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General Assembly
Security CouncilDistr.
GENERALA/50/222
S/1995/491
16 June 1995
ENGLISH
ORIGINAL: FRENCHGENERAL ASSEMBLY
Fiftieth session
Item 26 of the preliminary list*
THE SITUATION IN BURUNDISECURITY COUNCIL
Fiftieth year

Letter dated 15 June 1995 from the Permanent Representative
of Burundi to the United Nations addressed to the
Secretary-General

I have the honour to inform you that in the framework of the permanent consultations between the authorities of the Economic Community of the Great Lakes Countries (CEPGL), their Excellencies General Paul Kagame, Vice-President of the Rwandese Republic and Minister of Defence, Admiral Mavula, Minister of Defence of the Republic of Zaire, and Lieutenant Colonel Firmin Sinzoyiheba, Minister of Defence of the Republic of Burundi, held their second meeting at Bujumbura on 10 June 1995.

I transmit herewith the final communiqué issued at the conclusion of their work (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under item 26 of the preliminary list, and of the Security Council.

(Signed) Tharcisse NTAKIBIRORA
Ambassador
Permanent Representative

* A/50/50/Rev.1.

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ANNEX

Final communiqué of the second meeting of the Ministers of
Defence and Security of the States members of the Economic
Community of the Great Lakes Countries, held at Bujumbura
on 10 June 1995

In the course of their meeting the three Ministers of Defence reviewed the overall security situation in the subregion in general and in the States members of the Economic Community of the Great Lakes Countries (CEPGL) in particular.

They expressed their grave concern at the worsening security situation as a result of the proliferation of arms in the subregion, and they focused their discussions on the following points:

- (a) Formalization of the framework for permanent consultation between senior military officials in border areas;
- (b) Consideration and proposal of solutions to the problem of the presence in the subregion of armed, destabilizing elements, both internal and external;
- (c) A search for ways and means to put an end to the disturbing presence of instruments of war and propaganda undermining peace, security and trust in the States members of CEPGL, and the subregion in general;
- (d) Establishment of permanent machinery for joint monitoring of common borders;
- (e) Formulation of the terms of reference of a study on the promotion of military cooperation within CEPGL.

Following their discussions, the Ministers of Defence and Security adopted the following decisions:

- (a) To establish a Tripartite Subcommittee on Security with the following functions:
 - (i) To conduct reconnaissance, verification, monitoring and other activities in an effort to counter the circulation of instruments of war and subversion as well as elements not currently subject to control on both sides of common borders;
 - (ii) To receive and respond to security-related complaints from the States members of CEPGL;
 - (iii) To implement decisions of the meeting of Ministers of Defence and of the summit of Heads of State of CEPGL relating to security;
 - (iv) To report to the meeting of Ministers of Defence on their activities in the field;

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- (v) To propose to the meeting of Ministers of Defence appropriate measures for the strengthening of peace and security along common borders in the event of non-compliance with decisions taken;

(b) The Ministers of Defence and Security recognized that the proliferation of weapons in the subregion, the presence of armed, destabilizing elements, both internal and external, and instruments of war and propaganda undermining peace and security constitute the key factors in the security situation in the States members of CEPGL. They agreed that ultimately a lasting solution to the question of peace in the subregion would have to involve the voluntary return, in a prompt and organized manner, of refugees to their countries of origin, in accordance with the provisions of international law and the Convention of the Organization of African Unity on African refugees, as well as the tripartite agreements on the repatriation of refugees. To that end, the Parties undertook to adopt the following measures:

- (i) Identification and internment of activists;
- (ii) Prohibition of their activities in the territory of the other countries;
- (iii) Their expulsion from the national territory;
- (iv) Denial of entry visas to them;
- (v) Revocation of political refugee status, in accordance with international law;
- (vi) Population monitoring at refugee sites, so as to prevent refugees from being recruited and from taking part in activities against the security and sovereignty of the three States;

(c) Convinced that joint monitoring of common borders bolsters and supports at the same time permanent consultation among the administrative authorities and the border police, the Ministers of Defence and Security signed an agreement on the establishment, organization and operation of the Tripartite Subcommittee on Security. In that connection, the Subcommittee will have to introduce specific measures to solve the following issues:

- (i) The permeability of borders;
- (ii) The organization of joint patrols along common borders;
- (iii) The abuse of CEPGL passes;
- (iv) Efforts to combat subversive activities along common borders, as well as other acts creating insecurity;

(d) In order to consolidate and enhance the effectiveness of their meetings, the Ministers of Defence instructed the relevant departments to prepare specific proposals for the next meeting in the following areas:

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- (i) Sporting exchanges among the armies of the three countries;
- (ii) Exploration of all the options for technical military cooperation among the three countries;
- (iii) The possibility of exchanging military attachés.

In addition, they decided to mobilize all their resources needed for optimum functioning of the Tripartite Subcommittee on Security. The Permanent Executive Secretary of CEPGL is requested to appeal for international cooperation with a view to obtaining additional resources.



General Assembly
Security Council

Distr.
GENERAL

A/49/508
S/1994/1157
13 October 1994
ENGLISH
ORIGINAL: ENGLISH/FRENCH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 100 (c)

SECURITY COUNCIL
Forty-ninth year

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND
REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Situation of human rights in Rwanda

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and to the members of the Security Council the reports prepared by Mr. René Degni-Ségué, Special Rapporteur of the Commission on Human Rights on the situation of human rights in Rwanda (see annexes I and II), in accordance with paragraph 20 of Commission on Human Rights resolution S-3/1 of 25 May 1994 and Economic and Social Council decision 1994/223 of 6 June 1994.

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ANNEX I

Report on the situation of human rights in Rwanda prepared
by the Special Rapporteur of the Commission on Human Rights
in accordance with Commission resolution S-3/1 and Economic
and Social Council decision 1994/223

INTRODUCTION

1. At its third special session, the Commission on Human Rights adopted resolution S-3/1, dated 25 May 1994, by which it requested its Chairman to appoint a special rapporteur to investigate at first hand the human rights situation in Rwanda and to receive relevant, credible information on the human rights situation there from Governments, individuals and intergovernmental and non-governmental organizations, and to avail himself of the assistance of existing mechanisms of the Commission on Human Rights.
2. The Commission requested the Special Rapporteur to visit Rwanda forthwith and to report on an urgent basis to the members of the Commission, no later than four weeks from the adoption of the resolution. In accordance with that provision, the Special Rapporteur visited Rwanda and some neighbouring States from 9 to 20 June 1994. During that mission, he was accompanied by Mr. Bacre Waly Ndiaye, Special Rapporteur on extrajudicial, summary or arbitrary executions, and Mr. Nigel Rodley, Special Rapporteur on matters relevant to torture, who accepted his invitation and placed at his disposal their experience and expertise.
3. The Special Rapporteur would also like to thank the Rwandese "interim Government" and the Rwandese Patriotic Front (FPR) for their cooperation.
4. He also wishes to thank all those who supported him in the preparation and realization of his mission. He is particularly grateful to the United Nations Rwanda Emergency Office (UNREO), the United Nations Development Programme (UNDP), the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC) for the logistic assistance they gave him. He also wishes to express his deep gratitude to the Force Commander of the United Nations Assistance Mission to Rwanda (UNAMIR) and his officers for their support and generous cooperation, in difficult circumstances, during his stay in Rwanda. Lastly, the Special Rapporteur thanks all those who sent him information on the situation of human rights in Rwanda, particularly the non-governmental organizations, and invites them to continue such cooperation in the future.
5. It should be mentioned that the Special Rapporteur's mission was a follow-up to that of the High Commissioner for Human Rights on 11-12 May 1994 (E/CN.4/1994/S-3/3) and, to a certain extent, to that of the Special Rapporteur on extrajudicial, summary and arbitrary executions, Mr. Bacre Waly Ndiaye, in April 1993 (E/CN.4/1994/7/Add.1).
6. This report, which is based upon information, testimony and documents received from various sources, cannot claim to be exhaustive, the time factor prohibiting this. It is simply a modest attempt to paint an overall picture of the human rights situation in Rwanda, a general view which will make it possible to guide future inquiries. This general view, designed to enlighten the Commission while meeting some of its concerns, relates to the preliminary measures adopted by the Special Rapporteur and to the reported events and resultant violations of human rights and, lastly, contains a series of recommendations.

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I. PRELIMINARY MEASURES

7. Before going into the field to carry out a preliminary investigation and report to the members of the Commission on the situation of human rights in Rwanda, the Special Rapporteur discussed with his team the mandate he had received and the methods to be used in carrying it out.

A. Mandate

8. The mandate entrusted to the Special Rapporteur contains two elements:

(a) To report to the Commission on Human Rights on the situation of human rights in Rwanda, including the root causes and responsibilities (a "horizontal" inquiry);

(b) To make available to the Secretary-General systematically compiled information on possible violations of human rights and of international humanitarian law.

The Commission has affirmed that all persons who committed or authorized such violations are individually responsible for them and that the international community would exert every effort to bring them to justice (a "vertical" inquiry).

9. These obligations to investigate and report are complementary and should be carried out within the framework of the same structure, in two stages which are interdependent and overlapping. The collection of information for the report to the Commission on Human Rights (and to other United Nations organs, as requested by resolution S-3/1) and the drafting of recommendations for concrete and immediate action to save lives, must be given priority.

10. In practice, the two stages are complementary in that the sources of the information are the same. Likewise, information collected for one aspect of the mandate clarifies the other. For example, an investigation of the structure of the armed forces of the two parties to the conflict is needed to formulate recommendations for ending the massacres while, at the same time, it will supply the basis for determining individual responsibilities, in the light of the chain of command. "Horizontal" investigations of the first stage will give a general picture of the information available and the most effective way of obtaining it, both of which are essential before beginning the in-depth investigation, in the second stage, of certain specific cases. The first stage will also make it possible to identify priorities in terms of investigations (e.g. an analysis of the broadcasts of the radio stations close to the Government and their link with the massacres of Tutsi and moderate Hutu, with a view to establishing individual responsibility and identifying particular massacres which could be examined in greater detail).

11. In order to ensure that the two stages are complementary, the information must be collected, recorded and analysed in a way such that it will be usable in the event of a trial by a national or, if appropriate, international court.

12. The way in which the two stages can be put into effect is influenced by the events in the field and, above all, by the need to ensure the safety of

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the investigators in a situation of armed conflict. In view of the dangers incurred, particularly by the victims and witnesses, both in Rwanda and in the countries in which they have taken refuge, the collection of information should begin with the numerous international organizations and agencies active in the area, together with journalists, members of the clergy, etc., in Rwanda, in other countries of the region or in Europe. The vast majority of these have already shown great willingness to supply any useful information to the Special Rapporteur.

13. This in-depth investigation will be carried out by a team of human rights specialists, dispatched to the field by the High Commissioner for Human Rights, in accordance with resolution S-3/1 of the Commission on Human Rights. During his first visit to the region, the Special Rapporteur also endeavoured to prepare for the work of this team, the first two members of which are already in place.

B. Consultations and field visits

14. Following his appointment on 25 May 1994, the Special Rapporteur went to Geneva and Brussels - pending completion of the logistic and administrative preparations for his mission to Rwanda - for consultations with the Centre for Human Rights, representatives of States, and members of non-governmental organizations working for the defence of human rights.

15. Between 6 and 9 June 1994, he met representatives of the Governments of Rwanda, Burundi, Zaire, Canada, Cameroon, Nigeria, France and Belgium and of a large number of human rights organizations, who commented upon and gave him information concerning the situation of human rights in Rwanda. Having learned, during his stay in Geneva, of the murder of the Archbishop of Kigali, the Bishop of Kabgayi and 10 priests by the FPR and - probably as a reprisal - of the execution by the Rwandese Armed Forces (FAR) of 63 other persons, the Special Rapporteur sent letters on 9 June 1994 to both the FPR and the "interim Government" to condemn those actions, to ask that everything possible be done to prevent any recurrence of such incidents and to demand that the perpetrators of those crimes be prosecuted, with full defence guarantees. A letter was also sent to the Government of France requesting that the black box of the presidential aircraft be made available to the Special Rapporteur. The Government of France replied, on 17 June 1994, that it was not in possession of the black box and that the request should be addressed to the "interim Government". The same request having been addressed to the Rwandese General Staff, it replied that it knew nothing about it.

16. Between 9 and 15 June 1994, the Special Rapporteur met in Brussels, Nairobi, Bujumbura and the South Kivu area of Zaire, the Special Representatives of the Secretary-General for Rwanda and Burundi, the Force Commander of the United Nations Assistance Mission to Rwanda (UNAMIR), the UNREO Coordinator and several members of his staff, the UNHCR Special Envoy and several members of his staff, many representatives of the United Nations agencies, institutions and programmes currently active in Rwanda, representatives of the ICRC and of international non-governmental organizations supplying humanitarian assistance and of human rights

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organizations, as well as a large number of individuals, both Rwandese and nationals of other countries, who supplied evidence on violations of human rights in Rwanda.

17. From 16 to 20 June, the Special Rapporteur visited Rwanda, where he met the UNAMIR Force Commander and several other officers, the Chief of Staff of the Rwandese Armed Forces, the Prefect of the City of Kigali and two members of the staff of the gendarmerie, as well as representatives of the FPR. During his stay in Rwanda, the Special Rapporteur visited several places sheltering persons displaced by the conflict, as well as the Amahoro Stadium, the King Fayçal Hospital and Kigali Airport. He also visited the ICRC Hospital in Kigali. These various visits have made it possible for him to try to reconstitute the events.

II. THE REPORTED EVENTS

18. The attack on the aircraft on 6 April 1994 which cost the lives of Juvénal Habyarimana, President of the Rwandese Republic, Cyprien Ntamyira, President of the Republic of Burundi, several persons in their entourage and the crew, seems to have been the immediate cause of the grievous and tragic events which Rwanda is currently undergoing. That is probably why the Commission on Human Rights has requested the Special Rapporteur to "receive relevant, credible information on the human rights situation" in Rwanda "including on root causes and responsibilities for the recent atrocities". These atrocities consist mainly of massacres and other deeds related to them.

A. The massacres

19. At the moment when the presidential aircraft crashed to earth, the internal situation in Rwanda was tense and explosive for a number of reasons: frustration at the delays in implementing the Arusha Peace Agreement of 4 August 1993, the reign of terror by the militias, the murders of opposition leaders and human rights activists and persistent rumours that each of the two parties - the Government and the FPR - was preparing for war. The death of President Juvénal Habyarimana was the spark to the powder keg which set off the massacre of civilians. The next day, fighting resumed between the Government forces and the FPR. To date, that is until the moment of drafting this report, the acts of violence have not ceased. They are conspicuous both in their extent and in their characteristics.

1. The extent of the massacres

20. The Rwandese have indeed been the victims of a number of massacres in the past, notably in 1959, 1963, 1966, 1973, 1990, 1991, 1992 and 1993. However, those being perpetrated at present are unprecedented in the history of the country and even in that of the entire African continent. They have taken on an extent unequalled in space and in time.

21. The atrocities have extended over the entire national territory. A distinction must, however, be made between the governmental area and the area controlled by the FPR. In the first area, most of the massacres are carried out by the militias of the National Revolutionary Movement for Democracy and Development (MRND) - the interahamwe ("those who attack together") - and of

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the Coalition for the Defence of the Republic (CDR) - impuzamugbmi ("those who have a single aim"), and are directed against the Tutsi in general and against Hutu who are considered moderate, i.e. against unarmed and defenceless people. Examples, supplied by trustworthy witnesses, are not lacking. A few may be mentioned: in Butare, several thousand persons have been massacred or mutilated; in Gisenyi, thousands of Tutsi have suffered the same fate, some of them having allegedly been buried alive in common graves in the town's cemetery; in the parish of Nyundo (prefecture of Kibuye), more than 560 persons have been killed including, 56 members of the clergy and nuns and 11 lay ministers; atrocities have also occurred in Kibuye itself, particularly in the stadium and the parish church; at Gikongo, a quarter of Kigali, on one day, Sunday 10 April, the street was covered with corpses for the length of a kilometre. At Kiziguro, a parish on the road between Kabiro and Murambi, a common grave was found containing several hundreds of corpses and a few survivors crying for help. In Cyangugu, the number of persons massacred to date is estimated at more than 25,000.

