into a single national army.

7. To strengthen and widen further the base for durable stability, the Government has continued its normalization efforts in the countryside, especially in the communes, where most Rwandese live and from where most refugees fled. The new Prime Minister and the new Minister of the Interior recently met with provincial administrators (Préfets), who called for the expeditious and effective restoration of local administration throughout the country. On the critical issue of security at the local level, the Minister of the Interior has reaffirmed the Government's determination to set up a new communal police force to be trained with the assistance of the civilian police component of UNAMIR.

8. The mission of the United Nations High Commissioner for Refugees to Burundi, Rwanda, the United Republic of Tanzania and Zaire revealed a strong convergence of interest among Governments, donors and refugees on the importance of a safe, accelerated, organized and voluntary return of refugees. The Office of the United Nations High Commissioner for Refugees (UNHCR) will be able to set in motion such a repatriation if all commitments made during the High Commissioner's mission are respected. For this to occur, however, the international community must lend immediate support to the efforts of UNHCR, both in the countries of origin and in those of asylum.

9. Since the High Commissioner's mission, UNHCR itself has been working in this sense. In Rwanda, officials reaffirmed their desire to see refugees return and promised to do everything in their power to facilitate voluntary return in

/...

S/1995/848

English

Page 3

conditions of safety and dignity. A meeting of the Tripartite Commission involving the United Republic of Tanzania, Rwanda and UNHCR took place from 18 to 21 September, at Arusha, at which practical measures were agreed on for starting large-scale repatriation of the more than 600,000 Rwandese refugees in the United Republic of Tanzania.

10. A meeting of the Tripartite Commission involving Zaire, Rwanda and UNHCR was chaired by the High Commissioner at Geneva on 25 September. This was the first meeting of the Commission since it was created in October 1994. A joint communiqué reaffirmed commitments to create conditions for repatriation to Rwanda in a safe and organized manner. The Government of Rwanda agreed to strengthen reception facilities, reduce border controls and provide security and protection to returnees in collaboration with UNHCR and other human rights organizations. The Government of Zaire agreed to reduce all forms of intimidation in the camps within its borders. The decisions reached at that meeting will be implemented through technical meetings that will be held at Gisenyi later this month. The process will then be evaluated by the Tripartite Commission at Geneva or in Zaire.

11. In the context of a renewed regional effort to promote voluntary repatriation, UNHCR is expanding its mass information campaign aimed at the refugees in the camps, by broadcasting objective information to counter extremist propaganda. The campaign also comprises group meetings with UNHCR field staff, visits by refugees to their home communes and the dissemination of leaflets containing information gathered in Rwanda.

12. In response to the anticipated increase in the rate of return to Rwanda, UNHCR is augmenting its facilities at official border entry points to ensure the proper reception of all returnees. It is also expanding activities in the communes of origin, in cooperation with the United Nations Development Programme (UNDP), which has the lead role in their rehabilitation. Quick Impact Projects to fill gaps in UNDP long-term plans are under way in water and sanitation, education, health, shelter and community services.

13. Meanwhile, repatriation of Rwandese refugees from Burundi has been gaining momentum. Between 3 and 25 September 1995, more than 4,000 refugees were repatriated under UNHCR auspices from the camps in northern Burundi, bringing to a total of some 18,000 the refugees who have been assisted by UNHCR since June 1995. UNHCR further estimates that an equal number repatriated spontaneously. The number of Rwandese refugees remaining in Burundi is 155,000.

14. From Zaire, which currently hosts 1 million Rwandese refugees, 3,500 new caseload and 5,934 old caseload refugees were repatriated under UNHCR auspices during the month of September. During the same period, 147 refugees returned to Rwanda from Bukavu. As a result of recent developments described above, and in view of repatriation deadlines imposed by the Government of Zaire, it is hoped that the pace of repatriation will quicken substantially.

15. Crucial as these improvements are, national reconciliation depends not only on the repatriation and safe reintegration of the refugees but also on the establishment of an effective and credible national judiciary to ensure justice and equal treatment for all Rwandese nationals. Currently the judiciary remains

/...



largely inoperative. Up to 500 people continue to be arrested weekly, usually on suspicion of involvement in the genocide, adding to the more than 50,000 currently detained in inhuman conditions in Rwanda's overcrowded jails. An effective judiciary is vital to correct this dangerous situation.

16. An improved judicial system could also help to avert a potentially damaging crisis in the long-simmering area of property rights. This problem discourages the return of refugees and is a source of much of the tension that confronts communities in various parts of Rwanda, especially in Kigali.

17. It is vital to translate into concrete action the good intentions expressed by the Government of Rwanda regarding various recovery efforts. Government officials have insisted that the continuing lack of adequate resources limits their ability to act effectively. Greater effort, however, is needed in some areas to put the Government's policies into practice. For instance, appropriate action is still awaited to finalize the selection, by the National Assembly, of the President and five Deputy Presidents of the Supreme Court.

18. The neighbours of Rwanda recognize the link between Rwanda's stability and that of the region as a whole and are supportive of my effort to convene, jointly with the Organization of African Unity (OAU), a regional conference on peace, security and development. My Special Envoy to the Great Lakes region, Mr. José Luis Jesus, having secured the full support of OAU, is currently consulting the countries concerned.

### III. HUMAN RIGHTS

19. The United Nations Human Rights Field Operation for Rwanda continued its activities in the field of human rights monitoring, technical assistance to the judicial system, improvement of prison conditions and educational seminars. By the end of September 1995, it had deployed 130 members with three legal experts being assigned to work with the Ministry of Justice. As part of the working group established by my Special Representative to address the problem of overcrowding in Rwandese prisons, the Field Operation is involved in information gathering, in facilitating the work of the "triage" commissions which have been established to expedite the processing of detainees' cases, and in the coordination of short and medium-term initiatives for rehabilitating the judicial system.

20. A database has been created with other United Nations agencies to provide accurate information on refugee movements. In this connection, human rights field officers monitor returnees by visiting transit centres and accompanying them to their home communes, where feasible. After the returnees arrive at their final destinations, follow-up visits are made to them on a weekly basis. When possible, field officers visit the home communes prior to the arrival of returnees in order to assess conditions for their reception and resettlement.

/...

#### IV. INTERNATIONAL TRIBUNAL FOR RWANDA

21. Since my last report on the International Tribunal (S/1995/741), submitted pursuant to Security Council resolution 955 (1994) of 8 November 1994, the President of the International Tribunal, Judge Laity Kama, the Prosecutor, Justice Richard Goldstone, and Mr. Adronico Adede of the Office of Legal Affairs of the Secretariat, who has since been appointed Registrar of the Tribunal, travelled to Rwanda for a three-day visit. They met with senior Rwandese government officials and my Special Representative to discuss the Tribunal's operations, including the functioning of the Prosecutor's office in Rwanda. On 1 September, they visited the seat of the Tribunal at Arusha, United Republic of Tanzania, to inspect the premises designated for it, as well as a proposed prison site and accommodation arrangements for the Tribunal's staff.

22. A Headquarters Agreement relating to the seat of the Tribunal was signed on 31 August between the United Nations and the United Republic of Tanzania, and a Memorandum of Understanding with the Government of Rwanda covering the Prosecutor's office at Kigali is currently being negotiated. Despite continuing administrative and logistical difficulties, it is hoped that the Tribunal will be able to begin its proceedings before the end of the year, though this objective is threatened by the financial crisis currently afflicting the United Nations. I would like, once again, to express my gratitude to those Governments which have contributed personnel and other resources to the Tribunal and my hope that such support will continue.

#### V. MILITARY ASPECTS

##### A. UNAMIR deployment and activities

23. The reduction of the UNAMIR force level, mandated by Security Council resolution 997 (1995), continued during the reporting period. In that resolution, the Council decided to reduce the UNAMIR strength from 5,500 to 2,330 by 8 September and to 1,800 by 8 October. As at 30 September, the force stood at 1,836; a total of 288 military observers out of an authorized level of 320 were also deployed in the country (see the annex to the present report).

24. In accordance with resolution 997 (1995), UNAMIR continued to assist the Government of Rwanda in facilitating the voluntary and safe return and resettlement of refugees and in promoting a climate of confidence and trust. When Rwandese refugees were forced across the border from Zaire between 19 and 24 August, UNAMIR troops and military observers, in coordination with UNHCR and other United Nations agencies, supported the Government's resettlement efforts in several ways. This included helping to construct transit camps for the temporary accommodation of the returnees; providing vehicles to help transport the returnees from the transit camps to their home communes; and contributing to a sense of confidence among the returnees by providing a presence at the border checkpoints, in transit camps and in communes of destination. UNAMIR is helping to improve conditions in transit camps, in anticipation of a future large-scale return of refugees.

/...

25. UNAMIR continued to make available to the Rwandese authorities its engineering and logistics capacity. The force has helped construct and renovate detention centres to relieve the overcrowding in Rwandese jails. It has also assisted in the construction or repair of bridges, roads and schools and in the transport of humanitarian assistance, including food and medicines.

#### B. Security aspects

26. The killing of some 110 men, women and children at Kanama, in north-western Rwanda, on 12 September was the most serious incident of violence since the Kibeho tragedy five months earlier. It seriously endangered the improvement in the security situation which had occurred in recent months. The tragedy took place in an area where reports of cross-border infiltration and sabotage from refugee camps in neighbouring Zaire had been increasing. It was the latest in a spate of killings which also took the lives of local and provincial government officials, clergymen and judges. Such acts can only exacerbate tensions, deepen fears and impede repatriation.

27. I issued a statement on 13 September expressing my serious concern about the Kanama incident and welcoming the establishment of a joint investigation team including representatives of the Government, UNAMIR and United Nations human rights monitors. I also expressed the hope that the investigation would promptly ascertain the facts and recommend measures to prevent the recurrence of such incidents. UNAMIR, human rights monitors and various United Nations agencies acted quickly to coordinate their assistance in the wake of this tragic event.

28. Cross-border infiltration and sabotage, leading to countermeasures by the Government, constitute the most worrying security problem in the country at the moment. As requested by the Security Council in resolution 1013 (1995) of 7 September 1995, I am working to set up an international commission of inquiry to look into allegations of arms supplies to and training of former Rwandese government forces. I am confident that the Commission's work will refocus attention on the need to prevent the destabilization of Rwanda. These security problems, however, are symptomatic of the underlying political impasse. It is the Rwandese people themselves who have the primary responsibility for improving situation in their country and I again emphasize the need for all segments of Rwandese society to work together to build a stable and more secure society.

#### VI. CIVILIAN POLICE

29. During the reporting period, a major activity of the civilian police component of UNAMIR continued to be the training of the Rwandese National Police Force as mandated under Security Council resolution 997 (1995). The training of the third group of 515 gendarmes, which started on 31 July, is in progress and is scheduled to end early in December, giving Rwanda a total of about 900 of the estimated 6,000 trained gendarmes it needs. The training of the communal police, the second component of the Rwandese National Police Force, has been delayed because of the ongoing rehabilitation of the Communal Police Training Centre. It is expected that a 13-week intensive training programme will begin in October with the first of three groups of 750 communal police officers.

/...

S/1995/848  
English  
Page 7

30. In addition to their training tasks, the UNAMIR civilian police continued to carry out monitoring duties, together with the military observers, in areas including the prisons and other places of detention and to maintain close liaison with local government authorities in Rwanda's 11 préfectures. Civilian police observers also continued to assist United Nations agencies, non-governmental organizations and human rights monitors in supporting humanitarian operations, especially during the forced repatriation of Rwandese refugees from Zaire.

31. In its resolution 997 (1995), the Security Council decided to maintain the current authorized level of the Mission's civilian police component. As at 30 September, a total of 87 observers from 12 countries were deployed (see annex).

#### VII. HUMANITARIAN ASPECTS

32. The deadline of 31 December 1995 set by the Government of Zaire for the voluntary departure of all refugees from its territory intensifies the enormous humanitarian challenges facing Rwanda and the international community in the months ahead.

33. The task of organizing voluntary repatriation of the estimated 2 million refugees currently hosted by neighbouring countries is an extremely difficult one. Following her recent visit to the region, the United Nations High Commissioner for Refugees believes that a realistic target for voluntary repatriation is between 500,000 and 600,000 persons by the end of the year. This incomplete target is, in part, due to the limited absorption capacity of many of the home communes in Rwanda. The Government of Rwanda has reaffirmed its commitment to receive and reintegrate all Rwandese refugees who wish to return. While the efficient manner in which the Government handled the forced repatriation from Zaire in August is a strong indicator of its commitment, it must be made clear to the international community that, for successful reintegration to occur, the resources required to rebuild and strengthen the capacity of communes to receive refugees have yet to be made available.

34. At my request, UNHCR is currently undertaking a demographic survey and assessment of existing infrastructure and population groups in Rwanda's communes. This exercise should help to identify the communes that are ready to receive returnees and those which need infrastructural rehabilitation. I have also requested UNHCR and the Department of Humanitarian Affairs to work with United Nations agencies and non-governmental organizations in the field to produce a special emergency appeal for the region later this month.

35. In spite of some progress since my last report, conditions in the prisons continue to constitute a major humanitarian crisis. More than 52,000 people are currently incarcerated, with arrests continuing to take place. In August, I requested the Under-Secretary-General for Humanitarian Affairs to initiate, in coordination with the Government of Rwanda and the international community, effective and urgent measures to alleviate the present appalling situation in the prisons.

/...