22. In the area controlled by the FPR, the cases of massacres reported are rather rare, indeed virtually non-existent, perhaps because little is known about them. The Government authorities accuse the FPR of having massacred several thousand civilians. According to a Rwandese "interim Government" statement made at Geneva on 24 May 1994, "FPR combatants have carried out systematic massacres of ethnic Hutu by making use in particular of their identity cards ... In the areas controlled by the FPR, thousands of people were savagely massacred and interred in common graves prepared well before the beginning of hostilities". There is no eyewitness evidence to confirm this information. At the request of the Special Rapporteur, senior officers of the Rwandese Armed Forces have promised to furnish documentary proof of those allegations. The FPR has been accused of removing persons from the displaced persons camps and executing them. This fact also, which might explain the absence of prisoners of war, has not been established or confirmed by other evidence. It should be noted that the FPR has promised to present prisoners of war to the human rights observers. What is certain, however, is that the FPR has been guilty of summary executions. For example, on 9 June 1994, FPR soldiers killed a number of members of the clergy, including two bishops and the Archbishop of Kigali. An operation carried out by the FPR on 16 June 1994 to evacuate Tutsi from the parish church of Saint Paul resulted in the deaths of several persons. According to the "interim Government", they were killed because they belonged to the Hutu ethnic group. The representatives of the FPR replied that some persons may well have been killed during the combat but that, in the heat of the action, there had been no time to sort out Hutu and Tutsi and any such acts were unintentional. The following day, an attack on a UNAMIR vehicle had killed one military observer and seriously wounded another. On 19 June 1994, despite three unfortunate precedents and the urgent appeal by the Special Rapporteur that humanitarian organizations should not be targeted, a shell had once again fallen in the compound of the ICRC hospital, killing one person and wounding several others.

23. The massacres had not begun on the same day throughout the territory of Rwanda. It was, of course, Kigali which started them on the night of 6 to 7 April with the massacre of Mrs. Agathe Uwilingiyimana, the Prime Minister, Joseph Kavaruganda, President of the Supreme Court, and several members of the Government, together with 10 Belgian members of UNAMIR. On the other hand,

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Butare and Cyangugu remained calm for more than a week and were not caught up into the cycle of violence until their prefects had been dismissed and replaced by Hutu extremists. Concordant and reliable witnesses have stated that the new President of the Republic went to Butare to urge the Hutu population to engage in massacres. In Cyangugu, despite the delay, the number of persons massacred on 20 April reached, according to certain witnesses, some 15,000. It is alleged that the Armed Forces blocked all the roads leading to Zaire to prevent the survivors from escaping and the Prefect is alleged to have said that he had received "orders from above" to that effect. Those massacres are still continuing. Veritable manhunts have been carried out from house to house, from family to family, from village to village by members of the militias who, at the present time, are not hesitating to raid the so-called displaced persons' camps. Thus, on 14 June 1994, they carried off 40 young men and, on 17 June, had it not been for the firm intervention of UNAMIR, the "Mille Collines" Hotel would have witnessed a blood bath: a group of armed militiamen had already entered it.

24. In all, the number of persons killed throughout the territory is to be numbered in the hundreds of thousands, estimates ranging from 200,000 to 500,000. In fact, even the latter figure is probably less than the reality. Some observers think that the figure is close to a million. It is not sure that the exact number of victims will ever be known. What is absolutely certain, on the other hand, is that the international community is watching a human tragedy that appears to be well-orchestrated.

2. The nature of the massacres

25. The massacres are all the more horrible and terrifying in that they give the impression of being planned, systematic and atrocious.

26. The massacres do seem to have been planned. There are various pieces of evidence pointing to this conclusion. The first is the campaign of incitement to ethnic hatred and violence orchestrated by the media belonging to the Government, or close to it, such as Radio Rwanda, and above all Radio Télévision Libre des Mille Collines (RTLM). The second is the distribution of arms to the civilian population, and more particularly to members of the militias. Pastoral letters issued by the Bishop and priests of Nyundo diocese in December 1993 condemn this distribution of arms to the population. Furthermore, the members of the militias are reported to have undergone intensive training at military installations from November 1993 to March 1994. To this must be added the reign of terror carried out by the militias and the assassination of political figures. The third sign is the exceptional speed of events after the death of the President of Rwanda: the "provisional Government" was formed within only a few hours of the accident, according to a reliable international source. In addition, barricades were set up between 30 and 45 minutes after the crash of the aircraft, and even before the news of it had been announced on the national radio. A credible witness reports that, 45 minutes after the explosion, the road from the Hotel Méridien to Amahoro Stadium was blocked by soldiers and civilians and that he had been stopped twice by the latter. Senior officers of the General Staff whom the Special Rapporteur met acknowledge these facts, but assert that there was a justification for them: President Habyarimana was so popular that his murder by the FPR angered the people and elements in the armed forces. Finally, the

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fourth indication is the existence of lists giving the names of persons to be executed. It seems to have been on the basis of these lists that various opposition leaders were murdered.

27. The massacres are systematic in nature. Whole families are exterminated - grandparents, parents and children. No one escapes, not even newborn babies. But what is even more symptomatic is that the victims are pursued to their very last refuge and killed there. This is true of ecclesiastical buildings, particularly churches, which once served as a refuge for the Tutsi, but have now become the scene of their holocaust. The same applies to hiding places in the roofs or other corners of houses and in the woods and forests, to which the attackers set fire to make sure that they leave no survivors behind them. The same applies also to the frontiers, which are blocked to prevent the Tutsi from escaping to neighbouring countries. At the third special session of the Commission on Human Rights, the representative of Médecins sans frontières gave a fairly typical example, which is worth quoting:

"At 700 metres from the frontier with Burundi, 80 persons were seen running towards it ('like cattle') chased by a group of militiamen with machetes. One person was hacked to death in front of us. The others succeeded in reaching the frontier, but unfortunately a group of militiamen was awaiting them there. Less than 10 persons got across the frontier, the others having been hacked to death." (end of April 1994)

28. The killings are carried out under atrocious, appallingly cruel, conditions. They are preceded by acts of torture or other cruel, inhuman and degrading treatment. Generally, the victims are attacked with machetes, axes, cudgels, clubs, sticks or iron bars. The killers sometimes go so far as to cut off their fingers, hands, arms and legs one after another before cutting off their heads or splitting their skulls. Witnesses report that it is not uncommon for the victims to plead with their executioners or offer them money to let them be shot rather than hacked to death. It has also been reported that, when the Tutsi have shut themselves in a room or a church which the militiamen cannot get into, the military come to their aid, breaking down doors, throwing in grenades and leaving it to the militia to finish things off. This barbarism does not spare either children in orphanages or patients in hospital, who are taken away and killed or finished off. Mothers have been forced to beat their children, while Hutu staff working for Médecins sans frontières (Butare, end of April 1994) were obliged to kill their Tutsi colleagues. Those who had the courage to refuse were killed. It has even been reported that the killers, after executing their victims in the open street, in front of everyone, cut them up into pieces, and some do not hesitate to sit on the bodies and drink beer while waiting for prisoners to come and take the bodies away.

B. Other facts

29. The facts described below are the direct result of the war and the massacres combined. They concern those who were lucky enough to survive the killing and who are still struggling to stay alive. They are reflected in insecurity and exodus.

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1. Insecurity

30. The whole of Rwandese territory is in a state of total insecurity, which has three closely linked aspects.

31. The first aspect, immediately perceptible, is the physical and moral dimension, which means, for the few who escaped the massacres, an instinctive effort to preserve their physical and moral integrity. They are, of course, in danger of running into one party to the conflict or another - the Rwandese Armed Forces (FAR), the militias or, alternatively, the FPR. Membership of the right ethnic group or political party can ward off the danger, as when Hutu encounter the FAR or militiamen, or Tutsi or Hutu moderates meet FPR soldiers, but that does not mean that they have escaped once and for all. Shell and mortar fire into the centre of a town does not distinguish between military camps and civilians' houses. Worse still, no precautions seem to be taken to prevent installations belonging to humanitarian organizations from being hit. A striking example is the shell which hit the ICRC Hospital on 19 July 1994, killing a member of the staff and wounding several others. The FPR, which was responsible for that action, justified it on the grounds that members of the FAR were sheltering behind the hospital in order to attack its troops - such an attitude cannot but demoralize the survivors. Other organizations, such as UNAMIR, have been deliberately targeted.

32. The second aspect is food insecurity. Famine is at the gates of Rwanda. Large parts of the territory seem to be entirely abandoned. Along the roads from Kigali to Byumba or to the Ugandan frontier at Kagitumba, for example, most of the villages are deserted, and the crops are not being harvested. There is a real threat of famine, particularly in the southern areas of the country, which have also been suffering from drought. The Special Rapporteur has received information that, in the displaced persons' camps in Rwanda, there have been cases of death from malnutrition, despite all the efforts being made by international organizations to provide humanitarian assistance.

33. The third aspect is health insecurity, or more precisely unhealthy conditions. Many observers have emphasized the danger of epidemics due to bodies rotting in the open air or thrown into rivers, which are liable to pollute the water. Many people, both displaced persons and others, are eking out a precarious existence which leaves them weak and thus more vulnerable to disease. It should not be forgotten, either, that Rwanda has one of the world's highest rates of infection with the AIDS virus. Efforts are being made to vaccinate people in displaced persons' camps, but the medical facilities in operation are not adequate to provide the necessary care. The Special Rapporteur visited the ICRC Hospital in Kigali, where he was most impressed by the selfless devotion of the medical staff, and also by the immense amount that has been achieved.

2. Exodus

34. The conflict in Rwanda has led to an exodus without precedent in this small country's history. This exodus is particularly striking in that it has a twofold aspect, the movement of displaced persons within the country being combined with the flight of refugees abroad.

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35. The hostilities between the forces of the "provisional Government" and those of the FPR, and particularly the fear of massacres, have led to mass movements of population within the country. There are said to be over 2 million people who have left their home villages for other regions where they feel more secure. With the development of the conflict and the advance of the FPR, a large part of the population is constantly on the move, fleeing the fighting. The FPR's military advance to the south-west and the wave of displaced persons it will undoubtedly set in motion could make the situation throughout the region particularly explosive. It is estimated that up to 2 million people are trapped at this moment between the front line and the frontiers with Burundi and Zaire, both of which are at present closed to Rwandese refugees. Others find themselves in places from which they no longer dare budge, for fear of massacres. Although they are not being kept there by force, they are, in fact, hostages of the conflict. They are in various places, both in the capital and in other towns and regions of the country. During his stay, the Special Rapporteur was able to visit several centres for displaced persons, including the Amahoro Stadium, the King Fayçal Hospital and a camp set up at Kigali Airport. These centres, and others, are being protected by UNAMIR, and the various humanitarian organizations are making immense efforts to improve their situation, which nevertheless remains extremely precarious.

36. The hostilities, and above all the massacres, have caused many other Rwandese to leave their country and take refuge in neighbouring States. Thus, Zaire has taken in more than 50,000 refugees in the regions of South Kivu and Bukavu. A considerable number of them are nationals of Burundi, who had taken refuge in Rwanda during the violence in Burundi in October-November 1993. Burundi has received more than 85,000 refugees, who are in camps situated mainly in the Ngozi and Kirundo regions. But it is Tanzania that is giving shelter to the greatest number of refugees, estimated at 410,000, 330,000 of them in the Benaco camp alone, which is thus the world's biggest refugee camp. The total number of refugees is close to a million. This huge flow of refugees is also creating serious problems for the host countries, which are incurring risks, not just because of the overpopulation and insecurity resulting from the presence of the newcomers, but also because the political and ethnic tensions between Tutsi and Hutu are spilling over into their territories. The danger is considerable in Zaire, but even more so in Burundi, whose population is made up of the same ethnic groups. In addition, these countries are coming up to elections.

37. The refugees themselves are not able to escape from the insecurity caused precisely by the way the problems have been carried over into their camps. During his visits to a number of camps in the South Kivu region of Zaire, the Special Rapporteur was informed that several of them were being used as training bases for members of the militias. Cases of murder, torture and disappearance had also been reported. At Luvundi camp, near the Rwandese frontier, he had been able to note the tension that existed between Hutu and Tutsi refugees, when two international civil servants, one from Mali and the other from Senegal, had been verbally attacked and accused of being Tutsi spies. The Special Rapporteur has himself been interrogated several times concerning his nationality.

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38. The situation is even more explosive and disturbing at Benaco camp in Tanzania. Between 28 and 29 April 1994, some 250,000 persons crossed the Rwandese frontier into the Ngara district of Tanzania. The great majority of them were Rwandese of Hutu ethnic origin fleeing the FPR's advance in eastern Rwanda. It was following this unprecedented inflow that UNHCR set up the Benaco camp, which at present holds over 330,000 persons, at a distance of some 17 km from the Rwandese frontier.

39. It has been found that the same structures of authority prevail in this camp as in Rwanda, and it is to be feared that the parties' militias are active there. It very quickly became evident to the camp administrators that among the persons sheltered there were some who were accused of having organized, or at least taken part, in the massacres in Rwanda, witnesses having recognized them. Fourteen of them, who were suspected of having taken part in the massacres and seemed to be in fear of their lives, agreed to be taken into protective detention by the Tanzanian police. On 15 June 1994, however, these 14 suspected persons were released by the Tanzanian police on condition that they did not return to Benaco. They had not kept their word, and an attempt by UNHCR to make them leave the camp resulted in a disturbance involving some 5,000 persons, who engaged in violent demonstrations and threatened the staff of the humanitarian organizations, saying that they would deal with them in the same way as the 10 Belgian United Nations peace-keepers, who had been tortured and mutilated before being killed in Kigali. It is reported that murders have been committed at Benaco, some of which seem to have been politically motivated.

40. Several observers encountered by the Special Rapporteur considered that the human tidal wave which preceded the establishment of Benaco - because of its planned and organized nature - looked like a strategic withdrawal on the part of members of the militias responsible for the massacres in Rwanda and their associates. Fears have accordingly been expressed that the camp may be used by the militias as a rear base for incursions into Rwandese territory, thus enabling them to continue to perpetrate violations of human rights.

II. VIOLATIONS OF HUMAN RIGHTS

41. The events described above undoubtedly constitute grave and massive violations of human rights. The question is to determine what is the nature of these violations, what are their causes and who are the culprits.

A. Nature

42. The charges are three fold: genocide through the massacre of the Tutsi, political assassinations of a number of Hutu and various violations of human rights.

1. Genocide of Tutsi

43. Eminent persons, including the Secretary-General of the United Nations, have not hesitated to describe the massacre of the Tutsi as genocide. It is necessary to confirm by reference to the facts that this term is appropriate.

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44. Article II of the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948 states: "genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group."

45. It appears from this definition that the crime of genocide has three constituent elements, which might be summed up as follows:

- (i) A criminal act
- (ii) "With intent to destroy, in whole or in part"
- (iii) A particular group "as such".

46. There does not seem to be any doubt about the first condition, in view of the massacres perpetrated (II (a)), and even of the cruel, inhuman and degrading treatment (II (b)). The second is not difficult to establish, either, since such a clear and unambiguous intention is contained in the constant incitements to murder put out by the media (particularly RTLM) and reproduced in leaflets. And even if that were not so, the intention could have been deduced from the facts themselves, on the basis of a variety of concordant indications: preparations for the massacres (distribution of firearms and training of members of the militias), number of Tutsi killed and the result of a policy of destruction of the Tutsi. The third condition, on the other hand, requiring that the ethnic group should be targeted as such, raises a problem, because the Tutsi are not the only victims of the massacres, in which Hutu moderates have not been spared. But the problem is more apparent than real, for two reasons: firstly, many witnesses confirm that the vetting carried out at roadblocks to check identities was aimed essentially at the Tutsi. Secondly, and above all, the main enemy, identified with the FPR, is still the Tutsi, who is the inyenzi (cockroach), to be crushed at all costs. The Hutu moderate is merely a supporter of the main enemy, and is targeted only as a traitor to his ethnic group, which he dares to oppose.

47. There is a document put out by the General Staff of the Rwandese army, dated 21 September 1992, which distinguishes between the main enemy and his supporters and which instructs the military hierarchy to give it a wide circulation. According to the terms of this document, the former "is the Tutsi within the country or abroad, an extremist nostalgic for power, who has never accepted and still does not accept the reality of the Social Revolution of 1959 and who wants to gain power in Rwanda by any means, including arms". The latter "is any person who gives any support to the main enemy". The

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supporter can be a Rwandese or a foreigner. There are a number of documents in existence confirming this distinction and testifying to the fact that Hutu moderates are massacred only as associates or supporters of the Tutsi.

48. The conditions laid down by the 1948 Convention are thus met, and Rwanda, having acceded to it on 16 April 1976, is required to respect its principles, which would be binding upon it even without any treaty obligation, since they have acquired the force of customary law. In the Special Rapporteur's view, the term "genocide" should henceforth be used as regards the Tutsi. The situation is different in the case of the assassination of Hutu.

2. Assassination of Hutu

49. Members of the Hutu ethnic group, as already stated, have also been the victims of massacres. But at this stage a distinction has to be made. On the one hand, there are Hutu moderates, with whom, by extension, certain foreigners, such as Belgians, are assimilated and who comprise essentially the political opposition and human rights activists. They form a ready target for elements of the government armed forces and members of the militias. On the other hand, there are Hutu extremists, comprising essentially members of the militias, who are said to be liable to execution, simply on the basis of a denunciation, in areas controlled by the FPR.

50. These acts constitute murders, and more specifically political assassinations, violating the right to life, which is a fundamental right contained in many international instruments.

51. Though all these conventions could be cited, two only will suffice, the relevant provisions of which are binding on the Rwandese State, which has acceded to them. They are, first, the International Covenant on Civil and Political Rights of 16 December 1966 and, secondly, the African Charter on Human and Peoples' Rights of 28 June 1981. The political assassinations represent a flagrant violation of these instruments. It should be pointed out that the right to life is a fundamental right, which exists independently of any treaty obligation and which must be respected in all circumstances.

3. Other violations

52. A number of other and no less important rights have also been the subject of serious violations by the parties to the conflict. These violations relate both to human rights stricto sensu and to international humanitarian law.

53. In conjunction with the right to life, the other rights violated cover a fairly wide range. The following examples will suffice: the right to physical and moral integrity, whereby torture and other cruel, inhuman and degrading treatment are forbidden, a right established in many international legal instruments, particularly the International Covenant on Civil and Political Rights and the African Charter of Human and Peoples' Rights (it is worth noting that this right is also a fundamental one that must be observed in all circumstances); the principle of non-discrimination or right to equal treatment, freedom of movement or travel, two rights established in the

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Conventions mentioned above; and refugee law, which is governed by the international instruments relating to the status of refugees, including the Convention of 28 July 1951, to which Rwanda is party.

54. International humanitarian law is not being respected either. Many of the acts alleged, such as murder, political assassination, execution of hostages and other inhuman acts committed against the civilian population or unarmed soldiers by the armed forces of the two parties to the conflict constitute war crimes in direct violation of the four Geneva Conventions of 12 August 1949, which have been ratified by Rwanda, and their common article 3. It may be noted at this stage that the FPR has told the ICRC that it considers itself bound by the Geneva Conventions and their Additional Protocols. Furthermore, the assassinations and other inhuman acts committed against the civilian population, like the acts of persecution for political motives combined with the war crimes, constitute crimes against humanity.

B. The causes

55. The causes of human rights violations in Rwanda are of various kinds: economic, social, political, cultural, and so on, three of which are immediately apparent and indicative of the present situation, namely, the rejection of alternate political power, incitement to hatred and violence, and impunity.

1. Rejection of alternate political power

56. The rejection of alternate political power, which typifies French-speaking black Africa in general, takes on a special form in Rwanda, where it has strong ethnic overtones. The reason for what is taking place in Rwanda is not ethnic as such, but rather political, the aim being the seizure of political power, or rather the retention of power, by the representatives of one ethnic group, previously the underdogs, who are using every means, principally the elimination of the opposing ethnic group, but also the elimination of political opponents within their own group. From this standpoint, the portrayal of the main enemy and their supporters, as mentioned above, is quite revealing. The resistance to the Arusha Peace Agreement of 4 August 1993 is indicative of this and even of the rejection of simple power sharing or political coexistence.

57. The rejection of alternate political power implies the absence of the rule of law, for the rule of law guarantees political alternation and both are basic requirements of multi-party democracy. In Rwanda, the rule of law has thus been replaced by the rule of violence and confrontation. The rules of democratic legality based on respect for the law have been swept aside. Political democracy is being replaced by the law of the gun, and the peaceful transfer of political power through the ballot box has given way to the seizure of power by force of arms, with its inevitable killings and barbarism.

2. Incitement to ethnic hatred and violence

58. False rumours and tracts designed to inflame ethnic hatred and encourage violence are constantly circulating in Rwanda. The Tutsi are portrayed, for example, as "bloodthirsty, power-hungry and determined to impose their rule on

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the people of Rwanda by means of the gun". They are even said to be preparing to exterminate the Rwandese people. Repeated appeals are made to the Hutu proclaiming the "ten commandments", which advocate an ideology of apartheid to keep the Tutsi from returning to power. This is a long-standing campaign, as pointed out in various reports, including those of the International Commission of Inquiry on gross violations of human rights since 1 October 1990 (7-21 January 1993), comprising representatives of several non-governmental organizations, or the report submitted by Mr. Bacre Waly Ndiaye, Special Rapporteur on extrajudicial, summary or arbitrary executions, on his mission to Rwanda from 8 to 17 April 1993 (E/CN.4/1994/7/Add.1).

59. One new and significant development, however, is the deep involvement of Radio Rwanda, the national broadcasting station controlled by the President, and in particular of Radio-Télévision Libre des Mille Collines (RTLM). A striking fact is that the broadcasts of these stations in French differ significantly from those in Kinyarwanda, the only language spoken by virtually all Rwandese. While broadcasts in French are inoffensive, those in Kinyarwanda are highly aggressive in tone. RTLM does not hesitate to call for the extermination of the Tutsi and it is notorious for the decisive role that it appears to have played in the massacres. It is known as the "killer radio station", and justifiably so. According to Reporters sans frontières, at the end of April this propaganda organ of the Hutu extremists proclaimed that "by 5 May, the cleansing of the Tutsi must be completed" and that "the grave is still only half full, who will help us to fill it?". This campaign is, as a senior United Nations official has pointed out, made more dangerous by the fact that the generally illiterate Rwandese rural population listens very attentively to broadcasts in Kinyarwanda; they hold their radio sets in one hand and their machetes in the other, ready to go into action.

3. Impunity

60. Impunity, like incitement to hatred and murder, is a recurrent cause of the massacres. The political party militias put up road blocks, check the identity of those passing through, arrest Tutsi and moderate Hutu and execute them in the street, in front of everyone and watched by members of the gendarmerie and FAR. The armed forces, far from bothering the militias, actually help them. This is also true of some local authorities, prefects or mayors, who have been personally involved in the slaughter.

61. No legal steps have been taken against those responsible for the earlier and present massacres, although they are known to the public and the authorities. On the contrary, they continue to live quietly and move about freely, quite undisturbed and with complete impunity. Worse still, many local officials who particularly distinguished themselves by their acts of cruelty, have been promoted, whereas those who managed to keep the peace and prevent massacres were quite simply dismissed. A case in point is that of the Mayor Jean-Baptiste Gatete, notorious for his crimes, who was made Chief of Cabinet to the Minister for Family Affairs in June 1993. The second category includes the Prefect of Butare, who was killed, and the Prefect of Kibungu, who was dismissed. As has been noted, the slaughter in the two prefectures began immediately they were replaced.

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C. The perpetrators

62. At the current stage of his investigation, the Special Rapporteur is not in a position to identify by name all those responsible for the violations and abuses committed. He does, in fact, have lists of the names of individuals involved in the planning and execution of the atrocities. However, it will take time for him to establish the chain of responsibility and draw up a list of the perpetrators as they are identified.

63. As far as the organs or authorities involved in the recent atrocities are concerned, however, some responsibility can be apportioned immediately to:

The Rwandese State authorities and, in particular, senior national political figures, such as a number of ministers; various components of the government security forces, such as the Presidential Guard, the Rwandese Armed Forces (FAR) and the gendarmerie; and some local authorities, prefects and mayors;

FPR organs, particularly those in charge of its military activities;

Private individuals such as members of the militias, leaders of extremist political parties (MRND and CDR) and the founders and broadcasters of RTLM;

Some light needs also to be shed on the responsibility of certain foreign States and their interference in Rwandese politics;

Finally, the role of the international community and, in particular, the response of the United Nations to the urgent needs of the population, especially with regard to security and humanitarian assistance, calls for examination. In this connection, the Special Rapporteur wishes to associate himself with those who have deplored the reduction of UNAMIR personnel on 21 April 1994, which has seriously restricted its ability to protect persons in danger.

64. It is against this background that the attack on the presidential aircraft must be examined by the Special Rapporteur, to determine any links between those who ordered it and those responsible for the massacres. The precise circumstances of the murder of moderate members of the "interim Government", including the Prime Minister, and of 10 Belgian soldiers, must also be ascertained. The links between the political party militias, particularly the interahamwe, the Presidential Guard, the Rwandese Armed Forces and the gendarmerie, must also be investigated in order to determine the chains of command and individual responsibility. On the basis of that investigation, the Special Rapporteur will be in a position to make appropriate recommendations to the Commission on Human Rights.

65. The Rwandese "interim Government" also bears a full measure of responsibility for having refused to take effective steps to prevent the violations of human rights and international humanitarian law, including genocide. From the outset of the atrocities, the Rwandese leaders maintained that the massacres would cease only with the end of the armed conflict.

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During his meeting with the Chief of Staff of the FAR, the Special Rapporteur was told that the Rwandese authorities could appeal to the general population to stop the massacres and would be heeded, but that the conclusion of a cease-fire agreement was a prerequisite for any such appeal.

IV. RECOMMENDATIONS

66. The Special Rapporteur's recommendations, which take due account of the emergency situation obtaining in Rwanda, are divided into immediate measures and short-term and medium-term measures.

A. Immediate measures

I

67. The United Nations should:

Demand that the parties to the conflict put an immediate end to the war and to the genocide and other gross violations of human rights perpetrated in Rwanda. The cessation of hostilities should be unconditional and should cover both massacres and acts of war; and

To this end, it should appeal to the consciences and individual sense of responsibility of the leaders of the parties to the conflict.

II

68. The United Nations should invite the leaders of the parties to the conflict:

To make an urgent and solemn appeal to their troops, to militias and to armed civilians to halt the massacres forthwith under pain of severe and effective punishment; and

To take specific measures to disarm the militias and armed civilians. This disarmament should take place under the supervision of a neutral international force which could consist of UNAMIR II reinforced by contingents from members of the Organization of African Unity (OAU), whose rapid and complete deployment should be made possible; and

To disband the armed militias and similar organizations.

III

69. The United Nations should demand that the government authorities:

Also make a solemn and urgent appeal to those in charge of the media, particularly Radio-Télévision Libre des Mille Collines, to cease immediately the broadcasting of war propaganda; and

Take appropriate steps to prohibit any campaign or rumour likely to give rise to racial hatred and violence, under pain of severe punishment.

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IV

70. The United Nations should solemnly:

Condemn the genocide perpetrated in Rwanda and stress the horrifying, abominable and unacceptable nature of such acts;

Inform the perpetrators that, once identified, they will have to answer for their acts and omissions to the competent authorities, in whatever part of the world they happen to be;

Request States which have granted asylum or other refuge to persons involved in the massacres to take the necessary steps to ensure that they do not escape justice.

V

71. The United Nations, in cooperation with OAU, should take the necessary steps to ensure the protection of orphans, displaced persons and refugees by:

Establishing a reception centre or orphanage to receive orphans, so as to shelter them from any danger and to provide them with decent living conditions and schooling. The centre would be financed by a special "solidarity" fund, financed by the Member States and managed by a board whose status and procedures will have to be determined;

Ensuring that the rights of refugees and displaced persons are respected, particularly with regard to their safety and living conditions, while reminding them that they, too, have obligations, particularly towards the host States, and that they must refrain from any act likely to contravene national or international law;

Strengthening the resources of the Office of the High Commissioner for Refugees to enable it to undertake studies to determine the conditions for the return of refugees and displaced persons to their country or villages; and

Establishing without delay crossing areas which will enable the people of Rwanda to place themselves under the protection of the authorities of their choice.

B. Short-term and medium-term measures

I

72. The United Nations, in cooperation with OAU, should take appropriate steps to:

Induce the parties to the conflict to negotiate, in good faith and with due regard to the Arusha Agreement of 4 August 1993, the terms for peace, democratic transition and national reconciliation and unity; and

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Call on the parties to implement in good faith the agreements thus reached. The agreements must not in any way provide, as part of a political settlement, for the impunity of those responsible for acts of genocide and other crimes against humanity. On the contrary, they must establish mechanisms for the effective punishment of those responsible. That is one of the prerequisites for national reconciliation and unity.

II

73. The United Nations should ensure that the transition to democracy leads to free and fair elections on the basis of a constitution establishing national democratic institutions which take due account of the legitimate interests of the two communities concerned, with a view to genuine national integration.

III

74. The United Nations should, within the framework of the peace negotiations:

Stress the need for national reconciliation and unity. In this regard, the new constitution should contain provisions for the prohibition and severe punishment of acts of incitement to ethnic hatred and violence. No official document, national identity card, driving licence, family registration book or the like should contain any reference to membership of an ethnic group. Any ethnically based party or association should be prohibited; and

Take measures to establish, or help to establish, a radio station broadcasting in both French and Kinyarwanda, to be responsible for providing education in human rights and in the scrupulous respect for human dignity. The funding and management arrangements would be the same as those for the orphanage referred to earlier.

IV

75. Pending the establishment of a permanent international criminal court, the United Nations should establish an ad hoc international tribunal to hear the evidence and judge the guilty parties or, alternatively, should extend the jurisdiction of the international tribunal on war crimes committed in the former Yugoslavia.

V

76. The United Nations should establish in Rwanda a reinforced team of human rights observers under a high-level coordinator responsible to the Special Rapporteur.

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ANNEX II

Report on the situation of human rights in Rwanda prepared by
the Special Rapporteur of the Commission on Human Rights in
accordance with Commission resolution S-3/1 and Economic and
Social Council decision 1994/223

Introduction

1. In accordance with the mandate entrusted to him by the Commission on Human Rights in its resolution S-3/1 of 25 May 1994, the Special Rapporteur made a second visit to Rwanda from 29 to 31 July 1994. The purpose of this visit was to assess the situation of human rights in Rwanda since the finalization of the preliminary report which the Special Rapporteur had submitted to States members of the Commission on Human Rights on 28 June 1994 (E/CN.4/1995/7) and to establish contact with the new Rwandese authorities in order to discuss with them problems relating to human rights and, in particular, the situation of the refugees and displaced persons.