36. A Plan of Action, drafted by representatives of the Government of Rwanda and UNDP, for urgent action on prisons and in the justice sector has been circulated to the international community. A small team has been set up under my Special Representative to help mobilize resources and to accelerate the improvement of prison conditions. So far, US\$ 260,000 have been provided to the Secretary-General's Trust Fund for Rwanda against identified needs of more than \$43 million, of which \$15 million is required for prison improvements and new detention space. Pending the provision of additional resources, I have made \$2 million available for these efforts from the Central Revolving Fund.

37. In September, construction of the Nsinda detention centre, which will provide an additional detention capacity of 5,000, was completed. This facility, built with the assistance of UNAMIR, UNDP and the International Commission of the Red Cross, will help alleviate the worst prison conditions by receiving detainees from the most overcrowded ones, such as Gitarama. Two out of seven temporary detention sites are also near completion, providing short-term space for another 9,500 detainees. In view of the gravity and urgency of the situation, the World Food Programme (WFP) has also made available five of its warehouses for use as temporary detention sites. Meanwhile, agreements have been reached with the Government of Rwanda on the establishment of special detention centres for women and children. It is clear, however, that these various initiatives are temporary in nature, designed to respond to an emergency humanitarian situation. Any sustained improvement in prison conditions over the long term can be secured only through parallel action to help restore the Rwandese judicial system.

38. The situation with regard to the provision of humanitarian assistance, although improved since last year, remains exceedingly fragile. The preliminary results of a survey undertaken by the Food and Agriculture Organization of the United Nations and WFP indicate that some 15 per cent of Rwanda's estimated 1 million families are vulnerable. Some 30 per cent of households are headed by women, with just under 11 per cent farming less than half a hectare of land. In this respect, I am pleased to note that efforts to promote household food security and income generation for women have been intensified during the reporting period. The United Nations Children's Fund has recently launched the first of several projects designed to assist widows and female-headed households. WFP is also helping 6,000 female-headed households through targeted assistance programmes and 4,000 through development projects for women.

39. Following the forced repatriation of refugees in August, I have decided that the United Nations Rwanda Emergency Office, which, as I informed the Security Council in my last report, had begun preparing for its eventual closure, should be extended until the end of October 1995. Transitional arrangements between the Office and the United Nations Resident Coordinator are being put in place to ensure that the coordination of humanitarian assistance will continue after this period, including the strengthening of the United Nations Disaster Management Team, headed by the Resident Coordinator. Efforts are also being made by United Nations agencies and non-governmental organizations to support the Government of Rwanda's Humanitarian Assistance Coordination Unit, which, together with UNHCR, oversees refugee movements and the initial phase of returnee assistance.

/...

S/1995/846

English

Page 9

## VIII. ECONOMIC AND SOCIAL ASPECTS

40. Following the mid-term review of the Geneva Round-Table Conference, held at Kigali on 6 and 7 July 1995, there has been a sizeable increase in the commitment and disbursement of funds pledged for the Government's Programme of National Reconciliation and Socio-Economic Rehabilitation and Recovery. As at 14 September, \$523 million had been committed (up from \$245 million in July) and \$252 million disbursed (up from \$86 million in July) against total pledges of \$587 million made at Geneva in January 1995. In fact, since the Geneva Conference, total pledges have risen to \$1,089 million. Some of these additional funds are to be disbursed over the period 1996-1997. Implementation of Round-Table projects appears to have made the most progress in the agricultural sector, whereas programming in the infrastructure sector is proceeding more slowly than expected.

41. In my last report, I informed members of the Security Council of a joint programme of the World Bank, the International Monetary Fund (IMF) and UNDP to strengthen the Government's capacity to manage its economic, financial and human resources. Since then, UNDP, in consultation with the Government, has begun developing a programme designed to enhance the latter's administrative capacity at the communal level. A further project would help to strengthen prefectural administration by developing government capacity to monitor the return of refugees and to programme rehabilitation/reintegration activities within the framework of the Government's Plan of Action for the Repatriation, Resettlement and Reintegration of Refugees.

42. Through several food-for-work and income-generating activities, WFP is now not only providing more than 100,000 needy individuals with food, but is also assisting Rwanda's agricultural recovery, rehabilitation of destroyed infrastructure and construction of new houses, schools and water facilities. UNICEF, ICRC and several non-governmental organizations, which have been active in the construction and repair of water supply systems, are also training local communities to manage their own water points.

43. The international community continues to pursue a series of initiatives designed to help reinvigorate the Rwandese judicial system. Judicial offices and court buildings are being repaired and refurbished and, together with the Ministry of Justice, are being supplied with office equipment, vehicles and other materials. Training programmes are targeting various levels of the judicial and corrections systems in order to restore staffing levels in the professional and clerical ranks. UNDP is supporting the training, by UNAMIR, of the gendarmes and communal police who make up Rwanda's National Police Force (see para. 29 above).

44. Following a sharp depreciation in July, the Rwandese franc stabilized in August, in part because of proceeds from exports, and disbursements from the World Bank's Emergency Recovery Credit. While the prices of basic food items have also stabilized, they remain high compared with levels prevailing earlier in the year. Steps were taken by the Government in August to clamp down on unauthorized foreign exchange transactions involving the Rwandese franc, which was allowed to float freely in March. The Government has also requested that all

/...



S/1995/848

English

Page 10

payments involving Rwandese enterprises and individuals be made in the local currency.

#### IX. FINANCIAL ASPECTS

45. In its resolution 49/20 B of 12 July 1995, the General Assembly decided, as an interim measure pending the submission at its fiftieth session of revised cost estimates and the report of the Advisory Committee on Administrative and Budgetary Questions, to appropriate \$109,951,900 gross (\$107,584,300 net) for the operation of UNAMIR for the period from 10 June to 31 December 1995. As requested by the Assembly, my report containing revised cost estimates for UNAMIR is in preparation and will include the requirements for the current mandate period.

46. As at 26 September 1995, the total outstanding contributions to the UNAMIR special account since the inception of the mission amounted to \$159.3 million. The total outstanding assessed contributions for all peace-keeping operations amounted to \$2,569.7 million.

#### X. CONCLUDING OBSERVATIONS

47. Since my progress report of 8 August (S/1995/678), UNAMIR has continued to discharge the tasks entrusted to it under Security Council resolution 997 (1995). The efforts of UNAMIR, as well as the assistance provided by United Nations agencies, non-governmental organizations and the international community as a whole, have made an important contribution to Rwanda's rehabilitation programme. Although much remains to be done, visible progress towards normalization and stability has been achieved.

48. It is clear that sustainable recovery is possible only in conditions of genuine peace and stability. Creating and sustaining such conditions is a matter primarily for the Rwandese themselves. Their country has come a long way from the carnage and chaos of just over a year ago. Yet the recent crises created by the expulsion of Rwandese refugees from Zaire and the killings near Gisenyi have underlined the fragility of the current recovery process.

49. The damage done to Rwanda's society and psyche by last year's tragic events has been brutal and profound. It is essential that those responsible be brought to justice so as to put an end to the prevailing culture of impunity and to prevent a recurrence of such atrocities. I am hopeful that the International Tribunal will soon commence its proceedings and that substantial, timely progress will be made on the installation of an effective national judiciary.

50. The refugee problem is perhaps the most immediate cause and consequence of the instability and political divisions confronting Rwanda and the Great Lakes region as a whole. If satisfactory solutions are to be found, it will be necessary to tackle the underlying political causes. This will require a process of genuine national reconciliation between the various segments of Rwandese society as envisaged under the Arusha Peace Agreement (A/49/824-S/26915, annexes). To this end, I wish to stress once again the importance of

/...



S/1995/842  
English  
Page 11

dialogue and to recall the discussions I had with Rwandese officials during my visit to their country in July concerning the possibility of organizing informal round-table meetings and inviting participants from all sectors of Rwandese society, including the refugee community.

51. The issues before us go beyond Rwanda's borders. I remain convinced that long-term peace in Rwanda will continue to be elusive as long as large concentrations of Rwandese nationals remain encamped in neighbouring countries. I hope that the Commission of Inquiry recently approved by the Security Council to investigate reports of military training and arms transfers to former Rwandese government forces will help defuse tensions and promote mutual confidence along Rwanda's borders. I welcome recent efforts to improve relations among the States in the region, which should help pave the way for the proposed Regional Conference on Peace, Security and Development. In this regard, I will soon be reporting to the Council on the results of my Special Envoy's first round of consultations in the Great Lakes region.

52. In conclusion, while Rwanda has made visible progress in its efforts to overcome the problems created by the tragic events of 1994, the country still has a long road to travel in its search for reconciliation and recovery. The mandate of UNAMIR is set to expire on 8 December 1995 and 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.

53. Meanwhile, in view of the acute financial crisis currently faced by the Organization (the United Nations is today owed \$3.24 billion), I have instructed all the heads of peace-keeping operations to explore ways to effect immediate savings, including possible troop reductions. In the case of UNAMIR, the Special Representative is currently studying, in consultation with the Government, the possibility of a very substantial troop reduction. I will be reporting to the Security Council in due course on this matter.

54. In submitting this report, I wish to express warm thanks to my Special Representative, Mr. Shaharyar Khan, to the Force Commander, Major General Guy Tousignant, and to the military, police and civilian personnel of UNAMIR for their dedicated efforts, on behalf of the United Nations, to help the people of Rwanda and to promote the cause of peace in extremely difficult circumstances.

/...

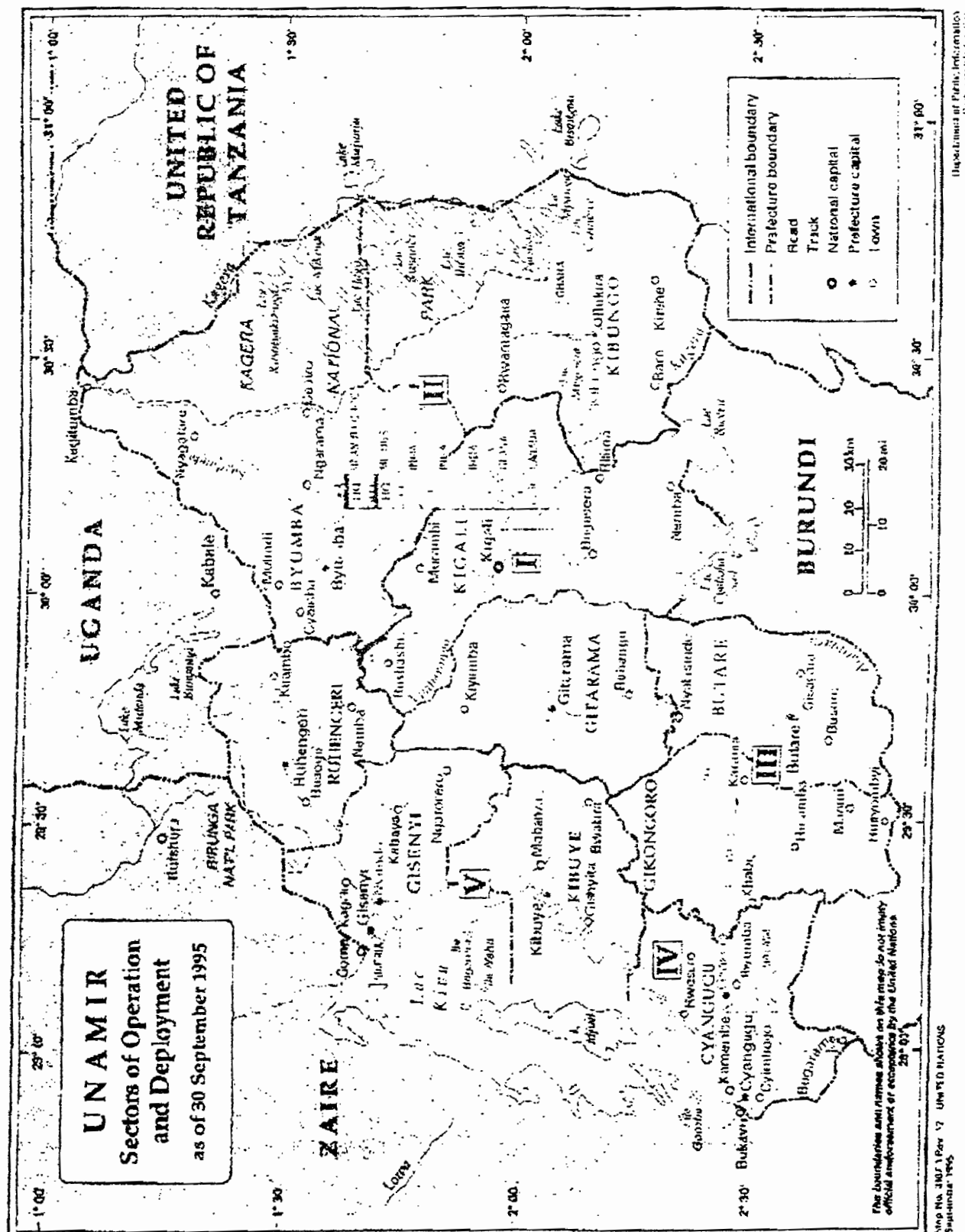
S/1995/848  
English  
Page 12

Annex

COMPOSITION OF UNAMIR AS OF 30 SEPTEMBER 1995

Country	Military personnel			Civilian police	Grand total
	Troops	Observers	Total		
Argentina		1	1		1
Australia	0		0		0
Austria		15	15		15
Bangladesh		36	36		36
Canada	100	10	110		110
Chad	2		2	5	7
Congo		7	7		7
Djibouti			0	5	5
Ethiopia	0		0		0
Fiji		1	1		1
Germany			0	7	7
Ghana	313	34	347	10	357
Guinea		17	17		17
Guinea-Bissau		1	1	6	7
India	943	22	965		965
Jordan		5	5	4	9
Malawi	136	14	150		150
Mali	132	13	145	10	155
Nigeria	152	17	169	10	179
Niger			0	7	7
Pakistan		5	5		5
Russian Federation		17	17		17
Senegal	1	2	3		3
Switzerland				3	3
Tunisia	19	0	19	10	29
Uruguay		26	26		26
Zambia	32	20	52	10	62
Zimbabwe	0	25	25		25
Total	1 836	288	2 124	87	2 211

/...