2. The Special Rapporteur was able to hold talks on 28 and 29 July 1994 in Nairobi, and from 29 to 31 July in Kigali and Gitarama, with representatives of the new Rwandese Government, senior officials of various United Nations agencies working in Rwanda and representatives of non-governmental organizations. The persons he met included: Mr. Paul Kagame, Vice-President of the Republic and Minister of Defence; Mr. Faustin Twagiramungu, Prime Minister; Mr. Alphonse-Marie Nkubito, Garde des Sceaux, Minister of Justice; Mr. Jean-Marie Vianney Ndagijimana, Minister for Foreign Affairs; Mr. Joseph Nsengumana, Minister of Higher Education and Scientific Research; Mr. Mugbo Rie, Minister of Labour and Social Affairs; Mr. Shahryar Khan, Special Representative of the Secretary-General for Rwanda; General Roméo Dallaire, Force Commander of the United Nations Assistance Mission to Rwanda (UNAMIR); Mr. Michel Moussalli, Special Envoy of the United Nations High Commissioner for Refugees (UNHCR); Mr. Arturo Hein, Humanitarian Coordinator of the United Nations Rwanda Emergency Office (UNREO), and his Executive Director; Mr. Bernard Kouchner; and the Liaison Committee of Human Rights Leagues and Associations in Rwanda (CLADHO).

3. The Special Rapporteur wishes to express his thanks to all these persons who assisted him and thus facilitated his visit, in particular to the Force Commander of UNAMIR for his logistic support.

4. As a result of the various talks held, it was possible to assess the situation prevailing in Rwanda, stress being laid on the insecurity and the return of refugees and displaced persons, and to reach agreement with the authorities on certain points.

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I. THE INSECURITY IN RWANDA

5. The fundamental problem raised by the current situation in Rwanda is that of security. The end of the armed conflict has not put an end to insecurity. The hostilities have left in their train nothing but ruin and desolation: great loss of human life, considerable damage to property, bereaved families, towns emptied of their inhabitants, etc.

6. Admittedly, since the fall of Gisenyi on 15 July 1994 and the cease-fire, life is gradually beginning to reappear. In Kigali and Gitarama shops are being cleaned or are already open, small markets are opening here and there, and the large market in Kigali reopened on 27 July. The Special Representative of the Secretary-General for Rwanda remains fairly optimistic, taking the view that "a great change will occur" in two or three months' time, meaning that life will return to normal. But the chief concern of insecurity remains. It is characterized by three essential features; the illegal occupation of abandoned houses; banditry and summary executions; and the virtual non-existence of administration by the State.

A. The illegal occupation of abandoned houses

7. People are illegally occupying houses abandoned by their fleeing owners or tenants. The most difficult case seems to be that of former refugees, particularly those who fled the country after the massacres of recent years. On returning to Rwanda, they claim their land and settle in the houses of displaced persons or other refugees. The Government is thus confronted with an awkward dispute, which is all the more serious since public buildings are in some cases also occupied illegally. The Public Prosecutor's Office in Kigali has thus been converted into a restaurant, with placards stating that fact, and legal files have been converted into charcoal for fires to make porridge and tea.

8. Admittedly, the Government has set up an inter-ministerial committee, headed by the Ministers of the Defence and the Interior, with the aim of restoring the rights of owners, considering that they have priority over the former refugees. However, the problem will be only partly resolved, not to say moved elsewhere, since it is necessary to find houses to accommodate the new arrivals and land available for building or the growing of crops. The difficulty here lies in the fact that Rwanda is only 26,338 square kilometres in area for a population estimated at roughly 8 million before the hostilities; in other words, it has a very high density of 350 inhabitants per square kilometre. The question arises whether the heavy losses caused by the massacres, and then the epidemics will be offset by the return of the former refugees. The difficulty can be grasped more clearly if one remembers that the overpopulation of Rwanda is one of the underlying causes of the armed conflict. In addition to this difficulty, there is the problem of banditry and summary executions.

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B. Banditry and summary executions

9. In the towns in Rwanda banditry and robbery are rampant. Armed gangs ransack houses and huts. There are also reports of disappearances and abductions, as well as summary executions. The latter acts are, according to persistent rumour, the work of the Rwandese Patriotic Front (FPR). The members of the Government, who implicitly acknowledge the facts, do not attribute responsibility to the FPR. They do not, however, deny the fact that rogue elements of the FPR or the army may engage in such acts as reprisals. But responsibility for the disappearances and summary executions may also be attributed to victims' relatives taking vengeance on the murderers or members of their families. Mention is also made of members of militias in Kigali and certain other parts of Rwanda. They are reportedly threatening to continue their summary executions and have already killed a soldier and thrown him into a sewer. The new Government has apparently undertaken "immediate action against the troublemakers" to ensure the security of persons and property. But this initiative is jeopardized by the non-existence of a genuine administrative structure.)

C. The virtual non-existence of administration by the State

10. The virtual non-existence of administration by the State constitutes the third element which, in fact, possibly accounts for the other two. The former political, judicial and administrative authorities, dominated by the Hutu ethnic group, fled the country at the same time as the members of the armed forces as the FPR army advanced. Many officials of the central and local administration, particularly prefects and mayors, thus deserted the country, as did magistrates and, above all, members of the security forces, the police force and the army. The media thus reported, on Tuesday, 2 August 1994, the presence in Goma of some 20,000 government troops. This could be a considerable underestimation.

11. The FPR, which has won a military victory, has only an embryonic administration, a war administration, which at the present time is fulfilling a transitional role; in fact, everything remains to be done. The country needs to be rebuilt virtually from nothing. The critical situation of insecurity in Rwanda is not reassuring for those who live there, and even less for the refugees whose return is earnestly desired by the international community.)

II. THE RETURN OF THE REFUGEES AND DISPLACED PERSONS

12. The chief concern of the international community at the present time is the return of the refugees and displaced persons to Rwanda. These people are living in precarious conditions but are loath to return out of fear of reprisals by the new authorities - notwithstanding the measures taken to reassure them.

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A. The distressing living conditions

13. The Rwandese refugees have been and still are living in distressing and tragic conditions as a result of their exodus and exile.

1. The exodus

14. Fleeing the victorious advance of FPR elements, millions of people burst across the borders of neighbouring States in search of refuge, particularly in Zaire. The number of these refugees is simply huge. One international weekly reported on 28 July 1994 that 12,000 refugees an hour were arriving in Goma. Other sources within United Nations agencies put the figure at 20,000 an hour. In addition to civilians, there were several thousand government soldiers, mingling with or following the throng.

15. This human tidal wave brought with it not only hunger, thirst and exhaustion due to the long walk and the weight of baggage, but also numerous accidental deaths (trampling underfoot, suffocation, etc.) and murders. Moreover, the arrival of the survivors brought no relief from their suffering, as their living conditions were equally distressing.

2. The refugees in exile

16. The exodus of Hutu served to deplete the population of Rwanda still further. At the end of July, the number of refugees created by the war and the massacres was estimated at approximately 2.5 million. The refugee population is distributed as follows: 1.2 million at Goma, 500,000 in Sud-Kivu, 300,000 to 400,000 in the United Republic of Tanzania, 150,000 in Burundi, and 10,000 to 12,000 in Uganda. Goma, which is the base for "Operation Turquoise", has thus become the leading refugee centre, ahead of the Bénaco camp in Tanzania. A tragic situation arose from the fact that Goma, which previously had only 300,000 inhabitants, experienced a sudden influx of an additional 1.2 million persons, thus quadrupling its population. The overpopulation of this Zairian city, in precarious living conditions, contained the seeds of a human tragedy which made it a case on its own. The consequences were predictable. Famine was followed by a cholera epidemic, which killed several thousand persons. The figures given are imprecise and in dispute, varying from one source to another, but the number of deaths is estimated at between 20,000 and 50,000. The cholera epidemic was compounded by a recent outbreak of dysentery, which might perhaps be of epidemic proportions. Journalists have added to the list of Rwanda's ills the threat of a volcanic eruption (involving two volcanoes, the Nyiragongo and the Nyamuragira, situated a few dozen kilometres north of Goma, as reported in the international press of 24-25 July 1994).

17. Despite these sufferings, the refugees are hesitant to return to their country because they fear for their lives.

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B. The fear of reprisals

18. The Hutu refugees in the various neighbouring States, and more particularly those at Goma, want to return home, but are afraid that the new, predominantly Tutsi political authorities may take vengeance and massacre them. They are thus caught in a difficult dilemma, the only available option being either to die of disease (cholera, dysentery, etc.) or to risk reprisals. Their fears, which originated in the genocide against the Tutsi, are nurtured and indeed exacerbated by Radio Télévision Libre des Mille Collines (RTLM) and by the former Government in exile.

1. The activities of the RTLM

19. The RTLM has continued its campaign of incitement to ethnic hatred and violence. It reportedly called on the Hutu to leave Rwanda and take refuge outside the country, particularly in Zaire, for fear of being massacred by the new authorities. The appeal itself is said to have been accompanied by barely concealed reprisals against recalcitrants. In this connection, the Special Rapporteur has been informed of one of the sayings going round in Goma: "The wolves sleep with the sheep". And the wolves tell the sheep "Don't go back, stay with us", implying that, should the sheep refuse, they would suffer the inevitable penalty of being eaten by the wolves.

20. The pressure exerted by the RTLM is made all the stronger and more effective by the fact that it is well known as the radio of the Rwandese and that the Rwandese have a "radio culture", with their radios turned on practically all the time. At one point public opinion was pleased to learn that "the radio that kills" had stopped broadcasting, and it was even reported that French troops had neutralized it. However, this proved to be untrue, since as soon as Monday, 1 August 1994, the international press was again deploring its existence and the campaign orchestrated by it.

2. The activities of the former Government

21. The campaign conducted by the RTLM backs up the activities of the former Rwandese authorities. Concordant and reliable testimony reveals that those authorities called upon the Hutu population to follow them into exile, raising fears that it would be massacred by the RPF and the Tutsi. This appeal reportedly formed the subject of a full-fledged campaign by the media, prefects, army and gendarmerie officers and mayors. It appears to have been seen much more as an order than as a mere recommendation, with those to whom the message was addressed not having a choice. Large numbers of Hutu

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were forced to follow, thus becoming what can only be described as hostages, while those who refused were considered as collaborators with the Tutsi and were massacred as a result. In this connection, there are reports that a number of people, including a teacher, testified that they had gone to Goma against their will "in order not to risk their lives". All the signs are that this mass exodus of people to the States bordering Rwanda, and more especially Zaire (Goma), was not spontaneous and disorderly but forced and planned. The Hutu are afraid both of the massacres allegedly perpetrated by the new Tutsi authorities and of those actually committed by the former Hutu authorities. This situation has led the FPR, under pressure from the international community, to take measures to reassure the refugees and displaced persons.

C. Measures to reassure the refugees and displaced persons

22. Various measures have been taken by the new Government and the international community to encourage the refugees and displaced persons to return home.

1. The new Rwandese Government

23. The new Rwandese Government has basically done two things to encourage Rwandese to return to the country.

24. The first is the statements made by the highest authorities of the State. The President of the Republic, the Vice-President and the Prime Minister have all called upon the refugees to return, assuring them that they have nothing to fear either for their person or for their property. They have been told that they will recover what they left behind and that their rights will be given priority over those of earlier refugees. Such a commitment - admittedly given at the domestic level, but under the gaze of the international community - is not without genuine significance. However, some observers fear that the refugees do not have access to the information broadcast over Rwandese radio because the broadcasting range is limited to the Kigali region. Members of the Government have, however, said that this objection is only relative, and applies only to FM radio broadcasts. The important question here is whether the refugees listen or have the time to listen to Rwandese radio. Moreover, even supposing they do, might they not consider the Government's pledge as mere political rhetoric or even a trap, bearing in mind the whole campaign orchestrated by the former Rwandese authorities? Consequently, statements must be followed up as soon as possible by specific implementation measures in order to win over sceptical refugees.

25. The second Government act was the agreements concluded by the President of the Republic at the end of July 1994 with his four counterparts in the neighbouring States of Zaire, Tanzania, Burundi and Uganda. In these international instruments, the States concerned basically agree on four points:

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- (a) The return of the refugees to Rwanda in complete freedom;
- (b) The non-use of the territories of the States of refuge as a base for destabilizing Rwanda;
- (c) The disarming of military personnel and other armed persons;
- (d) The immediate closing down of mobile radios, where they exist, that incite people to ethnic hatred.

26. Were they to be applied, these agreements would serve to encourage the return of the Hutu refugees to Rwanda. However, these measures are not enough in themselves and must be complemented by action on the part of the international community.

2. The international community

27. The term "international community" must be interpreted lato sensu as encompassing not only United Nations bodies but also member States and the various non-governmental organizations helping to safeguard human lives in the field.

28. The international community, in this broad meaning, has taken a whole series of measures designed to promote the return of the refugees and displaced persons in full security. Without listing them all, a few of the more recent ones may be mentioned by way of illustration:

(a) the establishment of humanitarian staging posts along the routes taken by returning refugees is contemplated by UNHCR and UNAMIR. These "humanitarian routes" would, in particular, link Goma and Bukavu to Kigali and there would be water, food and medicine supply posts at regular intervals;

(b) Technical and logistic support and delivery of provisions is envisaged, not in the refugee camps or on the "humanitarian routes", but directly in Rwanda. This is the strategy adopted by the United States of America to attract the refugees and thus promote their return to Rwanda. A start has already been made in implementing this policy, with the disembarkation of United States troops and equipment on Sunday, 31 July 1994;

(c) The creation of radio stations broadcasting information to the refugees. Such information would relate to their security and would offset the alarmist rumours spread by Hutu extremists. Two radio stations have already been set up for this purpose. The first, run by the Swiss section of Reporters without Borders under the direction of the journalist Philippe Dahinden, has in principle begun broadcasting from Bukavu in Zaire, while the second, also run by Reporters without Borders, should broadcast from Goma. However, these measures are still not enough, and the Special Rapporteur has therefore put forward a number of proposals that have received the agreement of the Government.

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III. PROPOSALS AND RECOMMENDATIONS

29. In his discussions with members of the Government, the Special Rapporteur made a number of suggestions or proposals which were favourably received. These proposals, some of which, it is true, already seemed to have been adopted, are designed essentially to encourage the return of the refugees and social peace in Rwanda. They relate to non-recourse to reprisals, additional measures of reassurance and deployment of United Nations human rights experts in the field.

A. Non-recourse to reprisals

30. The main aim of the Special Rapporteur's approach to the new authorities in Kigali was to make sure that they would not engage in summary executions. The Special Rapporteur was satisfied by the reply that he received from the various personalities he met, a reply which was in fact completely unambiguous. It may be summarized as follows: the new Government pledges not only to refrain from taking measures or acts of reprisal but also to punish any persons engaging in such acts. The Prime Minister stated: "I undertake not to permit any summary executions, and any persons guilty of such executions will be punished ... Impunity cannot be tolerated in this country."

31. Impunity being one of the sources of serious human rights violations, including genocide, in Rwanda, the Government asserts its firm determination to eliminate it. To this end, a rapid reorganization of the judicial machinery is being undertaken by the Minister of Justice. It was also asserted no less firmly that non-recourse to reprisals and the prosecution of those guilty of genocide, a question which is inextricably linked with it, are essential conditions for the national reconciliation and unity that are vitally necessary. The Special Rapporteur took note with satisfaction of these views, which coincide with those he expressed in his preliminary report.

32. Non-recourse to reprisals, as referred to in the aforementioned statements by the three leading political figures of the State and which does not exclude prosecution of persons guilty of genocide, has a twofold objective. Firstly, in the immediate future, the aim is to reassure refugees that they can return to their land and homes in complete peace of mind and security. The second goal, over the longer term, is to prevent individuals from taking the law into their own hands and thus bring lasting social peace back to Rwanda.

33. In the immediate future, however, this position, praiseworthy and commendable though it is, is nevertheless limited. The Special Rapporteur therefore proposed additional measures.

B. Additional measures of reassurance

34. The Special Rapporteur suggested that the political authorities should take a number of specific measures, in addition to those already adopted, in order to further reassure the refugees. Those suggestions concern both immediate and short-term measures.

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1. Immediate measures

35. Immediate measures include:

(a) An information campaign aimed at the population within Rwanda, deploring and condemning the massacres, extending sympathy to victims and bereaved families, assuring them that the guilty will be tried and punished by the courts and urging them to refrain from taking the law into their own hands, on pain of severe penalties;

(b) Circulars, service notes and instructions addressed to all national or local authorities, calling on them not to tolerate any act of reprisal and to institute proceedings against any persons guilty of such acts;

(c) Regulations prohibiting and laying down heavy penalties for acts of incitement to ethnic hatred or violence. In this connection, the Special Rapporteur welcomed the fact that, according to members of the Government, the new identity cards no longer contain a reference to ethnic origin.

2. Short-term measures

36. The short-term measures recommended by the Special Rapporteur have to do mainly with education regarding human rights and strict respect for human dignity. This education would be provided both by schools and by radio broadcasts. It would be a matter simply of incorporating it into curricula and programmes. The short-term impact of such action can be gauged in terms of Rwanda's "radio culture" and its medium-term impact in terms of the school's role in educating future generations.

37. Long-term measures should be taken as soon as possible and supplemented by the deployment of United Nations human rights experts in the field.

C. Deployment of United Nations human rights experts

38. The Special Rapporteur finally secured the Rwandese authorities' acceptance of the idea of deploying United Nations human rights experts throughout the country. He emphasized the role of such experts and the plan of action for them.

1. The role of United Nations human rights experts

39. The presence of experts in the field presents definite advantages by virtue of the various roles which they can play: persuasion, deterrence, prevention and defence.

40. The first involves restoring the confidence of the refugees and displaced persons so that they can return with complete peace of mind; the presence of such experts is in itself reassuring in that it can provide them with a guarantee against further massacres. It is also a deterrent in that the new authorities will beware of carrying out reprisals in the presence of United Nations experts who, in addition, will ascertain the good faith of the authorities and their sincerity in not carrying out reprisals.

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41. Deterrence leads to prevention in that it prevents further violations of human rights by virtue of the presence of United Nations experts who will monitor the return of the refugees, making sure of their safety and helping them to settle in again, with their rights being strictly observed. Finally, defence will purely and simply involve assisting with inquiries in the field in order to determine the facts regarding the various violations of human rights by the parties to the conflict and the perpetrators of massacres and genocide.

2. Plan of action

42. The action envisaged by the Special Rapporteur comprises three stages. Firstly, to take account of the limited resources of the Centre for Human Rights and the urgency of the matter, the number of United Nations experts would be restricted to 20 assigned as follows:

(a) Ten to monitor the refugees over the entire length of the "humanitarian routes" referred to above;

(b) Ten others, one in each of the following 10 major population centres: Kigali; Butare (136 km from Kigali); Byumba (75 km); Gitarama (53 km); Kibungo (108 km); Kibuye (139 km); Gisenyi (175 km); Gikongoro (165 km); Ruhengeri (116 km); Cyangugu (291 km). As the refugees and displaced persons reach their homes, the experts deployed along the "humanitarian routes" could reinforce those assigned to the above-mentioned locations.

43. In a second phase, as soon as resources allow, the United Nations should deploy between 150 and 200 experts throughout Rwanda for a period of not less than six months, in order to monitor not only the return, but also the reconstruction of Rwanda, and to conduct the necessary inquiries to ascertain the facts regarding the massacres. In this way, the plan will come into full operation during the difficult initial period of national reconstruction when human rights and fundamental freedoms could be open to serious violations.

44. Thirdly, at the end of the period of national reconstruction, the United Nations should begin to gradually withdraw its experts in the field, leaving only about 50 of them to conclude the inquiry by the end of the Special Rapporteur's mandate.

45. Collectively, these measures, if implemented, should overcome the reluctance of refugees and displaced persons, enable them to return en masse and guarantee their safety. At present, the United Nations escort operations have been interrupted in order to avoid importing the cholera epidemic into Rwanda. It is to be hoped that the epidemics will soon be halted and that the Rwandese refugees will be able to return to their lands and their homes without difficulty.

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46. International assistance with the reconciliation and reconstruction efforts in Rwanda is vital. Accordingly, the Special Rapporteur associates himself with the urgent appeal made by the United Nations High Commissioner for Human Rights on 2 August 1994 to the international community for voluntary contributions to support the early deployment of human rights experts in the field, with the necessary logistical backup.

47. Inquiries are currently being conducted in south-western Rwanda by the team of human rights experts established by the High Commissioner for Human Rights. They will shortly be the subject of a report.



**Assemblée générale
Conseil de sécurité**

Distr.
GÉNÉRALE

A/49/508
S/1994/1157
13 octobre 1994
FRANÇAIS
ORIGINAL : ANGLAIS/FRANÇAIS

ASSEMBLÉE GÉNÉRALE
Quarante-neuvième session
Point 100 c) de l'ordre du jour

CONSEIL DE SÉCURITÉ
Quarante-neuvième année

**QUESTIONS RELATIVES AUX DROITS DE L'HOMME : SITUATIONS
RELATIVES AUX DROITS DE L'HOMME ET RAPPORTS DES
RAPPORTEURS ET REPRÉSENTANTS SPÉCIAUX**

La situation des droits de l'homme au Rwanda

Note du Secrétaire général

Le Secrétaire général a l'honneur de transmettre aux membres de l'Assemblée générale et à ceux du Conseil de sécurité les rapports sur la situation des droits de l'homme au Rwanda établis par M. René Degni-Ségui, Rapporteur spécial de la Commission des droits de l'homme, en application du paragraphe 20 de la résolution S-3/1 de la Commission des droits de l'homme, en date du 25 mai 1994, et de la décision 1994/223 du Conseil économique et social, en date du 6 juin 1994.

ANNEXE I

Rapport sur la situation des droits de l'homme au Rwanda établi
par le Rapporteur spécial de la Commission des droits de l'homme
en application de la résolution S-3/1 de la Commission et de la
décision 1994/223 du Conseil économique et social

INTRODUCTION

1. A sa troisième session extraordinaire, la Commission des droits de l'homme a adopté la résolution 1994 S-3/1, en date du 25 mai 1994, par laquelle elle a prié son Président de nommer un rapporteur spécial chargé d'enquêter sur place sur la situation des droits de l'homme au Rwanda et de recueillir, auprès des gouvernements, des particuliers et des organisations intergouvernementales et non gouvernementales, tous renseignements dignes de foi sur la situation des droits de l'homme dans le pays et d'user de l'assistance fournie par les mécanismes existants de la commission des droits de l'homme.
2. La Commission a prié le Rapporteur spécial de se rendre immédiatement au Rwanda et de faire rapport d'urgence aux membres de la commission dans un délai de quatre semaines à compter de la date d'adoption de la résolution. C'est conformément à cette disposition que le Rapporteur spécial s'est rendu au Rwanda et dans d'autres Etats voisins du 9 au 20 juin 1994. Durant cette mission, il a été accompagné par le Rapporteur spécial sur les exécutions extrajudiciaires, sommaires ou arbitraires, M. Bacre Waly Ndiaye et le Rapporteur spécial sur la question de la torture, M. Nigel Rodley, qui ont accepté son invitation et ainsi mis à sa disposition leur expérience et leur expertise. Le Rapporteur spécial tient à leur exprimer ici sa reconnaissance.
3. Le Rapporteur spécial voudrait aussi remercier le "gouvernement intérimaire" rwandais ainsi que le Front Patriotique Rwandais (FPR) pour leur coopération.
4. Il voudrait également remercier tous ceux qui l'ont soutenu dans la préparation et réalisation de sa mission. Il est particulièrement reconnaissant au United Nations Rwanda Emergency Office (UNREO), le Programme des Nations Unies pour le Développement (PNUD), le Haut Commissariat des Nations Unies aux Réfugiés (HCR), et le Comité International de la Croix-Rouge (CICR), pour l'assistance logistique fournie. Le Rapporteur spécial tient également à exprimer sa profonde gratitude au Commandant de la Mission des Nations Unies d'assistance au Rwanda (MINUAR) et à ses officiers pour leur soutien et coopération généreuse, dans des circonstances difficiles, durant son séjour au Rwanda. Enfin, le Rapporteur spécial remercie tous ceux qui lui ont fait parvenir des renseignements sur la situation des droits de l'homme au Rwanda, notamment les organisations non-gouvernementales, et les invite à continuer cette coopération à l'avenir.
5. Il faut relever que la mission du Rapporteur spécial fait suite à celle du Haut Commissaire aux droits de l'homme effectuée les 11 et 12 mai 1994 (voir E/CN.4/1994/S-3/3) et dans une certaine mesure à celle du Rapporteur spécial sur les exécutions extrajudiciaires, sommaires ou arbitraires, M. Bacre Waly Ndiaye, en avril 1993 (voir E/CN.4/1994/7/Add.1).

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6. Le présent rapport, qui s'appuie sur des renseignements, des témoignages et des documents reçus de différentes sources, n'a pas prétention à l'exhaustivité, le temps imparti y faisant obstacle. Il se veut tout simplement et modestement un tableau synoptique de la situation des droits de l'homme au Rwanda, une vue globale qui permettra d'orienter les enquêtes futures. Cette vue globale, pour éclairer la Commission tout en répondant à certaines de ses préoccupations, porte à la fois sur les mesures préliminaires prises par le Rapporteur spécial, sur les faits incriminés, sur les violations des droits de l'homme en résultant et, enfin, comporte une série de recommandations.

I. LES MESURES PRELIMINAIRES

7. Avant de se rendre sur les lieux pour effectuer une enquête préliminaire et faire rapport aux membres de la Commission sur la situation des droits de l'homme au Rwanda, le Rapporteur spécial a mené une réflexion préalable avec son équipe concernant le mandat et la méthode à utiliser pour les enquêtes en découlant.

A. Le mandat

8. Le mandat confié au Rapporteur spécial contient deux éléments :

a) Faire rapport à la Commission des droits de l'homme sur la situation des droits de l'homme au Rwanda, y compris les causes profondes et les responsabilités (enquête "horizontale");

b) Faire parvenir au Secrétaire général des renseignements rassemblés et compilés systématiquement sur les violations des droits de l'homme et du droit international humanitaire. La Commission des droits de l'homme a affirmé que tous ceux qui commettent ou autorisent de telles violations en sont personnellement responsables et que la communauté internationale fera tout ce qui est en son pouvoir pour qu'ils soient traduits en justice (enquête "verticale").

9. Ces obligations d'enquêter et de faire rapport sont complémentaires et devraient être accomplies dans le cadre de la même structure, en deux étapes qui sont interdépendantes et se recoupent. La collecte de renseignements servant à faire rapport à la Commission des droits de l'homme (et d'autres organes des Nations Unies, tel que demandé par la résolution S-3/1) ainsi que la formulation de recommandations pour des actions concrètes et immédiates visant à sauver des vies, doivent être des priorités.

10. Les deux étapes sont complémentaires dans la pratique, étant donné que les sources de l'information en sont les mêmes. De même, les renseignements recueillis pour un aspect du mandat éclairent l'autre. Par exemple, des enquêtes sur la structure des forces armées des deux parties au conflit sont nécessaires pour formuler des recommandations visant à mettre un terme aux massacres et donnent, en même temps, la base pour déterminer des responsabilités individuelles, prenant en considération la chaîne de commandement. Les enquêtes "horizontales" de la première étape fourniront une vision générale de l'information disponible et de la méthode la plus efficace pour l'obtenir, toutes deux indispensables avant de commencer des enquêtes approfondies, dans la

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deuxième étape, sur certains cas déterminés. La première étape permettra aussi d'identifier les cas prioritaires qui peuvent mener à des enquêtes (exemple : analyse des émissions des stations de radio proches du gouvernement et leur lien avec les massacres de Tutsis et de Hutus modérés, en vue d'établir des responsabilités individuelles et d'identifier des massacres particuliers qui pourraient être examinés plus en détail).

11. Pour assurer que les deux étapes sont complémentaires, l'information doit être recueillie, enregistrée et analysée de façon telle qu'elle puisse être utilisable, en cas de procès, par une juridiction nationale ou, le cas échéant, internationale.

12. La façon dont les deux étapes pourront être mises en oeuvre est influencée par les événements sur place, et surtout par les considérations de sécurité pour les enquêteurs dans une situation de conflit armé. Etant donné les risques encourus, notamment pour les victimes et les témoins, aussi bien au Rwanda que dans les pays où ils ont trouvé refuge, la collecte des renseignements doit commencer par les nombreuses organisations et agences internationales actives sur place, journalistes, religieux, etc. au Rwanda et dans d'autres pays de la région ou en Europe. La grande majorité d'entre eux ont déjà fait preuve de la plus grande disponibilité pour fournir toute information utile au Rapporteur spécial.

13. Cette enquête approfondie sera effectuée par une équipe de spécialistes des droits de l'homme, qui sera déployée sur le terrain par le Haut Commissaire aux droits de l'homme, conformément à la résolution S-3/1 de la Commission des droits de l'homme. Le Rapporteur spécial s'était également proposé, lors de sa première visite à la région, de préparer le travail de cette équipe, dont les deux premiers membres sont déjà sur place.

B. Consultations et visites sur le terrain

14. Suite à sa nomination le 25 mai 1994, le Rapporteur spécial s'est rendu à Genève et à Bruxelles en vue de procéder, en attendant l'achèvement de la préparation logistique et administrative de sa mission au Rwanda, à des consultations auprès du Centre pour les droits de l'homme, de représentants d'Etats et d'organisations non gouvernementales oeuvrant pour la défense des droits de l'homme.

15. Entre le 6 et le 9 juin 1994, il a rencontré des représentants des Gouvernements du Rwanda, du Burundi, du Zaïre, du Canada, du Cameroun, du Nigéria, de la France et de la Belgique, ainsi qu'un grand nombre d'organisations des droits de l'homme qui lui ont fait part de leurs observations et fourni des renseignements concernant la situation des droits de l'homme au Rwanda. Ayant appris, pendant son séjour à Genève, l'assassinat de l'Archevêque de Kigali, de l'Evêque de Kabgayi, ainsi que de 10 prêtres par le FPR et, probablement par mesure de représailles, l'exécution par les forces armées rwandaises de 63 autres personnes, le Rapporteur spécial a adressé le 9 juin 1994 des lettres, tant au FPR qu'au "gouvernement intérimaire", pour condamner ces actes, demander que tout soit mis en oeuvre pour éviter que de tels incidents ne se reproduisent et exiger que des poursuites soient ouvertes contre les auteurs de ces massacres, tout en leur offrant les garanties de la

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défense. Une lettre a été également adressée au Gouvernement français pour solliciter la mise à la disposition du Rapporteur spécial de la boîte noire de l'avion présidentiel. Le Gouvernement français a répondu le 17 juin 1994 qu'il n'était pas en possession de la boîte noire et qu'il convenait de s'adresser au "gouvernement intérimaire". L'état-major rwandais, à qui la même requête a été adressée, a, quant à lui, répondu qu'il n'était au courant de rien.