**NATIONS  
UNIES**

**S**



## Conseil de sécurité

Distr.  
GÉNÉRALE

S/1995/843  
7 octobre 1995  
FRANÇAIS  
ORIGINAL : ANGLAIS

RAPPORT INTERIMAIRE DU SECRÉTAIRE GÉNÉRAL SUR LA MISSION DES  
NATIONS UNIES POUR L'ASSISTANCE AU RWANDA

## I. INTRODUCTION

1. Le présent rapport est soumis en application de la résolution 997 (1995) du 9 juin 1995, par laquelle le Conseil de sécurité modifiait et prorogeait le mandat de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR), autorisait une réduction progressive de ses effectifs et me demandait de lui présenter le 9 août, puis le 9 octobre 1995 au plus tard, un rapport sur la manière dont la Mission s'acquittait de son mandat, sur la situation humanitaire et sur les progrès réalisés en ce qui concerne le rapatriement des réfugiés. Le Conseil a été régulièrement tenu au courant, oralement, de l'évolution de la situation concernant le Rwanda. Le présent rapport fait le point de la situation au 30 septembre.

2. Dans mon dernier rapport intérimaire daté du 8 août (S/1995/678), j'avais fait le point de la situation au 3 août. Ultérieurement, dans une lettre datée du 29 août, adressée au Président du Conseil de sécurité (S/1995/762), j'ai informé le Conseil de sécurité de l'évolution récente de la situation au Rwanda et dans la région des Grands Lacs. Dans un nouveau rapport daté du 25 août (S/1995/741), j'ai informé le Conseil des progrès réalisés dans la mise en place des arrangements pratiques et juridiques concernant le siège du Tribunal international pour le Rwanda et les activités de ses divers organes. Le 22 septembre, j'ai transmis au Président du Conseil un compte rendu de la visite que le Haut Commissaire des Nations Unies pour les réfugiés avait faite sur ma demande dans la région des Grands Lacs du 31 août au 7 septembre 1995.

3. Le Rwanda poursuivant sur la voie de son rétablissement et de son relèvement, les problèmes relatifs au rapatriement et à la sécurité mettent de nouveau en lumière les obstacles qui demeurent. La poursuite de sa coopération avec l'Organisation des Nations Unies et la communauté internationale dans son ensemble, qui s'est manifestée à divers niveaux au cours de cette période, est un signe positif et encourageant. Mais les avantages d'une telle coopération resteront minces tant que les Rwandais demeureront divisés par la crainte et la méfiance et que le spectre d'une reprise des conflits hantera le pays.

## II. ASPECTS POLITIQUES

4. Au cours de la période examinée, la politique déclarée du Gouvernement tendant à promouvoir une participation élargie et la réconciliation nationale a été influencée par deux événements majeurs. Le premier a été le départ du Premier Ministre Faustin Twagiramungu, qui a quitté ses fonctions le 28 août en même temps que quatre autres ministres. Le deuxième événement a été le meurtre de 110 villageois perpétré à Kanama les 11 et 12 septembre. Le Gouvernement a toutefois pris sans tarder des mesures pour limiter les effets de ces événements et y réagir : tout d'abord, il a nommé un nouveau premier ministre et remplacé les ministres sortants; ensuite, le général de division Paul Kagame, Vice-Président et Ministre de la défense, a visité Kanama le lendemain de ces tueries, a reconnu les excès de l'Armée patriotique rwandaise et promis que les coupables seraient punis.

5. L'efficacité avec laquelle le Gouvernement rwandais a fait face au rapatriement forcé par le Zaïre d'environ 13 000 réfugiés rwandais en août témoigne des progrès qui ont été réalisés dans la stabilisation du Rwanda. Malgré l'expulsion inattendue de ces réfugiés, le Gouvernement, avec l'appui logistique de la MINUAR, des organismes des Nations Unies et des organisations non gouvernementales (ONG), a reçu et réinstallé ses nationaux d'une manière généralement humaine et ordonnée.

6. Le 9 septembre, 1 200 membres des ex-forces gouvernementales rwandaises ont été officiellement intégrés dans l'Armée patriotique rwandaise après avoir suivi avec succès un programme intensif de recyclage, ce qui a porté à plus de 2 000 le nombre des soldats des ex-forces gouvernementales rwandaises qui servent à présent dans l'Armée patriotique rwandaise. Les représentants du Gouvernement soulignent que cette réussite est conforme à l'esprit de l'Accord de paix d'Arusha qui prévoyait la fusion des deux forces armées rwandaises en une seule armée nationale.

7. Pour renforcer et élargir davantage les bases d'une stabilité durable, le Gouvernement a poursuivi ses efforts de normalisation dans la campagne, en particulier dans les communes où vivent la plupart des Rwandais et où se sont rendus la plupart des réfugiés. Le nouveau Premier Ministre et le nouveau Ministre de l'intérieur ont récemment rencontré les préfets, qui ont demandé un rétablissement rapide et effectif de l'administration locale dans tout le pays. Sur la question vitale de la sécurité au niveau local, le Ministre de l'intérieur a réaffirmé que le Gouvernement était déterminé à mettre en place une nouvelle force de police communale qui serait formée avec l'assistance de la composante police civile de la MINUAR.

8. La mission du Haut Commissaire des Nations Unies pour les réfugiés au Burundi, au Rwanda, en République-Unie de Tanzanie et au Zaïre a révélé que les gouvernements, les donateurs et les réfugiés s'accordaient tous sur l'importance d'un rapatriement librement consenti se déroulant rapidement, en toute sécurité et de façon ordonnée. Le Haut Commissariat des Nations Unies pour les réfugiés (HCR) sera en mesure de mettre en branle un tel rapatriement si tous les engagements pris durant la mission du Haut Commissaire sont respectés. Pour cela, il faut toutefois que la communauté internationale lui apporte

/...

S/1995/848

Français

Page 3

immédiatement son soutien, à la fois dans les pays d'origine et dans les pays d'accueil.

9. Depuis la mission du Haut Commissaire, le HCR lui-même oeuvre dans ce sens. Au Rwanda, les autorités ont réaffirmé qu'elles souhaitent le retour des réfugiés et ont promis de faire tout ce qui est en leur pouvoir pour faciliter un rapatriement librement consenti, en toute sécurité et dignité. Une réunion de la Commission tripartite, avec la participation de la Tanzanie, du Rwanda et du HCR, a eu lieu du 18 au 21 septembre à Arusha. Des mesures pratiques y ont été décidées pour commencer le rapatriement de plus de 600 000 Rwandais réfugiés en République-Unie de Tanzanie.

10. Une réunion de la Commission tripartite, avec la participation du Zaïre, du Rwanda et du HCR, a été présidée par le Haut Commissaire à Genève le 25 septembre. C'était la première réunion de la Commission depuis sa création en octobre 1994. Dans un communiqué commun, les participants ont réaffirmé qu'ils s'engageaient à créer des conditions propices au rapatriement des réfugiés au Rwanda, en toute sécurité et de façon ordonnée. Le Gouvernement rwandais a convenu de renforcer les installations d'accueil, de réduire les contrôles aux frontières et d'assurer la sécurité et la protection des rapatriés, en collaboration avec le HCR et d'autres organisations de défense des droits de l'homme. Le Gouvernement zaïrois a convenu de réduire toutes les formes d'intimidation dans les camps se trouvant à l'intérieur de ses frontières. Des réunions techniques auront lieu à Gisenyi dans le courant de ce mois-ci pour appliquer les décisions prises à cette réunion. Le processus sera ensuite évalué par la Commission tripartite à Genève ou au Zaïre.

11. Dans le cadre de nouveaux efforts déployés au niveau régional pour favoriser le rapatriement librement consenti, le HCR développe sa campagne d'information destinée aux réfugiés des camps en diffusant des informations objectives pour contrecarrer la propagande extrémiste. Dans le cadre de cette campagne, il organise également des réunions avec son personnel sur le terrain, envoie des réfugiés visiter leur commune d'origine et distribue des tracts contenant des informations recueillies au Rwanda.

12. En prévision de l'accélération escomptée du rythme de rapatriement au Rwanda, le HCR développe ses installations aux points de passage officiels de la frontière de façon que tous les réfugiés puissent être convenablement accueillis. Il développe également ses activités dans les communes d'origine, en coopération avec le Programme des Nations Unies pour le développement (PNUD) qui doit jouer un rôle de premier plan dans leur réadaptation. Des projets à impact rapide ont été mis en route dans certains domaines (eau et assainissement, éducation, santé, abris et services communautaires) pour combler les lacunes dans les plans à long terme du PNUD.

13. Pendant ce temps, le rapatriement des Rwandais qui s'étaient réfugiés au Burundi s'est accéléré. Entre le 5 et le 25 septembre 1995, plus de 4 000 réfugiés qui se trouvaient dans les camps du nord du Burundi ont été rapatriés sous les auspices du HCR, portant à 18 000 au total le nombre de réfugiés ayant bénéficié d'une assistance du HCR depuis juin 1995. Celui-ci estime qu'à peu près le même nombre de réfugiés sont rentrés chez eux par leurs

/...

S/1995/848  
Français  
Page 4

propres moyens. Cent cinquante-cinq mille réfugiés rwandais se trouvent encore au Burundi.

14. Le Zaïre accueille actuellement sur son territoire 1 million de réfugiés rwandais. Pendant le mois de septembre, 3 500 réfugiés parmi les derniers arrivés et 5 934 parmi ceux accueillis il y a plus longtemps ont été rapatriés sous les auspices du HCR. Durant la même période, 147 personnes qui s'étaient réfugiées à Bukavu sont rentrées au Rwanda. Du fait de l'évolution récente de la situation décrite ci-dessus, et compte tenu des délais imposés par le Gouvernement zaïrois, on espère que le rythme de rapatriement va considérablement s'accélérer.

15. Ces améliorations sont certes d'importance cruciale, mais la réconciliation nationale dépend non seulement du rapatriement des réfugiés et de leur réintégration dans des conditions de sécurité, mais aussi de la mise en place d'un appareil judiciaire national efficace et crédible pour rendre la justice et assurer à tous les ressortissants rwandais l'égalité de traitement. Pour le moment, l'appareil judiciaire demeure largement inopérant. Jusqu'à 500 personnes continuent d'être arrêtées chaque semaine, en général parce qu'elles sont soupçonnées d'avoir participé au génocide, et viennent s'ajouter aux 50 000 personnes actuellement détenues dans des conditions inhumaines dans les prisons surpeuplées du Rwanda. Un appareil judiciaire efficace est essentiel pour remédier à cette dangereuse situation.

16. L'amélioration de l'appareil judiciaire pourrait aussi contribuer à éviter la crise que l'on voit poindre depuis longtemps au niveau des droits de propriété. Ce problème décourage le retour des réfugiés, et il est à l'origine d'une bonne partie des tensions auxquelles les communautés doivent faire face dans diverses parties du Rwanda, en particulier à Kigali.

17. Il est essentiel que des mesures soient prises pour concrétiser les bonnes intentions exprimées par le Gouvernement rwandais en ce qui concerne divers efforts de relèvement. Des représentants du Gouvernement ont fait valoir que la pénurie persistante de ressources bridait leur capacité d'action. De plus gros efforts devraient toutefois être faits dans certains domaines pour mettre en pratique les politiques du Gouvernement. Par exemple, les mesures voulues n'ont toujours pas été prises pour permettre le choix par l'Assemblée nationale du président et des cinq vice-présidents de la Cour suprême.

18. Les pays voisins du Rwanda ont conscience que la stabilité de ce pays et celle de la région dans son ensemble sont liées, et ils soutiennent les efforts que je déploie pour convoquer, en collaboration avec l'Organisation de l'unité africaine (OUA), une conférence régionale sur la paix, la sécurité et le développement. Mon Envoyé spécial dans la région des Grands Lacs, M. José Luis Jesus, après avoir obtenu le soutien sans faille de l'OUA, consulte actuellement les pays concernés.

### III. DROITS DE L'HOMME

19. L'Opération des Nations Unies pour les droits de l'homme au Rwanda a poursuivi ses activités dans les domaines de la surveillance du respect des droits de l'homme, de l'assistance technique à l'appareil judiciaire, de

/...



S/1995/848  
Français  
Page 5

l'amélioration des conditions d'incarcération et de l'organisation de séminaires éducatifs. À la fin septembre 1995, elle avait déployé 130 membres, dont trois juristes affectés au Ministère de la justice. L'opération, qui fait partie du groupe de travail créé par mon Représentant spécial pour porter remède au problème du surpeuplement des prisons rwandaises, recueille des informations, facilite les travaux des commissions de triage qui ont été créées pour accélérer le traitement des dossiers des détenus, et coordonne les mesures à court et à moyen terme prises pour rendre de nouveau l'appareil judiciaire opérationnel.