16. Du 9 au 15 juin 1994, le Rapporteur spécial a rencontré à Bruxelles, Nairobi, Bujumbura et dans la région du Sud-Kivu (Zaire), les Représentants spéciaux du Secrétaire général pour le Rwanda et le Burundi, le Coordinateur de l'UNREO et plusieurs de ses collaborateurs, le Commandant de la MINUAR, l'Envoyé spécial du HCR et plusieurs de ses délégués dans la région, de nombreux représentants des agences, institutions et programmes des Nations Unies actuellement actifs au Rwanda, du CICR et d'organisations internationales non gouvernementales qui fournissent de l'assistance humanitaire, d'organisations des droits de l'homme, ainsi qu'un grand nombre de personnalités, aussi bien des rwandais que des ressortissants d'autres pays, qui lui ont apporté leur témoignage sur des violations des droits de l'homme au Rwanda.

17. Du 16 au 20 juin 1994, le Rapporteur spécial a séjourné au Rwanda, où il a rencontré le Commandant et plusieurs autres officiers de la MINUAR, le chef de l'état-major des forces armées rwandaises, le Préfet de la ville de Kigali et deux membres de l'état-major de la Gendarmerie, ainsi que des représentants du FPR. Pendant son séjour au Rwanda, le Rapporteur spécial a visité plusieurs endroits hébergeant des personnes déplacées par le conflit, notamment le stade Amahoro, l'hôpital Roi Fayçal et l'aéroport de Kigali. Le Rapporteur spécial a également visité l'hôpital du CICR à Kigali. Ces différentes visites lui ont permis de tenter de reconstituer les faits.

II. LES FAITS INCRIMINES

18. L'attaque de l'avion survenue le 6 avril 1994 et qui a coûté la vie au Président de la République rwandaise, Juvénal Habyarimana, au Président de la République burundaise, Cyprien Ntaryamira, plusieurs personnes de leur entourage, ainsi qu'à l'équipage, semble bien être la cause immédiate des événements douloureux et dramatiques que connaît actuellement ce pays. C'est probablement la raison pour laquelle la Commission des droits de l'homme demande au Rapporteur spécial de "rassembler tous les renseignements dignes de foi sur la situation des droits de l'homme dans le pays, y compris les causes profondes des atrocités récentes". Ces atrocités comportent principalement les massacres et d'autres faits qui en résultent.

A. Les massacres

19. Au moment où l'avion présidentiel s'écrasait, la situation intérieure rwandaise était tendue et explosive pour plusieurs raisons : frustrations dues aux retards accusés dans l'application des accords de paix d'Arusha en date du 4 août 1993, terreur semée par les milices, assassinats de leaders de l'opposition et de militants des droits de l'homme, rumeurs persistantes selon lesquelles chacune des deux parties, le gouvernement et le FPR, se préparaient à la guerre. La mort du président Habyarimana sera l'étincelle qui mettra le feu aux poudres, déclenchant les massacres de civils. Le lendemain, les combats entre les forces

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gouvernementales et le FPR reprendront. Jusqu'ici, c'est à dire, au moment de la rédaction du présent rapport, les actes de violence n'ont pas cessé. Ceux-ci se singularisent à la fois par leur ampleur et par leurs caractéristiques.

1. Leur ampleur

20. Certes, le peuple rwandais a été victime de plusieurs massacres, notamment en 1959, 1963, 1966, 1973, 1990, 1991, 1992 et 1993. Mais ceux qui se déroulent à l'heure actuelle sont sans précédent dans l'histoire de ce pays et même dans celle de l'Afrique tout entière. Ces massacres ont pris en effet une ampleur inégalée dans l'espace et dans le temps.

21. Les atrocités s'étendent sur l'ensemble du territoire national. Il convient toutefois de distinguer la zone gouvernementale de la zone contrôlée par le FPR. Dans la première, la plupart des massacres sont le fait des milices interahamwe ("ceux qui attaquent ensemble") du Mouvement Républicain National du Développement et de la Démocratie (MRND), et impuzamugabmi ("ceux qui ont le même but") de la Coalition pour la Défense de la République (CDR), et sont dirigés contre les Tutsis et des Hutus considérés modérés, c'est-à-dire des personnes aux mains nues et sans défense. Les exemples, fournis par de témoins dignes de foi, ne manquent pas. On se bornera à en mentionner quelques-uns : à Butare, plusieurs milliers de personnes ont été massacrées ou mutilées; à Gisenyi, des milliers de Tutsis ont subi le même sort, certains auraient été enterrés vivants dans des fosses communes au cimetière de la ville et dans la paroisse de Nyundo (formée de la préfecture de Kibuye), plus de 560 personnes ont été tuées, dont 56 religieux et religieuses et 11 auxiliaires d'apostolat; des atrocités ont été également perpétrées à Kibuye, particulièrement au stade et à la paroisse; à Gikongo, un quartier de Kigali, en un seul jour, dimanche 10 avril, la rue était couverte de cadavres sur un kilomètre; à Kiziguro, paroisse située sur la route entre Kabiro et Murambi, on découvrait une fosse commune contenant plusieurs centaines de cadavres et quelques survivants criant au secours. A Cyangugu le nombre de personnes massacrées est à l'heure actuelle estimé à plus de 25 000.

22. Dans la zone contrôlée par le FPR, les exemples de massacres sont plutôt rares, voire quasi inexistantes, peut-être parce que moins connus. Les autorités gouvernementales accusent le FPR d'avoir massacré plusieurs milliers de civils. Selon la déclaration du "gouvernement intérimaire" rwandais à Genève datée du 24 mai 1994, "les combattants du FPR se sont livrés à des massacres systématiques contre l'ethnie hutue en se servant notamment de la carte d'identité. ... Dans les zones contrôlées par le FPR, des milliers de populations furent sauvagement massacrées et enterrées dans des fosses communes préparées bien avant le déclenchement des hostilités". Mais aucun témoignage ne permet de confirmer ces informations. A la demande du Rapporteur spécial des officiers supérieurs des forces armées rwandaises ont promis de fournir des documents allant dans ce sens. Le FPR a été accusé d'enlever des personnes des camps de déplacés pour les exécuter. Ce fait, qui pourrait expliquer l'absence de prisonniers de guerre, n'a pas non plus pu être ni établi ni confirmé par d'autres témoignages. Il faut noter que le FPR a promis de présenter aux observateurs des droits de l'homme des prisonniers de guerre. Ce qui est certain, c'est que le FPR s'est rendu coupable d'exécutions sommaires. Par exemple, le 9 juin 1994, des éléments du FPR ont exécuté plusieurs religieux

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dont 2 évêques et l'Archevêque de Kigali. Une opération d'évacuation de Tutsis, à la Paroisse Saint-Paul, effectuée par le FPR le 16 juin 1994, a entraîné la mort de plusieurs personnes. Selon le "gouvernement intérimaire", elles auraient été exécutées en raison de leur appartenance à l'ethnie hutue. A cela, les représentants du FPR ont répondu que certaines personnes ont pu être tuées au cours du combat, mais ont affirmé que, dans le feu de l'action, il n'y avait pas le temps de faire le tri entre Hutus et Tutsis, et que ces actes n'étaient pas intentionnels. Le lendemain, l'attaque d'un véhicule de la MINUAR, a coûté la vie à un observateur militaire et grièvement blessé un autre. Le 19 juin 1994, en dépit de trois précédents fâcheux et de l'appel pressant du Rapporteur spécial demandant qu'on évite de prendre pour cibles les organismes humanitaires, un obus est une nouvelle fois tombé dans l'enceinte de l'hôpital du CICR, tuant une personne et blessant plusieurs autres.

23. Les massacres n'ont pas commencé le même jour sur l'ensemble du territoire rwandais. C'est naturellement Kigali qui a donné le ton dès la nuit du 6 au 7 avril avec l'assassinat du Premier Ministre, Mme Agathe Uwilingiyimana, du président de la Cour suprême Joseph Kavaruganda, de certains membres de son gouvernement, ainsi que des dix Belges membres de la MINUAR. Butare et Cyangugu, en revanche, seront calmes durant plus d'une semaine et n'entreront dans le cycle de la violence qu'à la suite de la révocation de leurs préfets, remplacés par des Hutus extrémistes. Des témoignages concordants et dignes de foi indiquent que le nouveau Président de la République se serait rendu à Butare pour exhorter la population hutue aux massacres. A Cyangugu, en dépit du retard accusé, le 20 avril, le nombre de personnes massacrées atteignait selon certains témoignages près de 15 000. Les militaires auraient bouclé toutes les voies conduisant au Zaïre pour empêcher les rescapés de s'enfuir et le préfet aurait dit avoir reçu "des ordres d'en haut" allant dans ce sens. Ces massacres se sont poursuivis sans discontinuer jusqu'à ce jour. Une véritable chasse à l'homme est entreprise de maison à maison, de famille à famille, de colline à colline, par les miliciens qui n'hésitent pas à s'attaquer à l'heure actuelle aux personnes dans les camps dits de déplacés. C'est ainsi que le 14 juin 1994, ils ont enlevé 40 jeunes gens et, le 17 juin, sans l'intervention ferme de la MINUAR, l'Hôtel des "Milles Collines" aurait connu un carnage : un groupe de miliciens armés y était entré.

24. Au total, le nombre des personnes tuées sur l'ensemble du territoire se chiffre à des centaines de milliers, entre 200 000 et 500 000. Ce chiffre est certainement en deçà de la réalité. Aussi certains observateurs soutiennent - ils qu'on est proche du million. Il n'est pas certain que l'on obtienne un jour le nombre exact des victimes. Ce qui en revanche est absolument sûr, c'est que la communauté internationale assiste à une tragédie humaine qui semble être bien orchestrée.

2. Leurs caractères

25. Les massacres sont d'autant plus horribles et terrifiants qu'ils se donnent pour programmés, systématiques et atroces.

26. Les massacres semblent avoir été programmés. Ce constat procède d'un faisceau d'indices : le premier est constitué par la campagne d'exhortation à la haine ethnique et à la violence orchestrée par les médias du gouvernement ou

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proches de lui, tels que la Radio rwandaise, et surtout la "Radio Télévision Libre des Mille Collines" (RTLM). Le second consiste dans la distribution d'armes à la population civiles et plus particulièrement aux miliciens. Des lettres pastorales du diocèse de Nyundo datant de décembre 1993, et émanant de l'Evêque et des prêtres, condamnent cette distribution d'armes à la population. De plus, les miliciens auraient suivi des entraînements intensifs dans des installations militaires de novembre 1993 à mars 1994. A cela s'ajoutent la terreur semée par les miliciens et l'assassinat de personnalités politiques. Le troisième réside dans la célérité exceptionnelle avec laquelle les événements ont commencé après la mort du Président rwandais : le "gouvernement intérimaire" s'est constitué quelques heures seulement après l'accident, rapporte une source internationale fiable. De plus, des barricades ont été posées entre 30 et 45 minutes après l'accident d'avion et avant même que la nouvelle de l'accident n'ait été annoncée par la radio nationale. Un témoin digne de foi raconte que 45 minutes après l'explosion, la route allant de l'hôtel Méridien au stade Amahoro était dressée par des militaires et des civils et qu'il avait subi deux contrôles effectués par ceux-ci. Les officiers supérieurs de l'état-major que le Rapporteur spécial a rencontrés reconnaissent les faits, mais auxquels ils trouvent une justification : le président Habyarimana était si populaire que son assassinat par le FPR a provoqué la colère du peuple et des éléments des forces armées. Le quatrième, enfin, procède de ce qu'il existe des listes sur lesquelles figurent les noms de personnes à exécuter. C'est semble-t-il sur la base de ces listes que divers leaders de l'opposition ont été assassinés.

27. Les massacres revêtent un caractère systématique. Des familles entières sont décimées, grands-parents, parents, enfants. Personne n'y échappe, même pas les nouveaux-nés. Mais ce qui est encore plus symptomatique, c'est que les victimes sont poursuivies jusque dans leur dernier retranchement pour y être exécutées. Il en va ainsi des paroisses et surtout des églises, qui autrefois servaient de refuges aux Tutsis, mais qui sont devenues le théâtre de leur holocauste. Il en va de même des caches dans les plafonds ou recoins des maisons et dans les bois et forêts, où les assaillants mettent le feu pour s'assurer qu'ils ne laisseront pas de survivants derrière eux. Il en va encore ainsi des frontières, qui sont barrées pour empêcher aux Tutsis de se rendre dans les pays voisins. A la troisième session extraordinaire de la Commission des droits de l'homme, le représentant de Médecins sans frontières a donné un exemple assez typique, qui mérite d'être cité :

"A 700 mètres de la frontière burundaise, 80 personnes ont été vues en train de courir vers la frontière ("comme du bétail") chassées par un groupe de miliciens avec des machettes; une personne a été tuée à coups de machettes devant nous. Les autres ont réussi à atteindre la frontière mais malheureusement un groupe de miliciens les attendaient. Moins de 10 personnes ont traversé la frontière, les autres ont été massacrées à la machette." (fin avril 1994)

28. Les tueries sont exécutées dans des conditions atroces, affreusement cruelles. Elles sont en effet précédées d'actes de torture ou autres traitements cruels, inhumains et dégradants. D'une manière générale, les victimes sont attaquées à coups de machettes, de haches, de gourdins, de massues, de bâtons, ou de barres de fer. Les bourreaux vont parfois jusqu'à couper successivement les doigts, la main, les bras, les jambes avant de trancher la tête ou de fendre

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le crâne. Des témoins rapportent qu'il n'est pas rare que les victimes supplient leurs bourreaux ou leur proposent de l'argent pour être exécutées plutôt par balles qu'à la machette. Il a aussi été signalé que, lorsque les Tutsis sont enfermés dans une salle ou dans une église que les miliciens n'arrivent pas à ouvrir, les militaires viennent à leur secours : ils défoncent les portes, lancent des grenades dans la salle et laissent le soin aux miliciens d'achever le travail. La barbarie n'épargne ni les enfants des orphelinats, ni les blessés des hôpitaux, qui sont enlevés et tués ou achevés. Des mères se sont vues obligées de piler leurs enfants, tandis que des employés hutus travaillant pour Médecins sans frontières (Butare, fin avril 1994) ont été contraints de tuer leurs collègues Tutsis. Ceux qui ont eu le courage de refuser ont été tués. On a même signalé que les bourreaux, après avoir exécuté leurs victimes en pleine rue, au vu et au su de tous, les découpent en morceaux et certains n'hésitent pas à s'asseoir sur les corps pour boire une bière en attendant que les prisonniers viennent ramasser les corps.

B. Les autres faits

29. Les faits décrits ci-dessous sont des conséquences directes et combinées de la guerre autant que des massacres. Ils se rapportent à ceux qui ont eu la chance de survivre aux tueries et qui continuent à lutter pour se maintenir en vie. Ils s'expriment par l'insécurité et l'exode.

1. L'insécurité

30. Il règne sur l'ensemble du territoire rwandais une insécurité totale qui revêt trois aspects étroitement liés.

31. Le premier aspect, immédiatement perceptible, est la dimension physique et morale qui consiste pour les rares rescapés des massacres à préserver, par instinct, leur intégrité physique et morale. Ils courent en effet le danger de rencontrer l'une ou l'autre des parties au conflit, les forces armées rwandaises, les miliciens ou, au contraire, le FPR. Certes, l'appartenance ethnique ou politique peut écarter le danger, lorsque des Hutus tombent sur les Forces armées rwandaises ou les miliciens, ou que des Tutsis ou des Hutus modérés rencontrent des soldats du FPR, mais ils ne seront pas pour autant définitivement épargnés, puisque les tirs d'obus et de mortiers en pleine ville ne distinguent pas les camps militaires des maisons d'habitation des civils. Pis encore, aucune précaution ne semble être prise pour éviter que les tirs n'atteignent des installations des organismes humanitaires. L'obus tombé le 19 juillet 1994 à l'hôpital du CICR, tuant un membre du personnel et faisant plusieurs blessés, constitue en ce sens un exemple éloquent. Le FPR, responsable de ce dommage, a justifié sa position par le fait que les Forces armées rwandaises s'abritent derrière ledit hôpital pour attaquer ses troupes - une telle position ne peut que briser le moral des rescapés. D'autres organismes, tel que la MINUAR, ont même été consciemment ciblés.

32. Le second aspect est l'insécurité alimentaire. La famine est à la porte du Rwanda. De vastes parties du territoire semblent entièrement abandonnées. Le long des routes menant de Kigali à Byumba ou à la frontière ougandaise de Kagitumba, par exemple, la plupart des villages sont déserts, et les champs se sont pas récoltés. La menace d'une famine est réelle, surtout dans les zones au

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sud du pays, qui ont en plus été victimes d'une sécheresse. Le Rapporteur spécial a reçu des informations selon lesquelles, dans les camps de déplacés au Rwanda, se produisent des cas de décès dus à la malnutrition, et cela malgré tous les efforts des organisations internationales d'assistance humanitaire.

33. Le troisième aspect est l'insécurité sanitaire ou plus précisément l'insalubrité. De nombreux observateurs ont souligné le risque d'épidémies dues aux corps pourrissant à l'air libre ou jetés dans les rivières, qui sont susceptibles de polluer les eaux. Les conditions précaires d'existence, l'état de faiblesse de beaucoup de personnes, déplacées ou autres, les rendent plus vulnérables aux maladies. Il ne faut pas non plus oublier que le Rwanda a un des taux les plus élevés au monde d'infections au virus du SIDA. Des initiatives de vaccinations sont entreprises dans les camps de déplacés. Les installations médicales opérationnelles ne suffisent pas pour fournir les soins requis. Le Rapporteur spécial a rendu visite à l'hôpital du CICR à Kigali, où il a été très impressionné par le dévouement et l'abnégation du personnel médical, et aussi par l'immensité de l'oeuvre accomplie.

2. L'exode

34. Le conflit rwandais a entraîné un exode sans précédent dans l'histoire de ce petit pays. Cet exode est d'autant plus impressionnant qu'il comporte un double aspect, l'un, interne, se rapportant aux déplacés et l'autre, externe, visant les réfugiés.

35. Les hostilités entre les forces du "gouvernement intérimaire" et celles du FPR, et surtout la peur des massacres, ont entraîné des mouvements massifs de populations au sein même du pays. On parle de plus de deux millions de personnes ayant quitté leur colline d'origine pour gagner d'autres régions où elles se sentent plus en sécurité. Avec l'évolution du conflit et l'avancée du FPR, une bonne partie de la population se déplace sans cesse, fuyant les combats. L'avancée militaire du FPR vers le sud-ouest et la vague de personnes déplacées que ce mouvement va sans doute entraîner, pourrait rendre la situation dans toute la région particulièrement explosive. On estime que jusqu'à deux millions de personnes pourraient être piégées en ce moment entre la ligne de front et les frontières avec le Burundi et le Zaïre, toutes les deux actuellement fermées aux réfugiés rwandais. D'autres se sont retrouvés dans des lieux d'où ils ne peuvent plus bouger, craignant les massacres. Bien qu'ils ne soient pas retenus de force, ils sont en fait des otages du conflit. Ils se trouvent dans des lieux divers, aussi bien dans la capitale que dans d'autres villes et régions du pays. Lors de son séjour, le Rapporteur spécial a pu visiter plusieurs centres de déplacés, notamment le stade Amahoro, l'hôpital Roi Fayçal et un camp installé à l'aéroport de Kigali. Ces centres, ainsi que d'autres, sont protégés par la MINUAR, et les différentes organisations d'assistance humanitaire font des efforts énormes pour améliorer leur situation qui, néanmoins, reste extrêmement précaire.

36. Les hostilités et surtout les massacres ont amené beaucoup d'autres rwandais à quitter leur pays pour se réfugier dans les Etats voisins. C'est ainsi que le Zaïre a accueilli plus de 50 000 réfugiés dans les régions du Sud-Kivu et de Bukavu. Un nombre considérable d'entre eux sont des burundais qui s'étaient réfugiés au Rwanda lors des événements violents survenus au Burundi en

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octobre-novembre 1993. Le Burundi a accueilli plus de 85 000 réfugiés dans des camps situés surtout dans les régions de Ngozi et Kirundo. Mais c'est la Tanzanie qui abrite le plus grand nombre de réfugiés, estimé à 410 000, dont 330 000 dans le seul camp de Benaco, qui est ainsi le plus grand camp de réfugiés du monde. Le total des réfugiés s'élève à près d'un million de personnes. Ce flux important de réfugiés pose aussi de sérieux problèmes aux pays hôtes, qui courent en effet des dangers dûs non seulement à la surpopulation et l'insécurité provoquées par la présence de nouveaux venus, mais aussi à la transposition sur leur territoire des tensions politico-ethniques opposant Tutsis et Hutus. Ce risque est important au Zaïre, mais surtout au Burundi, où ces mêmes groupes sont présents. De plus ces pays sont proches d'échéances électorales.

37. Les réfugiés eux-mêmes ne sont pas à l'abri de l'insécurité due précisément à la transposition des problèmes dans les camps. Lors de sa visite dans plusieurs camps situés dans la région du Sud-Kivu, au Zaïre, le Rapporteur spécial a été informé que plusieurs de ces camps servaient de base d'entraînement de milices. Des cas d'assassinats, de torture et de disparitions ont aussi été signalés. Au camp de Luvundi, près de la frontière rwandaise, il a été donné de constater la tension qui existait entre les réfugiés hutus et tutsis, quand deux fonctionnaires internationaux, respectivement de nationalité sénégalaise et malienne, furent agressés verbalement et accusés d'être des espions tutsis. Le Rapporteur spécial lui-même a été interpellé à plusieurs reprises au sujet de sa nationalité.

38. La situation est encore plus explosive et préoccupante dans le camp de Benaco, en Tanzanie. Entre le 28 et le 29 avril 1994, environ 250 000 personnes ont traversé la frontière rwandaise pour se rendre dans le district de Ngara, en Tanzanie. La grande majorité d'entre eux étaient des Rwandais d'origine ethnique hutue fuyant l'avancée du FPR dans l'est du Rwanda. C'est suite à cet afflux sans précédent que le HCR a créé le camp de Benaco, qui abrite actuellement plus de 330 000 personnes à quelque 17 km de la frontière rwandaise.

39. On a constaté que subsistent dans ce camp les mêmes structures d'encadrement des populations qu'au Rwanda et il est à craindre que les milices des partis y soient actives. Il est en effet apparu très rapidement aux responsables du camp que parmi les personnes accueillies se trouvaient des individus accusés d'avoir organisé ou tout au moins participé à des massacres au Rwanda, certains témoins les ayant en effet reconnus. Quatorze d'entre elles, soupçonnées d'avoir participé aux massacres, qui semble-t-il craignaient pour leur vie, acceptèrent d'être placées en détention sous la protection de la police tanzanienne. Cependant, le 15 juin 1994, ces 14 personnes soupçonnées ont été libérées par la police tanzanienne à la condition qu'elles ne retournent pas à Benaco, mais elles ne tinrent pas parole, et la tentative du HCR de les faire ressortir du camp se solda par une émeute regroupant près de 5 000 personnes, qui se livrèrent à des manifestations violentes et menacèrent les employés des organisations humanitaires de leur faire subir le sort des 10 casques bleus belges, qui ont été torturés et mutilés avant d'être exécutés à Kigali. On signale, en effet, que des assassinats ont été commis à Benaco, dont certains semblent avoir été motivés par des raisons politiques.

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40. Plusieurs observateurs rencontrés par le Rapporteur spécial ont estimé que la marée humaine ayant précédé la création de Benaco, en raison de son caractère planifié et bien organisé, ressemble à un repli stratégique des miliciens responsables des massacres au Rwanda et de leur entourage. C'est en ce sens que des craintes ont été exprimées de voir le camp servir aux milices de base arrière à des incursions en territoire rwandais et ainsi de leur permettre de poursuivre ainsi les violations des droits de l'homme.

II. LES VIOLATIONS DES DROITS DE L'HOMME

41. Les faits ci-dessus constituent sans conteste des violations graves et massives des droits de l'homme. La question est de savoir quelle est la nature que revêtent ces violations, quelles en sont les causes et qui en sont les auteurs.

A. La nature

42. Les faits incriminés revêtent une triple nature : un génocide résultant des massacres des Tutsis, des assassinats politiques de Hutus, et des atteintes diverses aux droits de l'homme.

1. Le génocide des Tutsis

43. D'éminentes personnalités, dont le Secrétaire général des Nations Unies, n'ont pas hésité à qualifier le massacre des Tutsis de génocide. Il importe de vérifier, au regard des faits, la pertinence de cette qualification.

44. L'article II de la Convention sur la prévention et répression du crime de génocide du 9 décembre 1948 dispose : "le génocide s'entend de l'un quelconque des actes ci-après, commis dans l'intention de détruire, en tout ou en partie, un groupe national, ethnique, racial ou religieux, comme tel :

- a) Meurtre de membres du groupe;
- b) Atteinte grave à l'intégrité physique ou mentale de membres du groupe;
- c) Soumission intentionnelle du groupe à des conditions d'existence devant entraîner sa destruction physique totale ou partielle;
- d) Mesures visant à entraver des naissances au sein du groupe;
- e) Transfert forcé d'enfants du groupe à un autre groupe."

45. Il ressort de cette définition trois éléments constitutifs du génocide, qu'on pourrait schématiser ainsi :

- i) Un acte criminel,
- ii) "Dans l'intention ... de détruire tout ou partie",
- iii) D'un groupe donné et visé "comme tel".

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46. La première condition ne semble pas faire de doute eu égard aux massacres perpétrés (II a)) et même aux traitements cruels, inhumains et dégradants (II b)). La seconde n'est pas davantage difficile à remplir, car l'intention claire et non équivoque se trouve bien contenue dans les appels incessants au meurtre lancés par les médias (en particulier le RTLM) et transcrits dans les tracts. Et si ce n'était le cas, l'intention aurait pu être déduite des faits eux-mêmes, à partir d'un faisceau d'indices concordants : préparation des massacres (distribution d'armes à feu et entraînement des miliciens), nombre de Tutsis tués, et résultat de la poursuite d'une politique de destruction des Tutsis. La troisième condition qui exige que le groupe ethnique soit visé comme tel pose en revanche problème en raison de ce que les Tutsis ne sont pas les seules victimes des massacres, les Hutus modérés n'étant pas épargnés. Mais le problème n'est qu'apparent, et ceci pour deux raisons : d'abord, nombre de témoignages révèlent que les tris opérés au cours des barrages pour la vérification des identités visent essentiellement les Tutsis. Ensuite et surtout, l'ennemi principal, assimilé au FPR, reste le Tutsi qui est l'inyenzi, c'est à dire "le cafard", à écraser à tout prix. Le Hutu modéré n'est que le partisan de l'ennemi principal, et il n'est visé qu'en tant que traître à son groupe, auquel il ose s'opposer.

47. Il existe un document émanant de l'état-major de l'armée rwandaise et daté du 21 septembre 1992, qui distingue bien l'ennemi principal de son partisan et qui chargeait la hiérarchie militaire de "faire une large diffusion". Selon les termes de ce document, le premier "est le Tutsi de l'intérieur ou de l'extérieur extrémiste et nostalgique du pouvoir, qui n'a jamais reconnu et ne reconnaît pas encore les réalités de la Révolution Sociale de 1959, et qui veut conquérir le pouvoir au Rwanda par tous les moyens, y compris les armes". Le second "est toute personne qui apporte tout concours à l'ennemi principal". De plus, le partisan peut être rwandais ou étranger. Il existe un certain nombre de documents qui confirment cette distinction et qui attestent que les Hutus modérés ne sont massacrés qu'en tant qu'associés ou partisans des Tutsis.

48. Les conditions prescrites par la Convention de 1948 sont ainsi réunies et le Rwanda, y ayant accédé le 16 avril 1976, est tenu d'en respecter les principes qui se seraient imposés même en dehors de tout lien conventionnel, puisqu'ils ont acquis valeur coutumière. De l'avis du Rapporteur spécial, la qualification de génocide doit être d'ores et déjà retenue en ce qui concerne les Tutsis. Il en va différemment de l'assassinat des Hutus.

2. L'assassinat des Hutus

49. Des membres du groupe ethnique hutu, comme il a déjà été indiqué, sont également victimes de massacres. Mais une distinction s'impose à ce stade. D'une part, il y a les Hutus modérés, auxquels, par extension, on associe certains étrangers tels que les Belges, et qui comprennent essentiellement les opposants politiques et les militants des droits de l'homme. Ils constituent la cible toute désignée pour des éléments des Forces armées gouvernementales et les miliciens. D'autre part, il y a les Hutus extrémistes, composés surtout de miliciens, qui seraient victimes, sur simple dénonciation, d'exécutions dans les zones contrôlées par le FPR.

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50. Ces actes constituent des assassinats et plus spécifiquement des assassinats politiques qui portent atteinte au droit à la vie, qui est un droit fondamental contenu dans nombre d'instruments internationaux.

51. Faute de citer toutes ces conventions, on en retiendra deux, dont les dispositions pertinentes s'imposent à L'Etat rwandais, qui y a accédé. Ce sont, d'une part, le Pacte International relatif aux droits civils et politiques du 16 décembre 1966, et d'autre part, la Charte africaine des droits de l'homme et des peuples du 28 juin 1981. Ces assassinats politiques constituent une violation flagrante des instruments précités. L'on doit préciser que le droit à la vie est un droit fondamental, qui existe "en dehors de tout lien conventionnel", et dont le respect s'impose en toutes circonstances.

3. Autres violations

52. Un certain nombre d'autres droits non moins importants font également l'objet de violations graves de la part des parties au conflit. Ces droits violés concernent aussi bien les droits de l'homme stricto sensu que le droit international humanitaire.

53. En combinaison avec le droit à la vie, les autres droits auxquels il est porté atteinte sont assez divers. On se bornera à mentionner, à titre d'exemple : le droit à l'intégrité physique et morale, qui interdit la torture et d'autres traitements cruels, inhumains et dégradants, consacré par nombre d'instruments juridiques internationaux, notamment le Pacte International relatif aux droits civils et politiques et la Charte africaine des droits de l'homme et des peuples. Il échet de rappeler que ce droit constitue également un droit fondamental qui s'impose en toutes circonstances; le principe de non discrimination ou droit à l'égalité de traitement, la liberté de mouvement ou de circulation, deux droits consacrés par les conventions précitées; le droit des réfugiés régi par les instruments internationaux relatifs au statut des réfugiés, dont la Convention du 28 juillet 1951, à laquelle le Rwanda est partie.

54. Le droit international humanitaire n'est pas davantage respecté. Beaucoup de faits incriminés, tels le meurtre, les assassinats politiques, l'exécution des otages et les autres actes inhumains commis contre les populations civiles ou des militaires désarmés par les forces armées des deux parties au conflit constituent des crimes de guerre heurtant frontalement les quatre Conventions de Genève du 12 août 1949, ratifiées par le Rwanda, et leur article 3 commun. Il convient de noter, à ce stade, que le FPR a déclaré au CICR qu'il se considère comme lié par les Conventions de Genève et leurs Protocoles additionnels. De plus, les assassinats et les autres actes inhumains commis contre les populations civiles ainsi que les persécutions pour des motifs politiques en liaison avec les crimes de guerre constituent des crimes contre l'humanité.