20. Une base de données a été créée avec d'autres organismes des Nations Unies pour fournir des informations exactes sur les mouvements de réfugiés. Les spécialistes des droits de l'homme sur le terrain vont voir les réfugiés dans les centres de transit et les accompagnent jusqu'à leur commune d'origine lorsque cela est possible. Une fois que les rapatriés ont atteint leur destination finale, ils leur rendent visite chaque semaine. Lorsqu'ils le peuvent, les fonctionnaires de terrain se rendent dans les communes d'origine avant l'arrivée des réfugiés afin d'évaluer les conditions dans lesquelles ceux-ci seront accueillis et réinstallés.

#### IV. TRIBUNAL INTERNATIONAL POUR LE RWANDA

21. Depuis mon dernier rapport sur le Tribunal international (S/1995/741), que j'ai présenté en application de la résolution 955 (1994) du 28 novembre 1994 du Conseil de sécurité, le Président du Tribunal international, le juge Laity Kama, le Procureur, M. Richard Goldstone, et M. Adonico Adede du Bureau des affaires juridiques de l'Organisation des Nations Unies, qui a depuis été nommé Greffier du Tribunal, se sont rendus au Rwanda où ils sont restés pendant trois jours. Ils ont rencontré des personnalités du Gouvernement rwandais et mon Représentant spécial pour discuter du fonctionnement du Tribunal, et notamment du Bureau du Procureur au Rwanda. Le 1er septembre, ils se sont rendus à Arusha (République-Unie de Tanzanie) pour inspecter les locaux devant abriter le siège du Tribunal ainsi que le site de la future prison et les logements prévus pour le personnel du Tribunal.

22. Un accord de siège a été signé le 31 août par l'Organisation des Nations Unies et la République-Unie de Tanzanie, et un mémorandum d'accord concernant le Bureau du Procureur à Kigali est actuellement en cours de négociation avec le Gouvernement rwandais. Malgré la persistance des difficultés administratives et logistiques, on espère que le Tribunal pourra commencer à fonctionner avant la fin de l'année, à moins que la crise financière que traverse actuellement l'Organisation des Nations Unies n'empêche d'atteindre cet objectif. Je voudrais remercier une fois de plus les gouvernements qui ont fourni du personnel et d'autres ressources au Tribunal, et j'espère qu'ils continueront d'apporter leur appui.

#### V. ASPECTS MILITAIRES

##### A. Déploiement et activités de la MINUAR

23. La réduction des effectifs de la MINUAR, demandée par le Conseil de sécurité dans sa résolution 997 (1995), s'est poursuivie au cours de la période sur laquelle porte le présent rapport. Dans cette résolution, le Conseil a

/...

décidé de ramener les effectifs de la MINUAR de 5 500 soldats à 2 330 le 8 septembre et à 1 800 le 8 octobre. Au 30 septembre, l'effectif de la force était de 1 836 hommes; par ailleurs, sur les 320 observateurs militaires autorisés, 288 ont été déployés au total dans le pays (voir l'annexe au présent rapport).

24. Conformément à la résolution 997 (1995), la MINUAR a continué d'aider le Gouvernement rwandais à faciliter le retour librement consenti en toute sécurité, et la réinstallation des réfugiés ainsi qu'à instaurer un climat de stabilité et de confiance. Lorsque des réfugiés rwandais ont été contraints de traverser la frontière zaïroise entre le 19 et le 24 août, des soldats et observateurs militaires de la MINUAR, en coordination avec le HCR et d'autres organismes des Nations Unies, ont appuyé de plusieurs manières l'action entreprise par le Gouvernement pour les réinstaller. Ils ont notamment aidé à construire des camps de transit pour loger provisoirement les rapatriés; ils ont fourni des véhicules pour aider à les transporter des camps de transit vers leurs communes d'origine; enfin, ils ont contribué à donner confiance aux rapatriés en assurant une présence aux points de contrôle frontaliers, dans les camps de transit et dans les communes où ils se rendaient. Prévoyant un futur rapatriement massif des réfugiés, la MINUAR aide à améliorer la situation dans les camps de transit.

25. La MINUAR a continué de mettre à la disposition des autorités rwandaises ses moyens de génie et de logistique. La force a aidé à construire et à remettre en état des centres de détention afin de remédier au surpeuplement des prisons rwandaises. Elle a aussi aidé à construire ou à réparer des ponts, des routes et des écoles et à transporter des secours humanitaires, notamment des vivres et des médicaments.

#### B. Sécurité

26. Le massacre d'environ 110 hommes, femmes et enfants survenu le 12 septembre à Kanama, dans le nord-ouest du Rwanda, a été la bouffée de violence la plus grave depuis la tragédie de Kibeho, qui eut lieu cinq mois auparavant. Il a gravement compromis la situation en matière de sécurité, qui s'était améliorée ces derniers mois. Cette tragédie a eu lieu dans une région où l'on avait signalé une recrudescence des infiltrations et sabotages commis par des individus venus des camps de réfugiés du Zaïre voisin. C'était le dernier d'une série de massacres où des fonctionnaires de province, des membres du clergé et des juges avaient également trouvé la mort. De tels actes ne peuvent qu'exacerber les tensions, aviver les craintes et gêner les opérations de rapatriement.

27. J'ai publié le 13 septembre une déclaration exprimant ma vive préoccupation devant l'incident de Kanama et me félicitant de la mise en place d'une équipe d'enquête mixte comprenant des représentants du Gouvernement, de la MINUAR et des spécialistes des droits de l'homme de l'ONU. J'ai également exprimé l'espoir que cette enquête établirait rapidement les faits et recommanderait des mesures en vue d'empêcher le renouvellement de tels incidents. La MINUAR, les spécialistes des droits de l'homme et divers organismes des Nations Unies ont rapidement agi afin de coordonner leur aide à la suite de cet événement tragique.

/...

28. Les infiltrations et sabotages, qui provoquent des mesures de rétorsion du Gouvernement, constituent à ce jour le problème de sécurité le plus inquiétant du pays. Comme me l'a demandé le Conseil de sécurité dans la résolution 1013 (1995) du 7 septembre 1995, je travaille à établir une commission d'enquête chargée d'examiner les allégations concernant des livraisons d'armes aux soldats des ex-forces gouvernementales rwandaises et l'entraînement qu'ils subiraient. Je suis sûr que les travaux de cette commission permettront de recentrer l'attention sur la nécessité d'empêcher la déstabilisation du Rwanda. Ces problèmes de sécurité sont toutefois symptomatiques de l'impasse politique sous-jacente. C'est au peuple rwandais qu'il incombe au premier chef d'améliorer la situation dans son pays et je souligne une fois de plus que toutes les couches de la société rwandaise doivent oeuvrer ensemble à édifier une société stable et plus sûre.

#### VI. POLICE CIVILE

29. Pendant la période examinée, l'une des principales activités de la police civile de la MINUAR a consisté à poursuivre l'instruction de la force de police nationale rwandaise, comme l'a demandé le Conseil de sécurité dans sa résolution 997 (1995). La formation du troisième groupe de 515 gendarmes, commencée le 31 juillet, se poursuit et devrait se terminer au début du mois de décembre. À cette date, le Rwanda devrait donc disposer d'un effectif total de quelque 900 gendarmes qualifiés, sur les 6 000 dont le pays a besoin d'après les estimations. La formation de la police communale, qui constitue la seconde composante de la force de police nationale rwandaise, a été différée à cause des travaux de reconstruction entrepris au Centre de formation de la police communale. Un programme de stages intensifs d'une durée de 13 semaines devrait commencer en octobre. Il concernera le premier des trois groupes de 750 agents de la police communale.

30. Outre ces activités de formation, la police civile de la MINUAR a poursuivi, en collaboration avec les observateurs militaires, ses tâches de surveillance, notamment dans les prisons et dans d'autres lieux de détention, et maintenu une liaison étroite avec l'administration locale dans les 11 préfectures du Rwanda. Les observateurs de la police civile ont également continué de fournir un appui aux organismes des Nations Unies, aux organisations gouvernementales et aux spécialistes des droits de l'homme dans le cadre d'opérations humanitaires, en particulier lors du rapatriement forcé de réfugiés rwandais en provenance du Zaïre.

31. Dans sa résolution 997 (1995), le Conseil de sécurité a décidé de maintenir l'effectif autorisé de la composante civile de la Mission. Au 30 septembre, un effectif total de 87 observateurs de 12 pays était déployé au Rwanda (voir annexe I).

#### VII. ASPECTS HUMANITAIRES

32. La date limite du 31 décembre 1995, fixée par le Gouvernement zaïrois pour le départ volontaire de tous les réfugiés de son territoire, pose au Rwanda et à la communauté internationale un défi immense sur le plan humanitaire au cours des mois à venir.

/...

33. Organiser le rapatriement librement consenti des quelque 2 millions de réfugiés hébergés actuellement par les pays voisins est une tâche extrêmement difficile. Après sa récente visite dans la région, le Haut Commissaire des Nations Unies pour les réfugiés a estimé que l'on pouvait réalistement envisager le rapatriement de 500 000 à 600 000 personnes d'ici la fin de l'année, ce qui est encore loin du but. Cela tient en partie au fait que nombre de communes rwandaises ont une capacité d'absorption limitée. Le Gouvernement rwandais a réaffirmé son engagement d'accueillir tous les réfugiés rwandais qui souhaitent rentrer et d'assurer leur réinsertion. L'efficacité avec laquelle il a fait face, en août, au rapatriement forcé des réfugiés provenant du Zaïre témoigne de la fermeté de cet engagement. Toutefois, la communauté internationale doit comprendre que, pour que cette réinsertion se déroule dans de bonnes conditions, il faut pouvoir disposer des ressources nécessaires pour rétablir et renforcer la capacité d'accueil des communes.

34. Le HCR procède actuellement, sur ma demande, à une étude démographique ainsi qu'à une évaluation des équipements collectifs existants et de la population des communes rwandaises. Cette opération devrait permettre d'identifier les communes qui sont prêtes à recevoir des réfugiés et celles dont il est nécessaire de remettre en état l'infrastructure. J'ai également prié le HCR et le Département des affaires humanitaires de collaborer avec les organismes des Nations Unies et les organisations non gouvernementales sur le terrain à la préparation, d'ici la fin du mois, d'un appel spécial d'urgence en faveur de la région.

35. Malgré les progrès réalisés depuis mon dernier rapport, la situation dans les prisons demeure extrêmement critique sur le plan humanitaire. Actuellement, plus de 52 000 personnes sont incarcérées et les arrestations continuent. En août, j'ai demandé au Secrétaire général adjoint aux affaires humanitaires de prendre d'urgence, en liaison avec le Gouvernement rwandais et la communauté internationale, des mesures efficaces pour remédier à la situation effroyable qui règne actuellement dans les prisons.

36. Un plan d'action, mis au point par des représentants du Gouvernement rwandais et du PNUD, en vue d'une intervention urgente dans le domaine carcéral et dans le secteur de la justice, a été distribué à la communauté internationale. Une petite équipe relevant de mon Représentant spécial a été créée afin de mobiliser les ressources et d'accélérer l'amélioration de la situation dans les prisons. Jusqu'à présent, un montant de 260 000 dollars a été alloué au Fonds d'affectation du Secrétaire général pour le Rwanda, alors que les besoins s'élèvent à plus de 43 millions de dollars, dont 15 millions pour améliorer les prisons et créer de nouveaux centres de détention. En attendant de disposer de ressources additionnelles, j'ai affecté au financement de ces activités un montant de 2 millions de dollars prélevé sur le Fonds central autorenouvelable.

37. En septembre, la construction du Centre de détention de Nsinda, qui permettra d'accueillir 5 000 autres détenus, a été terminée. Ce centre, construit avec l'aide de la MINUAR, du PNUD et du Comité international de la Croix-Rouge, accueillera des détenus provenant de prisons, comme celle de Gitarama, où la situation est la plus désastreuse, parce que ce sont les plus surpeuplées. Deux des sept lieux de détention temporaires sont également en

/...

voie d'achèvement, ce qui permettra d'accueillir 9 500 autres détenus pour des périodes de courte durée. Vu la gravité et l'urgence de la situation, le programme alimentaire mondial (PAM) a également mis à disposition cinq de ses entrepôts pour servir de lieux de détention temporaire. En attendant, des accords ont été conclus avec le Gouvernement rwandais en vue de la création de centres de détention spéciaux pour les femmes et les enfants. Bien entendu, ces diverses initiatives n'ont qu'un caractère temporaire, le but étant uniquement de répondre à une situation d'urgence humanitaire. Il ne peut y avoir d'amélioration durable des conditions carcérales au Rwanda que si, parallèlement, une action est engagée pour rétablir l'appareil judiciaire.

38. En ce qui concerne l'assistance humanitaire, la situation, même si elle s'est améliorée depuis l'an dernier, demeure extrêmement précaire. D'après les résultats préliminaires d'une enquête entreprise par l'Organisation des Nations Unies pour l'alimentation et l'agriculture (FAO) et le PAM, 15 % des familles rwandaises, dont le nombre est estimé à 1 million, sont vulnérables. Près de 30 % des ménages sont dirigés par les femmes et à peine 11 % disposent de moins d'un demi-hectare de terre à cultiver. À cet égard, je note avec satisfaction que les efforts entrepris pour améliorer la sécurité alimentaire des ménages et assurer aux femmes des sources de revenus se sont intensifiés pendant la période examinée. Le Fonds des Nations Unies pour l'enfance (UNICEF) a lancé récemment le premier d'une série de projets destinés à venir en aide aux veuves et aux femmes ayant charges de famille. Le PAM aide également des milliers de foyers dirigés par des femmes, soit 6 000 dans le cadre de programmes d'assistance et 4 000 au titre de projets de développement dont les bénéficiaires sont des femmes.

39. Après le rapatriement forcé de réfugiés en août, j'ai décidé que le Bureau des Nations Unies pour les secours d'urgence au Rwanda qui, comme j'en ai informé le Conseil de sécurité dans mon dernier rapport, avait commencé à faire des préparatifs en vue de sa fermeture, serait maintenu jusqu'à la fin du mois d'octobre 1995. Le Bureau et le Coordonnateur résident des Nations Unies mettent actuellement au point des arrangements temporaires afin d'assurer la coordination de l'assistance humanitaire au-delà de cette période et faire en sorte que l'équipe d'intervention des Nations Unies, que dirige le Coordonnateur résident, soit renforcée. Les organismes des Nations Unies et les organisations non gouvernementales apportent également un appui au Groupe de coordination de l'assistance humanitaire du Gouvernement rwandais qui, conjointement avec la HCR, supervise les déplacements des réfugiés ainsi que la phase initiale de l'aide aux rapatriés.

#### VIII. ASPECTS SOCIAUX ET ÉCONOMIQUES

40. À la suite de l'examen à mi-parcours de la Conférence de table ronde, qui a eu lieu à Kigali les 6 et 7 juillet 1995, les annonces de contributions et les décaissements de fonds déjà engagés en faveur du Programme de réconciliation nationale et de reconstruction et de relèvement socio-économiques du Gouvernement ont considérablement augmenté. Au 14 septembre, 523 millions de dollars avaient été engagés (par rapport aux 345 millions de dollars engagés en juillet) et 252 millions de dollars décaissés (par rapport aux 86 millions de dollars décaissés en juillet) sur le montant total des annonces de contributions faites à Genève en janvier 1995 qui s'élevait à 587 millions de dollars. En

/...

paiements concernant les entreprises et les particuliers rwandais soient effectués en monnaie locale.

#### IX. ASPECTS FINANCIERS

45. Dans sa résolution 40/20 B du 12 juillet 1995, l'Assemblée générale a décidé, à titre de mesure provisoire en attendant que lui soient présentés à sa cinquantième session les prévisions révisées de dépenses et le rapport du Comité consultatif pour les questions administratives et budgétaires, d'allouer un crédit d'un montant total brut de 109 951 900 dollars (soit un montant net de 107 584 300 dollars) au titre du fonctionnement de la MINUAR pour la période allant du 10 juin au 31 décembre 1995. Le rapport faisant état des prévisions révisées concernant la MINUAR, que je dois établir, comme l'a demandé l'Assemblée générale, est en cours de préparation et on y trouvera l'estimation des besoins pour la période couverte par le présent mandat.

46. Au 26 septembre 1995, le montant total des contributions non acquittées au compte spécial de la MINUAR depuis le début de la Mission se chiffrait à 159,3 millions de dollars. Le montant total des quotes-parts non versées pour l'ensemble des opérations de maintien de la paix se chiffrait à 2 585 700 000 dollars.

#### X. OBSERVATIONS FINALES

47. Depuis mon dernier rapport intérimaire en date du 8 août 1995 (S/1995/678), la MINUAR a continué de s'acquitter des tâches qui lui avaient été confiées par le Conseil de sécurité en vertu de la résolution 997 (1995). Ses efforts, ainsi que l'assistance fournie par les organisations des Nations Unies, des organisations non gouvernementales et la communauté internationale dans son ensemble, ont considérablement contribué au programme de remise sur pied du Rwanda. Encore qu'il reste beaucoup à faire, des progrès notables ont été réalisés sur la voie de la normalisation et de la stabilité.

48. Il est clair que le pays ne se remettra durablement que dans des conditions de paix et de stabilité véritables. C'est aux Rwandais qu'il appartient au premier chef de créer et de maintenir ces conditions. Le Rwanda a fait beaucoup de chemin depuis la période de carnage et de chaos qu'il a traversée, il y a à peine un peu plus d'un an. Néanmoins, les crises récentes suscitées par l'expulsion des réfugiés rwandais du Zaïre et les massacres qui ont eu lieu près de Gisenyi témoignent de la fragilité du processus de relèvement en cours.

49. Les traumatismes infligés à la société et à la psyché rwandaises par les tragiques événements des dernières années ont été brutaux et profonds. Il est essentiel que ceux qui en sont responsables en répondent devant la justice, de manière à mettre un terme à une tradition persistante d'impunité et à prévenir le retour de telles atrocités. J'ai bon espoir que le Tribunal international commencera bientôt à fonctionner et que des progrès importants seront réalisés en temps utile en ce qui concerne la mise en place d'un système judiciaire national efficace.

50. Le problème des réfugiés est sans doute la cause la plus immédiate, ainsi que la conséquence, de l'instabilité et des divisions politiques qui règnent au

/...



Rwanda et dans l'ensemble de la région des Grands Lacs. Pour trouver des solutions satisfaisantes à ce problème, il faut s'attaquer à ses causes politiques sous-jacentes. Cela signifie que les divers secteurs de la société rwandaise devront engager un processus d'authentique réconciliation nationale, comme le prévoit l'Accord de paix d'Arusha (A/48/824-S/26915, annexes). À cette fin, je tiens à souligner à nouveau l'importance du dialogue et rappeler les pourparlers que j'ai eus avec de hauts fonctionnaires rwandais lors de ma visite dans leur pays en juillet, touchant la possibilité d'organiser des tables rondes informelles, auxquelles des représentants de tous les secteurs de la société rwandaise, y compris des représentants des réfugiés, seraient invités à participer.

51. Les problèmes auxquels nous sommes confrontés dépassent les frontières du Rwanda. Je reste convaincu qu'une paix durable au Rwanda ne pourra pas s'instaurer aussi longtemps qu'il demeurera dans les pays voisins d'importantes concentrations de ressortissants rwandais hébergés dans des camps. J'espère que

Commission d'enquête dont le Conseil de sécurité a approuvé récemment la création, afin d'examiner des informations touchant l'entraînement de soldats et des transferts d'armes aux forces de l'ancien gouvernement rwandais, contribuera à dissiper les tensions et à restaurer la confiance mutuelle le long des frontières rwandaises. Je me félicite des efforts qui ont été entrepris récemment pour améliorer les relations entre les États de la région et ouvrir ainsi la voie à la convocation de la Conférence régionale sur la paix, la sécurité et le développement qu'il est proposé de tenir. À cet égard, j'ai l'intention de rendre compte prochainement au Conseil des résultats de la première série de consultations tenues par mon Envoyé spécial dans la région des Grands Lacs.

52. En conclusion, si le Rwanda a manifestement progressé dans ses efforts pour venir à bout des problèmes causés par les événements tragiques de 1994, il n'en reste pas moins que le pays a encore beaucoup de chemin à parcourir sur la voie de la réconciliation et du relèvement. Le mandat de la MINUAR prend fin le 8 décembre 1995. Il est donc temps, maintenant, que le Gouvernement rwandais et la communauté internationale examinent sérieusement le rôle futur de l'ONU au Rwanda.

53. En attendant, vu l'extrême gravité de la situation financière à laquelle est confrontée l'Organisation des Nations Unies (à laquelle 3 milliards 24 millions de dollars sont dus à ce jour), j'ai donné pour instructions à tous les chefs d'opérations de maintien de la paix d'explorer les moyens de réaliser immédiatement des économies, y compris en envisageant la réduction des effectifs. Dans le cas de la MINUAR, le Représentant spécial étudie actuellement, en consultation avec le Gouvernement, la possibilité de procéder à une réduction très importante des forces. Je ferai rapport au Conseil de sécurité sur cette question en temps voulu.

54. En présentant ce rapport, je tiens à exprimer mes très sincères remerciements à mon Représentant spécial, M. Shaharyar Khan, au commandant de la Force, le général de division Guy Toussignant, ainsi qu'à tout le personnel civil et militaire de la MINUAR pour le dévouement avec lequel ils s'efforcent, au nom de l'Organisation des Nations Unies, d'aider le peuple rwandais et de promouvoir la cause de la paix dans des circonstances extrêmement difficiles.

/...

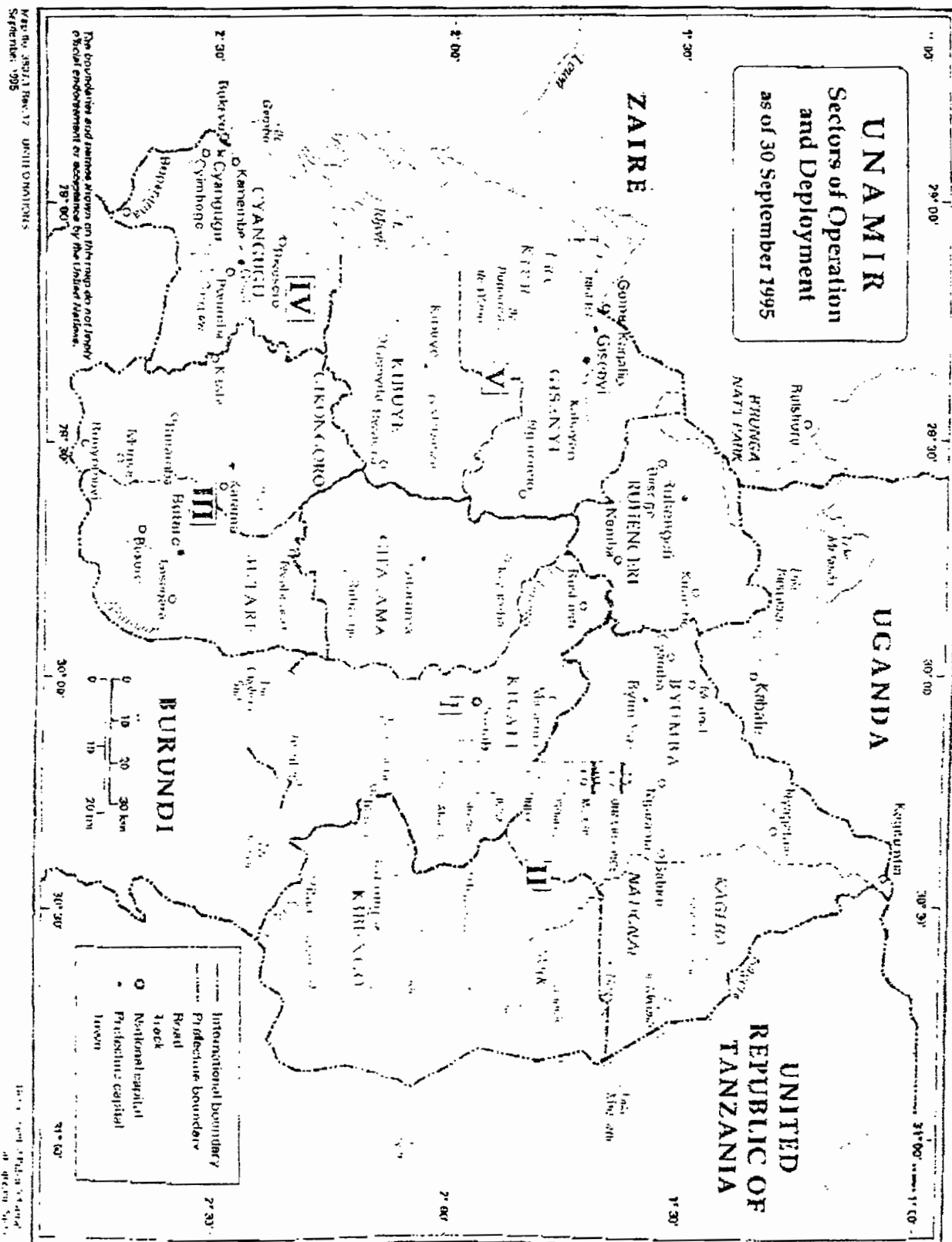


Annexe

COMPOSITION DE LA MINUAR AU 30 SEPTEMBRE 1995

Pays	Personnel militaire			Police civile	Total général
	Troupes	Observateurs	Total		
Allemagne			0	7	7
Argentine		1	1		1
Australie	0		0		0
Autriche		16	16		16
Bangladesh		36	36		36
Canada	100	10	110		110
Congo		7	7		7
Djibouti			0	5	5
Éthiopie	0		0		0
Fédération de Russie		17	17		17
Fidji		1	1		1
Ghana	313	34	347	10	357
Guinée		17	17		17
Guinée-Bissau		1	1	6	7
Inde	943	22	965		965
Jordanie		5	5	4	9
Malawi	136	14	150		150
Mali	122	13	145	10	165
Niger			0	7	7
Nigéria	152	17	169	10	179
Pakistan		5	5		5
Sénégal	1	2	3		3
Suisse				3	3
Tchad	2		2	5	7
Tunisie	19	0	19	10	29
Uruguay		26	26		26
Zambie	32	20	52	10	62
Zimbabwe	0	25	25		25
Total	1 836	288	2 124	87	2 211

/...





INTEROFFICE MEMORANDUM

Pending  
**URGENT**

To: See Distribution List

From: SRSB

*Shahenaz Khan*

13 September 1995

Subject: Progress Report of the Secretary-General  
to the Security Council on UNAMIR

As you are aware, under Security Council resolution 997 of 9 June 1995, the Secretary-General is expected to report to the Security Council by 9 October 1995 on UNAMIR's mandate, the humanitarian situation and progress towards the repatriation of refugees. In this connection, Headquarters has informed us that it expects our draft of the report to reach New York by Friday, 22 September, at the latest. Accordingly, you are kindly requested to submit your contributions covering your respective area(s) of responsibility to me, with a copy to the Political Adviser, Mr. Sammy Kum Buo, no later than **10 a.m. on Saturday, 16 September**.

Your contributions should cover developments since the Secretary-General's last progress report to the Security Council on 8 August 1995 (Document S/1995/678), and reflect progress made and/or difficulties encountered in the implementation of the mandate entrusted to UNAMIR under Security Council resolution 997 of 9 June 1995. Your contributions should also provide any justification of any adjustments which may, in your view, be required on the current military and civilian personnel level, deployment or concept of operations. You may also wish to suggest concluding observations on the overall situation in Rwanda and on the assistance the international community should provide to help promote peace and stability in the country. On the basis of the contributions, the Political Adviser should prepare a first draft of the report.

Your immediate attention to this matter would be greatly appreciated.

Distribution List:

Info : ED

- Action
1. Force Commander, UNAMIR
  2. UNDP Resident Representative
  3. UN Humanitarian Coordinator
  4. Commissioner, CIVPOL, UNAMIR
  5. Chief of Administration, UNAMIR
  6. UNAMIR Radio
  7. Political/Legal Officer, UNAMIR (International Tribunal and Human Rights issues)
  8. Political Adviser, UNAMIR

**UNITED  
NATIONS****S****Security Council**Distr.  
GENERALS/1995/678  
8 August 1995

ORIGINAL: ENGLISH

**PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS  
ASSISTANCE MISSION FOR RWANDA****I. INTRODUCTION**

1. The present report is submitted pursuant to resolution 997 (1995) of 9 June 1995, in which the Security Council extended the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) until 8 December 1995. In that resolution, the Council also decided to adjust the mandate of UNAMIR to emphasize peace-building activities and authorized the gradual reduction of its troop level.

2. In resolution 997 (1995), the Security Council also asked me to report on the Mission's discharge of its mandate, the humanitarian situation and the progress made towards the repatriation of refugees. In my report of 9 July (S/1995/552), I informed the Council of the outcome of my consultations with the Governments of the countries neighbouring Rwanda on the possibility of deploying United Nations military observers, in accordance with paragraph 6 of resolution 997 (1995). During the reporting period, the Council was provided with regular oral briefings on developments related to Rwanda. The present report provides an update on the situation as at 3 August.

3. For the past year or more Rwanda has tried to grapple with the aftermath of genocide. A quarter of its population is still in refugee camps near its borders, a lingering legacy of the tragic events of 1994. However, the security situation in the country has improved markedly since my report to the Council of 4 June (S/1995/457). Working relations between the Government of National Unity and UNAMIR have also improved and a spirit of cooperation with United Nations programmes and agencies, international non-governmental organizations and bilateral donors has emerged. My visit to Rwanda on 13 and 14 July was intended to help strengthen those positive trends. It also offered a useful opportunity for an exchange of views with the country's leadership on the problems that remain to be solved.

95-23187 (E) 090895 100895



/...

S/1995/678

English

Page 2

## II. POLITICAL DEVELOPMENTS

4. During the period under review, the Government has taken certain steps to improve relations with neighbouring countries, especially Burundi, the United Republic of Tanzania and Zaire. The Ministers of Defence of Burundi, Rwanda and Zaire met at Bujumbura on 9 June and agreed to organize joint border patrols and to put into effect other measures that would improve security along their borders. The Foreign and Defence Ministers of Burundi and the Defence Minister of the United Republic of Tanzania visited Rwanda in July to discuss cooperation and other issues of mutual interest. This increase in bilateral contacts in the region is an encouraging sign.

5. Efforts to enhance the administration of justice, establish law and order and promote national reconciliation have continued. On 17 July, the Minister of Justice inaugurated a four-month training course for future magistrates. However, although senior government officials, including the Vice-President and Minister of Defence, Major-General Paul Kagame, have publicly called on the army and security forces to respect the rights of citizens, acts of violence continue to be reported.

6. The Government has continued to take measures aimed at building confidence and encouraging the voluntary return of refugees. On 20 June, it issued a statement that opened the possibility for contacts with refugee representatives who have not been implicated in acts of genocide. At the same time, it has encouraged refugees to visit Rwanda to assess conditions there personally and thus expedite the pace of repatriation. Conferences and seminars on national reconciliation, organized with the assistance of the United Nations Human Rights Field Operation in Rwanda (see para. 16 below), have been convened. In addition, Radio UNAMIR, which can now be received in over 70 per cent of the territory of Rwanda, has continued its confidence-building broadcasts and provides the population with factual and objective information on the situation in the country. Once UNAMIR receives the Government's authorization to install the remainder of Radio UNAMIR's equipment, the broadcasts should also reach Rwandan refugee camps in Zaire.

7. In my last report on Rwanda (S/1995/552), I noted that the Government, in accordance with the provisions of the Arusha Peace Agreement (A/48/824-S/26915, annex I), had submitted to the National Assembly a list of suggested nominees for the posts of President and five Deputy Presidents of the Supreme Court. Several candidates on the list were not acceptable to the National Assembly and efforts are under way to identify mutually acceptable nominees. In addition, on 19 July, after reports that a government official had asserted that political activities by non-governmental parties were prohibited, President Pasteur Bizimungu stated that, while multi-party political activities, as such, had not been banned, "political competition and mutual accusations among political parties that cause instability and divisions" would not be allowed. Although restrictions aimed at preventing political extremism can be imposed in a pluralistic environment, the above reports are cause for concern since such restrictions in Rwanda will do nothing to foster national reconciliation.

/...

S/1995/078

English

Page 3

My visit to Rwanda

8. Against the background of these trends, I visited Rwanda on 13 and 14 July to observe at first hand the progress made and the challenges that remain. During this visit, on which I briefed the Security Council on 25 July, I held detailed discussions with senior government officials, including President Bizimungu, Vice-President Kagame and Prime Minister Faustin Twagiramungu. I addressed a special session of the National Assembly, which was followed by an exchange of views with parliamentarians. I also met with representatives of Rwandan non-governmental organizations that are actively involved in the field of human rights and represent survivors of the genocide. During a visit to Nyarubuye in south-eastern Rwanda, I placed a wreath at an official site dedicated to the memory of victims of genocide. An aerial inspection of prisons in Kigali and Nsinda helped to focus public attention on the urgent need to alleviate the inhuman conditions in Rwandan jails.

9. A convergence of views emerged from my discussions with government officials on the priority tasks facing Rwanda. These included national reconciliation, the maintenance of security within the country and along its borders and reconstruction. I discussed with government officials reports of the growing threat of destabilization beyond Rwanda's borders.

10. With regard to national reconciliation, my discussions focused on efforts to expedite the repatriation of refugees. Special emphasis was placed on the need to create conditions on the ground that would instil the confidence and trust necessary to encourage refugees to return voluntarily in conditions of security and dignity. In this connection, I raised the need to strengthen the national judiciary. I emphasized that the Rwandan people as a whole, as envisaged under the Arusha agreements (A/48/824-S/26915, annexes), must participate fully in their country's governance; only on such a basis could national healing and sustainable economic progress be achieved. As an additional confidence-building measure, I discussed with government officials the possibility of organizing non-official round-table meetings and inviting participants from all sectors of Rwandan society, including the refugee community. At the same time, it is clear that respect for human rights is an essential factor in achieving national reconciliation. While those responsible for acts of genocide should be brought to justice, acts of vengeance or retaliation must not be tolerated. Another issue raised during my stay in Rwanda was the increased threat of destabilization. I emphasized to government officials my strong concern that the people of Rwanda, who had already suffered so much, should not be subjected to another cycle of violence. In my view, the earliest safe return of refugees would diminish the threat of infiltration, sabotage and destabilization from outside the country. As long as large concentrations of refugees remained in neighbouring countries, those dangers would be likely to continue.

/...

S/1995/678

English

Page 4

## III. SECURITY

11. As noted above, the security situation in Rwanda has improved. Restrictions on UNAMIR's freedom of movement have generally ceased, permitting a more effective execution of the Mission's mandate. In addition, incidents of banditry and theft have decreased significantly in recent months.

12. In some areas, however, acute housing shortages and disputes over property continue to result in acts of violence. In this connection, the closure of camps for internally displaced persons in the south-west and the consequent return of a large number of people to their previous neighbourhoods, as well as the continued repatriation of refugees, have increased the pressure for housing and land. Although their number had decreased, cases of arbitrary arrest and detention continue to cause concern, as do the continuing reports of attacks, disappearances and killings, mostly of new returnees.

13. On 27 July and 1 August, the sub-prefects of Ruhango in Gitarama prefecture and Gikongoro in Gikongoro prefecture were killed by unidentified gunmen, as was a senior Roman Catholic cleric of the parish of Kamonyi in Gitarama prefecture. Investigations have not yet revealed the motive for the crime. Incidents such as these undermine the much-needed atmosphere of security.

14. Tension and lack of security also continue to be reported from areas of Zaire adjacent to Rwanda. Reports of infiltration and sabotage by armed elements, as well as allegations that members of the former government forces and militias are conducting military training and receiving deliveries of arms, have greatly heightened tensions in the border areas. The Governments of both Zaire and Rwanda recently admitted that the situation in the border zone had deteriorated and each has accused the other of involvement. The Government of Rwanda has enhanced security measures, especially in border areas, in order to reduce the threat of destabilization by armed elements, and has requested that restrictions on its acquisition of arms be lifted.

15. On 9 July, I reported to the Security Council (see S/1995/552) pursuant to its request in resolution 997 (1995) that I consult the Governments of the countries neighbouring Rwanda on the possibility of deploying United Nations military observers to monitor the sale or supply of arms and matériel. My Special Envoy, Mr. Aldo Ajello, had visited the region and had found some countries to be reluctant to have such military observers stationed in their territory. I informed the Council on 25 July of my own discussions in the region on this issue. A consensus had emerged concerning the urgent need to prevent acts of violence that might pose a threat to peace and stability in the region. In that connection, some Governments had indicated interest in the establishment, under United Nations auspices, of an international commission of inquiry to investigate allegations of arms deliveries to members of the former Rwandese government forces. All Member States concerned would have to support such a proposal if it were to be effective. I intend to pursue consultations in this regard and, in due course, to present recommendations to the Council on the possible establishment of an international commission.

/...



S/1995/678

English

Page 5

## IV. HUMAN RIGHTS

16. The United Nations Human Rights Field Operation in Rwanda continued its efforts to sensitize the Rwandan population to the importance of respecting the human rights of all citizens. As at 1 August 1995, it had deployed 118 members and established 11 field offices throughout the country, which serve as base stations for mobile teams of human rights officers. Plans are under way to establish sub-offices in a number of additional communes in order to maintain a more integrated presence throughout the country. In the meantime, field officers continue to visit communes and meet with civil, judicial and military authorities and the local population. Their work has focused on security, access to property, the functioning of the local judicial system, conditions in detention centres and alleged human rights violations. The Field Operation is also in the process of establishing human rights committees at the provincial or prefectural level, with local participation, which will meet regularly with representatives of various government authorities. During the period under review, the Operation organized educational seminars for civil, military and judicial representatives.

## V. INTERNATIONAL TRIBUNAL FOR RWANDA

17. The six judges of the two trial chambers of the Tribunal elected by the General Assembly in May 1995 have been sworn in and their first plenary session was held from 26 to 30 June at The Hague. During that session, the judges elected Judge Laity Kama (Senegal) President and Judge Yakov A. Ostrovsky (Russian Federation) Vice-President, and adopted the rules of procedure of the Tribunal. It is imperative that the Tribunal begin its substantive work in the near future.

18. Premises for the Prosecutor's Office at Kigali have been identified and it is expected that it will soon be fully staffed. None the less, more effort is needed to enable the Tribunal to start functioning at Arusha and to maintain a fully operational office at Kigali. On 20 July, in its resolution 49/251, the General Assembly approved some \$13.5 million for the financing of the Tribunal's work. However, in view of the enormous material, personnel and logistical requirements necessary to ensure its proper functioning, I reiterate my appeal to Member States to make additional voluntary contributions to the United Nations Voluntary Fund established for the Tribunal. To date, \$6.3 million has been contributed to the Fund. I express my appreciation to the Member States concerned.

## VI. MILITARY ASPECTS

19. In accordance with the adjusted mandate authorized by the Security Council in its resolution 997 (1995), the activities of the military component of UNAMIR have shifted from providing security to assisting in the normalization of the country. The military component of the Mission also assists in the delivery of humanitarian aid and the provision of engineering and logistical support. Its ability to provide such assistance will, however, be increasingly limited by the gradual reduction of its manpower and other resources.

/...

S/1995/678

English

Page 6

20. With the authorized reduction in the number of UNAMIR troops to 1,800 by October 1995, the Mission's military component is being drawn down. Units of United Nations troops stationed in various areas throughout the country have been consolidated into company-size formations. Based on operational requirements, the following units will remain in the country: the battalion of 660 personnel from Ghana, whose task is to protect United Nations installations and facilities; an additional company of 135 personnel, to provide protection for personnel of the International Tribunal and the Human Rights Field Operation; the Force signal company of 75 personnel (India), responsible for providing communication support for the Force Headquarters and four sector headquarters; the military police platoon of 45 personnel; and a Force Headquarters team consisting of 35 staff officers, which will remain at Kigali. In addition, an engineer company of 125 personnel from India will provide engineering support throughout Rwanda and a group of 85 Canadian personnel will maintain UNAMIR's integrated logistics system. One infantry company each from Ghana, Mali, Malawi and Nigeria will be stationed at Kibungo, Gikongoro, Cyangugu and Nyundo, respectively. The military medical team, which is provided by Australia, is scheduled to withdraw by 22 August. Many potential contributors have been requested to provide a replacement; unfortunately, none has agreed to assist. I am, therefore, urgently exploring the possibility of providing medical services for UNAMIR through contractual arrangements.

21. In accordance with resolution 997 (1995), the repatriation of UNAMIR's troops has begun. To date, the Ethiopian, Tunisian and Zambian infantry battalions have been repatriated, as have some personnel from the Nigerian company. As at 3 August 1995, the strength of UNAMIR's troops had been reduced to 3,571 all ranks. The Australian and Senegalese contingents are expected to be repatriated by late August, while personnel from the Ghanaian and Malian companies are scheduled to go in early September. The Indian infantry battalion is expected to reach its reduced level by early October. The number of military police and Force Headquarters staff will also decrease throughout the period.

22. The same resolution authorized the current strength of UNAMIR's military observers to be maintained at 320. During the reporting period, military observers continued to maintain liaison with government representatives, human rights observers and United Nations agencies and to monitor the security of resettled refugees, internally displaced persons and others.

#### VII. CIVILIAN POLICE

23. In its resolution 997 (1995), the Security Council decided to maintain the authorized strength of UNAMIR's civilian police component at 120 police observers. As at 3 August, the total strength of the component was 56 observers from nine countries; 21 additional observers are expected to be deployed by mid-August.

24. My report of 4 June (S/1995/457) indicated that the Government of Rwanda had taken the position that the training programme being conducted by the UNAMIR civilian police component should be replaced by bilateral arrangements and that the United Nations police component should be withdrawn once those arrangements were in place. Since that time, the Government has agreed that UNAMIR should

/...

S/1995/678  
English •  
Page 7

continue its training programme throughout the present mandate period. Accordingly, the civilian police component has continued to concentrate on monitoring and training. On 15 June 1995, a second group of 301 gendarmes completed an intensive 16-week training programme conducted by the United Nations. Training of an additional 513 gendarmes started in July and will be followed by that of 100 instructors.

25. With assistance from the international community, the Government of Rwanda has taken steps to strengthen the Communal Police Training Centre. In early July, two projects were approved whereby the United Nations Development Programme (UNDP) will provide assistance for the training of the national gendarmerie and 1,500 communal police officers. The first group of 750 officers is expected to begin training in early September.

#### VIII. HUMANITARIAN ASPECTS

26. Despite the efforts of the Rwandan authorities and the international community, in particular UNAMIR, the United Nations Rwanda Emergency Office, the United Nations High Commissioner for Human Rights, UNDP, the United Nations Children's Fund (UNICEF), and the International Committee of the Red Cross (ICRC), the conditions in the prisons now constitute a major humanitarian crisis. Over 50,000 people are now incarcerated in 12 prisons and various places of detention, although the prison capacity is only 12,250. Death rates have been estimated at more than 200 per month. There is therefore a pressing need for more vigorous efforts by the Rwandan authorities and the international community in order to alleviate the prison situation.

27. A number of political and religious leaders have recently visited Rwanda. These include the Minister for Development Cooperation of the Netherlands, Mr. Jan Pronk, Archbishop Desmond Tutu from South Africa and the Minister of Foreign Affairs of Germany, Dr. Klaus Kinkel. Many of these leaders have witnessed the appalling prison conditions. Since his visit, Dr. Kinkel has sent me a communication urging me to do everything possible to put an end to this catastrophic situation.

28. I have requested the Under-Secretary-General for Humanitarian Affairs to initiate, in coordination with the Government of Rwanda and the international community, effective and urgent measures to reverse the situation. The Department of Humanitarian Affairs has already held consultations in New York with United Nations agencies and donor representatives with a view to drawing up a plan of action to secure resources and reaching agreement on a coordination mechanism. Further consultations are envisaged in Geneva prior to a mission led by the Department of Humanitarian Affairs to Kigali next week to finalize the action plan in conjunction with the Government of Rwanda and my Special Representative.

29. Since my report of 4 June (S/1995/457), the rate of repatriation of Rwandan refugees from neighbouring countries has increased slightly. In June, 2,727 refugees returned to Rwanda from Zaire. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that, in addition to the 6,250

/...

S/1995/678

English

Page 8

refugees repatriated from Burundi under its auspices in June and July, up to 10,000 persons may have returned to Rwanda on their own during the same period.

30. Prospects for the repatriation of refugees from the United Republic of Tanzania to Rwanda improved after officials from both countries met with UNHCR representatives at Kigali from 17 to 19 July to examine modalities for the return of an estimated 700,000 persons. The meeting concluded with an agreement to establish a joint commission on security and the resettlement of refugees. It is also hoped that confidence-building measures sponsored by the Government, the United Nations and non-governmental organizations, such as organized visits by refugees to Rwanda, will encourage repatriation.

31. Since the closure of the camps for internally displaced persons in the south-west of Rwanda, international humanitarian organizations have increased their activities at the commune level. The Government has also started the first phase of its Rehabilitation Programme, targeting 59 communes in priority areas. Food aid deliveries throughout the country have increased and there are sufficient stocks of food in the country and in the region to cover planned distribution programmes. Supplies for emergency distribution, should the need arise, are at present available in adequate quantities.

32. Following a bilateral agreement between the Governments of the United States of America and Rwanda, a national de-mining programme was established in July. Under the terms of the agreement, a national de-mining office will be established and a mine database created. The office will also serve as the focal point for a mine awareness programme, as well as for a programme that will provide de-mining training to 80 government soldiers. These activities will contribute significantly to the reconstruction effort.

33. As at 12 July, the United Nations Trust Fund for Rwanda had received contributions amounting to \$6.54 million, including a recent contribution from New Zealand of \$200,000. The Fund has financed projects aimed at meeting emergency and rehabilitation needs, as well as the urgent requirements of essential government ministries. As at 1 August, a total of \$116 million had been pledged against the sum of \$219 million outlined in the 1995 Consolidated Inter-Agency Emergency Appeal for Rwanda; this represents a \$36 million increase in pledges since my last report to the Council. For the needs of the subregion, pledges amounted to \$346 million, against a total requirement of \$587 million, representing an increase of \$1 million.

34. Although a large-scale humanitarian effort is still required to meet the massive emergency needs of Rwandan refugees in neighbouring countries, the present emphasis in Rwanda itself is gradually shifting towards rehabilitation and reconstruction. This shift from emergency assistance has required an adjustment in the various United Nations humanitarian programmes and field structures operating in the country. As a result, the United Nations Rwanda Emergency Office, which was established in 1994 under the direction of the Humanitarian Coordinator in Kigali, has begun to prepare for its eventual closure. Transitional arrangements are being made to ensure that the coordination of humanitarian assistance will continue. Among these arrangements is the establishment of a small United Nations Disaster Management Team, headed

/...

S/1995/678

English

Page 9

by the Resident Coordinator, which will ensure that appropriate emergency response measures are prepared and undertaken in a timely and effective manner.

#### IX. ECONOMIC AND SOCIAL ASPECTS

35. Donor countries and United Nations agencies met at Kigali on 6 and 7 July for a mid-term review of the Round-Table Conference held at Geneva in January 1995. The donor community recognized the need to expedite the disbursement of already committed funds and pledged an additional \$200 million, bringing to over \$800 million the amount pledged since the Conference. At the meeting, progress in rebuilding the country's infrastructure was reported, as was an increase in agricultural production. Formidable challenges remain, however, in the areas of resettlement, budgetary support, national capacity-building and industrial production.

36. Total contributions administered by UNDP through its trust fund arrangement stood at \$22 million as at 25 July 1995, at which time \$13 million had been received and some \$7.5 million disbursed for rehabilitation and development projects, including strengthening the capacity of the justice system; rehabilitation of key administrative buildings; provision of equipment vital to the functioning of Rwandan public administration; expansion of the existing prison capacity; and provision of support to training programmes for the communal police and national gendarmerie.

37. Several programmes aimed at facilitating the return to Rwanda of former members of the country's public service sector have been initiated. UNICEF and the United Nations Educational, Scientific and Cultural Organization (UNESCO) have continued to help provide basic education to Rwandans, both within the country and in refugee camps. In addition, the World Bank, the International Monetary Fund (IMF) and UNDP are involved in a project designed to strengthen the Government's capacity to manage its economic, financial and human resources.

38. There have been a number of improvements in alleviating the plight of Rwandan children, many of whom have yet to overcome the trauma inflicted by the horrors of the events of 1994. Of the approximately 45,000 children who lost or were separated from their parents, over 28,000 are now in foster-care facilities and intensive efforts are under way to provide for the rest. In mid-June, 155 prisoners between the ages of 7 and 14 were transferred to a new facility specially designed for children. The demobilization, rehabilitation and reintegration of child soldiers is continuing.

#### X. FINANCIAL ASPECTS

39. In its resolution 49/20 B of 12 July 1995, the General Assembly decided, as an interim measure pending the submission at its fiftieth session of revised cost estimates and the report of the Advisory Committee on Administrative and Budgetary Questions, to appropriate \$109,951,900 gross (\$107,584,300 net) for the operation of UNAMIR for the period from 10 June to 31 December 1995. The Assembly also decided that \$99,628,200 gross (\$97,508,000 net) should be assessed among Member States for the maintenance of UNAMIR for the period from

/...

S/1995/678

English

Page 10

10 June to 8 December 1995. The revised cost estimates will include two additional posts for the positions of Civilian Police Commissioner and Director of the UNAMIR Liaison Office at Kinshasa.

40. As at 26 July 1995, the total outstanding assessed contributions to the UNAMIR Special Account since the inception of the Mission amounted to \$64.7 million. The total outstanding assessed contributions for all peace-keeping operations amounted to \$1,779.3 million.

#### XI. OBSERVATIONS AND CONCLUSIONS

41. In the 12 months that have passed since one of the most tragic chapters in Africa's history, the Government of Rwanda has made efforts to stabilize conditions within the country, although the weakness of the economy and the lack of public revenue to run an effective administration continue to frustrate those efforts. This is one reason why many of the causes of the conflict and ensuing genocide remain to be addressed in a determined and comprehensive manner. In addition to the steps taken so far by the Government and the international community, more time and greater efforts are needed before the country can recover from the traumatic events of 1994. Since the tensions on the country's borders could erupt in uncontrollable violence at any moment, it is with a sense of urgency that the Government of Rwanda, the countries in the subregion and other members of the international community must address the vital issues confronting the country.

42. It is imperative that representatives of all sectors of Rwandan society begin talks in order to reach an agreement on a constitutional and political structure to achieve lasting stability. Such talks must, of course, exclude those political leaders suspected of planning and directing the genocide last year, who must be judged by the International Tribunal. The Government of Rwanda should promote such talks so that the thousands of others who live under suspicion can gain confidence and join in the efforts to reconstruct their country.

43. The international community has an important role to play in Rwanda's reconstruction and in encouraging repatriation and reconciliation. I take this opportunity to express my appreciation to States, donor agencies and non-governmental organizations for the vital contributions they have made to promoting peace and rehabilitation in Rwanda. At the same time, I call upon them to intensify their efforts during this critical period in order to help avert a resumption of violence.

44. In accordance with resolution 997 (1995), UNAMIR is taking the necessary steps to draw down its military presence in Rwanda and to implement its new mandate. The Government has encouraged this approach, which reflects the gradually improving conditions in the country. In this connection, I urge it to ensure that visible measures are put in place to ensure respect for human rights and security for all Rwandan people. It is particularly important to continue to encourage the voluntary return of refugees. This would send a clear message to the international community that its assistance for reconstruction should be accelerated.

/...



S/1995/678  
English  
Page 11

45. During my visit to the subregion, there was clear consensus among government leaders that instability in any State in the area could have a dramatic effect on all its neighbours. It was widely recognized that destabilizing influences, such as armed infiltrations, acts of sabotage and illegal arms acquisitions, should be prevented through cooperative efforts. Strong interest was expressed in the establishment of an international commission under the auspices of the United Nations to address allegations of arms flows to former government forces. I hope that all Governments concerned will support such an initiative. It is my intention to provide my recommendations in this regard to the Security Council shortly.

46. I discussed with heads of State and Government in the region the idea of convening a regional conference that would consider the interrelated problems of peace, security and development, having in mind the adoption of a specific programme of action. In the meantime, in order to address the urgent problems facing the repatriation of refugees, it may be useful to convene, at the earliest possible date, a regional meeting aimed at developing concrete measures to implement the commitments embodied in the Nairobi Summit declaration of January 1995, the Bujumbura Action Plan of February 1995 and the tripartite agreements signed by UNHCR, Rwanda and neighbouring countries hosting Rwandan refugees. This would be in addition to the possible holding of round-table meetings, in which all sectors of Rwandan society would participate, referred to earlier in the present report. I intend to continue intensive consultations on all of these proposals.

47. In conclusion, I wish to express my appreciation to my Special Representative, Mr. Shaharyar Khan, to the Force Commander, Major-General Guy Tousignant, and to all military, police and civilian personnel of UNAMIR for their continuing efforts and remarkable dedication to the cause of peace and security in Rwanda.

/...






URGENT

File

INTEROFFICE MEMORANDUM

To: See Distribution List

From: Executive Director 

Subject: Progress Report of the Secretary-General  
to the Security Council on UNAMIR

19 July 1995

As you are aware, under Security Council resolution 997 of 9 June 1995, the Secretary-General is expected to report to the Security Council by 9 August 1995 on UNAMIR's mandate, the humanitarian situation and progress towards the repatriation of refugees. In this connection, Headquarters has informed us that it expects our draft of the report to reach New York by Monday, 24 July, at the latest. Accordingly, you are kindly requested to submit your contributions covering your respective area(s) of responsibility to me; with a copy to the Political Adviser, Mr. Sammy Kum Buo, no later than **10 a.m. on Friday, 21 July**.

Your contributions should cover developments since the Secretary-General's last progress report to the Security Council on 4 June 1995 (Document S/1995/457), and reflect progress made and/or difficulties encountered in the implementation of the mandate entrusted to UNAMIR under Security Council resolution 997 of 9 June 1995. Your contributions should also provide any justification of any adjustments which may, in your view, be required on the current military and civilian personnel level, deployment or concept of operations. You may also wish to suggest concluding observations on the overall situation in Rwanda and on the assistance the international community should provide to help promote peace and stability in the country. On the basis of the contributions, the Political Adviser should prepare a first draft of the report.

Your immediate attention to this matter would be greatly appreciated.

Distribution List:

Info : SRSG

Action

1. Force Commander, UNAMIR
2. UN Humanitarian Coordinator
3. Commissioner, CIVPOL, UNAMIR
4. Chief of Administration, UNAMIR
5. UNAMIR Radio
6. Political/Legal Officer, UNAMIR (International Tribunal and Human Rights issues)
7. Political Adviser, UNAMIR

086 Received Message

17:16 12/07/95

cc. Amb. Conde  
Col. Tinkoa  
Ms. Rafi.

ZCZC KGMS2951 DPIC3491  
SP KGM  
.NEWYORK (PKFOD) 12 1720Z  
BT

FROM DPIIDS  
OMNIPRESS/UNDEVPRO  
File :S1995552 - Part 1 of 2  
Doc Symbol:S/1995/552

/... S/1995/552

English  
Page  
S/1995/552  
English  
Page  
SUNITED  
NATIONS  
Security Council  
Distr.  
GENERAL  
S/1995/552  
9 July 1995  
ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE IMPLEMENTATION OF  
PARAGRAPH 6 OF SECURITY COUNCIL RESOLUTION 997 (1995) OF  
9 JUNE 1995

#### I. INTRODUCTION

1. In resolution 997 (1995) adopted on 9 June 1995, the Security Council affirmed that the restrictions imposed under Chapter VII of the Charter of the United Nations by resolution 918 (1994) applied to the sale or supply of arms and materiel specified therein to persons in the States neighbouring Rwanda, if that sale or supply was for the purpose of the use of such arms or materiel within Rwanda. It called upon the States neighbouring Rwanda to take steps, with the aim of putting an end to factors contributing to the destabilization of Rwanda, to ensure that such arms and materiel were not transferred to Rwandan camps within their territories. It requested the Secretary-General to consult the Governments of neighbouring countries on the possibility of the deployment of United Nations military observers, and to consult, as a matter of priority, the Government of Zaire on the deployment of observers, including at the airfields located in eastern Zaire, in order to monitor the sale or supply of arms and materiel. It further requested the Secretary-General to report to the Council on the matter within one month of the adoption of the resolution. The present report is submitted in response to that request.

#### II. MISSION OF THE SPECIAL ENVOY OF THE SECRETARY-GENERAL TO RWANDA AND NEIGHBOURING COUNTRIES

2. I appointed Mr. Aldo Ajello as my Special Envoy to carry

Almazole -  
copy SPA  
SA/SA/SG  
Rwand. 1/2  
13-7-95

10/1/96  
10/1/96  
10/1/96  
10/1/96  
10/1/96  
10/1/96  
10/1/96  
10/1/96  
10/1/96  
10/1/96

(SPSG) EC 1 AD

out the consultations requested by the Security Council. He visited the neighbouring countries from 20 to 28 June 1995, accompanied by the senior political adviser of the United Nations Assistance Mission for Rwanda (UNAMIR) and a military assistant to its Force Commander, and met with the following senior government officials: in Burundi, Mr. Sylvestre Ntibantunganya, President, Lt. Col. Sinzoyiheba Firmin, Minister of National Defence, Mr. Nicolas Mayugi, Secretary of State for Foreign Affairs and International Cooperation, Lt. Col. Bayaganakandi Epitace, Administrator General of the "Police de l'air, des frontieres et des etrangers", Mr. Audifax Ndabitoreye, Administrator General

95-20355 (E) 100795/...

\*9520355\*

of National Documentation; in Rwanda, Major-General Paul Kagame, Vice-President and Minister of Defence; in Uganda, Mr. Kintu Musoke, Prime Minister, Mr. Ben Mbonye, Secretary of Defence; in the United Republic of Tanzania, Mr. David Cleopa Msuya, First Vice-President and Prime Minister, Mr. Richard Mariki, Permanent Secretary in the Ministry of Home Affairs; and in Zaire, Mr. Kengo wa Dondo, Prime Minister, Admiral Mavua Mudima, Vice-Prime Minister and Minister of National Defence, Mr. Diur Katondi, Vice-Minister of International Cooperation. He also met with my Special Representatives in Burundi and Rwanda. He reviewed the current situation in the region, with particular reference to repatriation, reconciliation and reconstruction in Rwanda, with representatives of United Nations agencies and non-governmental organizations (NGOs) and with members of the diplomatic corps in Rwanda. In addition, he visited Rwandan refugee camps in the Goma area of North Kivu in eastern Zaire. He was briefed on various aspects of the refugee situation, including security, by representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR).

3. In his meetings with officials of the neighbouring countries, my Special Envoy emphasized the Security Council's great concern over increasing reports of military activities that threatened to destabilize Rwanda.

4. The Special Envoy's consultations confirmed that the countries concerned shared some important common points of view. All reiterated their support for efforts to prevent the resumption of armed conflict in Rwanda, to ensure the return and resettlement of its refugees and to promote lasting reconciliation. They stressed the link between stability in Rwanda and the situation in the subregion generally and referred to the negative impact the Rwandan crisis was having on humanitarian and environmental conditions. The uncontrolled circulation of arms, including to civilians and refugees in the subregion, was seen as a major cause of destabilization, especially in Rwanda and Burundi. At the same time, measures needed to be taken to halt and reverse the drift towards conflict in the subregion by enhancing inter-State confidence-building, such as the recent decision by the Defence Ministers of Burundi, Rwanda and Zaire to conduct joint military patrols along their common borders. There was agreement that a broader approach, with the involvement of

Rwanda and its neighbours and the support of the international community as a whole, would offer better opportunities for a lasting solution to the Rwandan crisis. The authorities in the neighbouring countries expressed the wish to receive concrete assistance from the international community to help them both to deal with the main problems that had followed the conflict in Rwanda and prevent any repetition of such conflict.

5. Officials in Rwanda welcomed the Security Council's initiative in proposing the deployment of military observers in neighbouring countries and characterized it as a step in the right direction. However, they emphasized the need to bring to justice those who had masterminded the genocide. That was required not only to end impunity but also to facilitate genuine reconciliation and promote security by helping to eliminate arbitrary and individual measures of vengeance.

### III. RESPONSE OF THE NEIGHBOURING COUNTRIES TO THE PROPOSED DEPLOYMENT OF UNITED NATIONS MILITARY OBSERVERS IN THEIR RESPECTIVE TERRITORIES

6. There were mixed reactions from the Governments of neighbouring countries to the proposal to deploy military observers in their respective countries. Some questioned the utility, relevance and feasibility of the proposed deployment, arguing that it was in Rwanda that international observers should be stationed in order to help to create a climate of confidence that would encourage the refugees to return home and thus reduce the danger of destabilization from refugee camps. It was also stressed that effective political measures to remove fear and suspicion in refugee communities and the countries of asylum were necessary. Even the countries that supported the proposed deployment saw the initiative as essentially a political first step by the international community to underscore its concern over the possible destabilization of Rwanda by military means.

7. The Government of Burundi welcomed the Security Council's initiative. However, President Ntibantunganya said that the creation in Rwanda of conditions conducive to the safe return and resettlement of the refugees could help to deny to the hardliners who wanted to destabilize the country the possibility of arguing that return by force was the only viable option. He welcomed recent statements by the Government of Rwanda that opened up possibilities for contact with the refugees and invited them to visit the country to assess conditions and encourage others in the camps to return home.

8. The Government of the United Republic of Tanzania refused to consider the deployment of military observers in its territory. It suggested instead that the United Nations should strengthen its military presence in Rwanda to ensure that refugees could return home safely and in dignity, and noted that the main obstacle to the return was not in the neighbouring countries but in Rwanda. It felt that the Council's proposal addressed only a minor problem while ignoring the major one. It was ready to consider the deployment of military observers only in a wider context. It

suggested the following measures to promote repatriation of refugees and reduce threats of armed action against Rwanda from the refugee camps: the Rwandan Government should issue a public statement declaring unequivocally that it wanted to see all refugees return home; the Government should declare a general amnesty for all Rwandans except "a few who would be tried" for having masterminded the genocide; the Government should accept the deployment inside Rwanda of international observers, who would help to create a climate of confidence by monitoring the situation throughout the country to promote respect for human rights and prevent incidents like that at Kibeho, which tended to hinder repatriation while generating new refugees; and the international community should assist the Government with the smooth resettlement of returnees.

9. Uganda neither objected to the Security Council's proposal nor demonstrated enthusiasm for it. It was sceptical about the effectiveness of such deployment and what it could achieve. It stressed that, instead of tackling the effects of the crisis, the Council should address its causes and identify the countries that were providing support for the delivery of weapons and military training to the former Rwandan government forces. It reaffirmed its commitment to do its best to consolidate peace in Rwanda and to ensure the peaceful return of the refugees.

10. The Government of Zaire, while expressing support for any effective action that could prevent the destabilization of Rwanda, reiterated its strong denial of recent accusations that it was aiding the former Rwandan government forces with arms and training to enable them to attack Rwanda. It pointed out that it had called for an international commission of inquiry under United Nations auspices to investigate the allegations and clarify the situation conclusively. It had welcomed millions of refugees from Rwanda and Burundi in accordance with applicable international conventions despite the resentment of its own population, which had called for the immediate and unconditional repatriation of the refugees. Instead of being criticized, Zaire felt that it should be assisted by the international community to cope with the immense ecological, socio-economic, security and political burdens imposed on the Government and the country by the refugees.

11. Zaire's views were also conveyed to me in a letter dated 23 June 1995, in which Prime Minister Kengo wa Dondo pointed to his country's contribution, in response to a request by UNHCR, of 1,500 troops, who are deployed for security protection in the Rwandan refugee camps, and to its unilateral action in disarming the former Rwandan government forces soldiers who had fled to Zaire. These actions were evidence of Zaire's cooperation and its determination to prevent insecurity in the camps and the destabilization of Rwanda from Zairian territory.

12. My Special Envoy's visit to the refugee camps in the Goma area suggested that the relocation of camps farther away from the borders with Rwanda could facilitate efforts to curb the threat of destabilization. However, the huge costs and logistical difficulties of such an operation, as well as the

fear that it would be resisted by the population of the countries of refuge, have prevented concrete action in this regard. Government officials in Zaire explained that to move the refugees further inside their territory could be seen by the population as implying, that rather than the repatriation, which the population had called for, the refugees were being  
End of Part 1 of 2 Doc Symbol:S/1995/552

Dissemination and Communication Unit/DPI - NY HQ

=0712951524GMT

NNNN

ZCZC KGMS2952 DPIC3493  
SP KGM  
.NEWYORK (PKFOD) 12 1721Z  
B52 - Part 2 of 2  
Doc Symbol:S/1995/552

resettled for a longer and perhaps permanent stay in Zaire. The Tanzanian authorities, citing recent attempts by thousands of Rwandan refugees in Burundi to enter Tanzanian territory, criticized any effort aimed at transferring refugees from one country of refuge to another.

IV. CONCLUSION

13. There is growing recognition in the Great Lakes region not only of the urgency and gravity of the risks confronting the countries of the region but also of the need for the Governments concerned to take individual and collective measures to address these dangers. While many of the Governments consulted by my Special Envoy took the view that the primary responsibility lay with the Government of Rwanda, there was general acknowledgement also of the value of action at the regional level. However, the Special Envoy's consultations indicated that in some countries there was strong opposition to the deployment of United Nations observers as proposed in Security Council resolution 997 (1995). While I am in the region in the coming days, I shall explore further the positions of the Governments concerned.

-----

End of Part 2 of 2 Doc Symbol:S/1995/552

Dissemination and Communication Unit/DPI - NY HQ

=0712951525GMT

NNNN

(SRSG) FC CAO