B. Les causes

55. Les causes des violations des droits de l'homme au Rwanda sont de divers ordres : économiques, sociaux, politiques, culturels, etc., desquels l'on retiendra trois immédiatement perceptibles et significatifs de la situation

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actuelle. Ce sont le refus de l'alternance politique, l'incitation à la haine et à la violence et l'impunité.

1. Le refus d'alternance politique

56. Le refus de l'alternance politique, qui caractérise l'Afrique noire francophone en général, prend une allure particulière au Rwanda avec une forte coloration ethnique. En fait, l'enjeu des événements qui se déroulent dans le pays n'est pas ethnique mais plutôt politique : c'est la conquête du pouvoir politique ou plus précisément le maintien au pouvoir des représentants d'un groupe ethnique, autrefois dominé, qui usent de tous les moyens et principalement de l'élimination du groupe ethnique adverse, ainsi que de ceux de son propre groupe qui lui sont politiquement opposés. De ce point de vue, l'image précitée de l'ennemi principal et de son partisan est assez révélatrice. La résistance aux accords de paix d'Arusha du 4 août 1993 en est un signe tendant même à attester le refus d'un simple partage du pouvoir politique ou de la simple cohabitation politique.

57. Le refus de l'alternance politique renvoie en fait à l'absence d'état de droit. Car l'état de droit garantit l'alternance politique. Et tous les deux constituent des exigences élémentaires de la démocratie pluraliste. Au Rwanda, à l'état de droit s'est ainsi substitué l'état de violence, qui est celui de l'affrontement. Il s'affranchit des règles de la légalité que commande la démocratie et qui postule le respect de la loi. On passe de la démocratie politique à la loi des armes, de sorte qu'à la dévolution pacifique du pouvoir politique par la voie des urnes se substitue sa conquête par la force des armes avec son lot de tueries et de barbaries.

2. L'incitation à la haine ethnique et à la violence

58. Il circule en permanence au Rwanda de fausses rumeurs et des tracts tendant à exacerber les passions ethniques et à inciter à la violence. Ces rumeurs présentent par exemple les Tutsis comme étant "des assoiffés de sang et de pouvoir voulant imposer leur hégémonie au peuple rwandais par les canons et les fusils". Ils s'apprêteraient même à les exterminer. Des appels répétés sont lancés à l'attention des Hutus, et débouchent sur les "dix commandements" qui préconisent une idéologie d'apartheid tendant à se préserver du retour au pouvoir des Tutsis. Cette incitation date de longtemps, comme le soulignent différents rapports dont ceux de la Commission internationale d'enquête, composée par des représentants de plusieurs organisations non gouvernementales, sur les violations massives et systématiques des droits de l'homme depuis le 1er octobre 1990 (7-21 janvier 1993), ou le rapport présenté par M. Bacre Waly Ndiaye, Rapporteur spécial sur les exécutions extrajudiciaires, sommaires ou arbitraires, sur la mission qu'il a effectuée au Rwanda du 8 au 17 avril 1993 (voir E/CN.4/1994/7/Add.1).

59. Mais ce qui semble nouveau et mérite d'être souligné, est la forte implication de la Radio Nationale Rwandaise sous contrôle de la Présidence et surtout de la Radio-Télévision libre des Mille Collines (RTLM). Il est frappant de relever que les émissions de ces médias diffèrent significativement selon qu'elles sont émises en français ou en kinyarwanda, la seule langue parlée par la quasi totalité des Rwandais. Inoffensives dans le

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premier cas, elles deviennent extrêmement agressives dans le second. La RTLM n'hésite pas à appeler à l'extermination des Tutsis. Sa triste célébrité lui vient du rôle déterminant qu'elle semble avoir joué dans les massacres. Aussi l'appelle-t-on "la radio qui tue". Et pour cause, fin avril, cet organe de propagande des extrémistes hutus annonce, selon Reporters sans frontières, que "le 5 mai, le nettoyage des Tutsis devra être terminé" ou encore "la tombe n'est qu'à moitié pleine, qui veut nous aider à les remplir ?" Cette campagne est d'autant plus dangereuse qu'un haut fonctionnaire des Nations Unies fait observer que le paysan rwandais, qui ne sait en général ni lire ni écrire est très attentif aux émissions en kinyarwanda : il tient à l'oreille la radio et à la main la machette, prêt à entrer en action.

3. L'impunité

60. Tout comme l'incitation à la haine et au meurtre, l'impunité est une cause récurrente des massacres : les milices des partis politiques dressent des barricades, contrôlent l'identité des passants, arrêtent les Tutsis et les Hutus modérés et les exécutent en pleine rue, au vu et au su de tous, devant les éléments de la gendarmerie et des forces armées rwandaises. Ceux-ci, loin d'inquiéter les miliciens, leur portent plutôt main forte. C'est également le cas de certaines autorités locales, préfets ou bourgmestres, qui ont directement participé aux tueries.

61. Les auteurs des massacres précédents et actuels, connus de la population et des pouvoirs publics, n'ont fait l'objet d'aucune poursuite. Bien au contraire, ils continuent à mener une vie paisible et à circuler librement en toute quiétude et impunité. Et pis encore, nombre d'autorités locales qui se sont particulièrement signalés par leur cruauté ont bénéficié de promotions, tandis que celles qui ont réussi à maintenir le calme et à éviter les massacres ont été purement et simplement limogées. Dans le premier cas, on citera le bourgmestre Jean-Baptiste Gatete, connu pour ses méfaits et qui a été promu directeur de cabinet au Ministère de la famille depuis juin 1993. Dans le second, l'on citera le nom du Préfet de Butare, qui a été tué, et celui de Kibungu, qui a été démis de ses fonctions. Comme on l'a vu, les tueries dans les deux préfectures ont commencé aussitôt après leur remplacement.

C. Les auteurs

62. En l'état actuel des recherches entreprises dans le cadre du mandat du Rapporteur spécial, il n'a pas été possible d'identifier nommément tous les responsables des violations et abus commis. Certes, des listes de noms de personnes impliquées dans la planification et l'exécution des exactions sont en sa possession. Mais il se réserve le temps d'établir le lien d'imputabilité et de dresser la liste des auteurs au fur et à mesure des vérifications.

63. Néanmoins, au niveau des personnes morales, ou des organes impliqués dans les atrocités récentes, il est d'ores et déjà possible de retenir certaines responsabilités :

Des organes de l'Etat rwandais, et tout particulièrement, des hauts cadres politiques au niveau national, tels que certains ministres, des différentes composantes des forces de sécurité gouvernementales, telles que la garde

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présidentielle, les forces armées rwandaises et la gendarmerie; et de certaines autorités locales, préfets et bourgmestres;

Des organes de FPR, notamment les responsables de ses activités militaires;

Des personnes privées telles que les miliciens, les responsables de partis politiques extrémistes (MRND et CDR) ou les fondateurs et les animateurs de la RTLM;

Les responsabilités de certains Etats étrangers et leur ingérence dans la vie politique du Rwanda est également à clarifier;

Enfin, le rôle de la communauté internationale, et, en particulier, la réponse des Nations Unies aux besoins urgents de la population, notamment en matière de sécurité et d'assistance humanitaires, mérite d'être analysée. C'est dans ce contexte que le Rapporteur spécial voudrait joindre sa voix à celle de ceux qui ont déploré la réduction du personnel de la MINUAR le 21 avril 1994, limitant de façon déterminante les possibilités de protéger des personnes en danger.

64. C'est dans ce contexte que l'attaque contre l'avion présidentiel doit être examinée par le Rapporteur spécial, dans la mesure où il peut y avoir des liens entre ceux qui l'ont commanditée et les responsables des massacres. Les circonstances précises de l'assassinat des membres modérés du "gouvernement intérimaire", y compris celui du Premier Ministre, et des 10 soldats belges, doivent être élucidées. Les liens entre les milices des partis politiques, particulièrement l'interahamwe, la garde présidentielle, les forces armées rwandaises et la gendarmerie, doivent également être examinés en vue de déterminer les chaînes de commandement et les responsabilités individuelles. C'est à la lumière de cette enquête que le Rapporteur spécial pourra faire des recommandations pertinentes à la Commission des droits de l'homme.

65. La responsabilité du "gouvernement intérimaire" rwandais est aussi pleinement engagée compte tenu du fait qu'il a renoncé à mettre en oeuvre des mesures efficaces destinées à prévenir les violations des droits de l'homme et du droit international humanitaire, y compris le génocide. Dès le début des atrocités, les dirigeants rwandais ont soutenu que les massacres ne cesseraient qu'après la fin du conflit armé. Lors de l'entretien que le Rapporteur spécial a tenu durant sa mission avec le chef de l'état-major des forces armées rwandaises, ce dernier lui a expliqué que les autorités rwandaises pourraient faire appel aux populations pour qu'elles arrêtent les exactions, et que les populations les écouterait, mais que la conclusion d'un accord de cessez-le-feu était une condition préalable à un tel appel.

IV. RECOMMANDATIONS

66. Les recommandations du Rapporteur spécial, qui tiennent dûment compte de la situation d'urgence qui prévaut au Rwanda, se répartissent en mesures immédiates et en mesures à court et moyen terme.

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A. Mesures immédiates

I.

67. L'organisation des Nations Unies devrait :

Exiger des parties au conflit que cessent immédiatement la guerre ainsi que le génocide et les autres violations graves et massives des droits de l'homme perpétrées au Rwanda. La cessation des hostilités devrait être inconditionnelle, et devrait concerner indistinctement les massacres et les faits de guerre;

En appeler, pour ce faire, à la conscience et à la responsabilité personnelle des autorités dirigeantes des parties au conflit.

II.

68. L'organisation des Nations Unies devrait inviter les responsables des parties au conflit :

A lancer un appel pressant et solennel à leurs troupes, aux milices et aux civils armés, pour exiger qu'ils cessent immédiatement les massacres sous peine de sanctions sévères et effectives;

A prendre des mesures concrètes en vue de désarmer les milices et les civils armés. Ce désarmement devrait se faire sous le contrôle d'une force internationale neutre qui pourrait être la MINUAR II renforcée par des éléments venant des membres de l'Organisation de l'Unité Africaine (OAU), et dont il conviendrait de rendre possible le déploiement rapide et complet des troupes;

A dissoudre les milices armées et les organisations similaires.

III.

69. L'organisation des Nations Unies devrait exiger des autorités gouvernementales qu'elles :

Lancent également un appel solennel et pressant aux responsables des médias, et tout particulièrement à la Radio-Télévision libre des Mille Collines, pour qu'ils mettent immédiatement fin à la guerre médiatique;

Prennent les mesures appropriées pour interdire toute campagne et toute rumeur susceptibles d'inciter à la haine raciale et à la violence, sous peine de sanctions sévères.

IV.

70. L'organisation des Nations Unies devrait solennellement :

Condamner le génocide perpétré au Rwanda en insistant sur le caractère horrible, abominable et inacceptable de tels actes;

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Informers les auteurs qu'une fois identifiés ils auront à répondre de leurs actes et omissions devant des instances compétentes et en quelque endroit de la planète qu'ils puissent se trouver;

Demander aux Etats qui ont accordé l'asile ou autre refuge aux personnes impliquées dans les massacres de prendre les mesures appropriées pour qu'elles n'échappent pas à la justice.

V.

71. L'Organisation des Nations Unies devrait, en collaboration avec l'OUA, prendre les mesures appropriées pour assurer la protection des orphelins, des déplacés, et des réfugiés :

En créant un centre d'accueil ou orphelinat destiné à recevoir les orphelins afin de les mettre à l'abri de tout danger, de leur offrir des conditions de vie décentes et d'assurer leur éducation. Ce centre serait financé par un fond spécial dit de solidarité, alimenté par les Etats membres et géré par un comité dont le statut et le fonctionnement restent à déterminer;

En assurant que les droits des réfugiés et des déplacés seront respectés, notamment en ce qui concerne leur sécurité et leurs conditions de vie, tout en rappelant à ceux-ci qu'ils ont également des obligations, notamment à l'égard des Etats d'accueil, et qu'ils doivent s'abstenir de tout acte susceptible de porter atteinte aux normes nationales et internationales;

En renforçant les moyens du Haut Commissariat aux réfugiés pour qu'il entreprenne des études en vue de déterminer les conditions de retour des réfugiés et des déplacés dans leur pays ou sur leurs collines;

En créant, d'ores et déjà, des zones de passage permettant à la population de se mettre sous la protection des autorités de leur choix.

B. Mesures à court et moyen terme

I.

72. L'ONU devrait, en collaboration avec l'OUA, prendre les dispositions appropriées pour :

Amener les parties au conflit à négocier, de bonne foi et en tenant dûment compte des accords d'Arusha du 4 août 1993, les conditions de la paix, de la transition démocratique, de la réconciliation et de l'unité nationales;

Appeler les parties à appliquer de bonne foi les accords ainsi conclus. Les accords ne devraient en aucune manière consacrer, sous couvert d'arrangements politiques, l'impunité des auteurs de génocide et d'autres crimes contre l'humanité. Bien au contraire, ils doivent prévoir des mécanismes permettant effectivement de sanctionner les auteurs. C'est là l'une des conditions de la réconciliation et de l'unité nationales.

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II.

73. L'ONU devrait veiller à ce que la transition démocratique débouche sur des élections libres et régulières sur la base d'une constitution créant des institutions nationales et démocratiques tenant dûment compte des intérêts légitimes des deux communautés en présence dans la perspective d'une véritable intégration nationale.

III.

74. L'ONU devrait, dans le cadre des négociations des accords de paix

Insister sur la nécessité de la réconciliation et de l'unité nationales. A cet égard, la nouvelle constitution devrait prévoir des dispositions appropriées interdisant et réprimant sévèrement les actes incitant à la haine ethnique et à la violence.

Aucun document officiel, carte d'identité nationale, permis de conduire, livret de famille ou autre ne devrait faire mention de l'appartenance ethnique.

Tout parti ou association à base ethnique devrait être interdit.

Prendre l'initiative de créer, ou d'aider à créer, une station de radio émettant en français et en kinyarwanda, et chargée d'assurer une éducation aux droits de l'homme et au respect scrupuleux et la dignité humaine. Les modalités de financement et de gestion seraient les mêmes que celles de l'orphelinat précité.

IV.

75. L'ONU devrait créer, dans l'attente d'une juridiction pénale internationale permanente, une juridiction internationale ad hoc chargée de connaître des faits et de juger les coupables et, à défaut, étendre la compétence du tribunal pénal international pour les crimes de guerre commis dans l'ex-Yougoslavie.

V.

76. L'ONU devrait mettre sur place une équipe renforcée d'observateurs de droits de l'homme guidés par un coordinateur de haut niveau relevant du Rapporteur spécial.

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ANNEXE II

Rapport sur la situation des droits de l'homme au Rwanda établi
par le Rapporteur spécial de la Commission des droits de l'homme
en application de la résolution S-3/1 de la Commission et de la
décision 1994/223 du Conseil économique et social

INTRODUCTION

1. Conformément au mandat qui lui a été confié par la Commission des droits de l'homme dans sa résolution S-3/1 du 25 mai 1994, le Rapporteur spécial s'est rendu au Rwanda pour une deuxième visite du 29 au 31 juillet 1994. Le but de cette visite était d'évaluer la situation des droits de l'homme au Rwanda depuis la finalisation du rapport préliminaire que le Rapporteur spécial avait soumis aux Etats membres de la Commission des droits de l'homme le 28 juin 1994 (E/CN.4/1995/7) et d'établir le contact avec les nouvelles autorités rwandaises pour discuter avec elles des problèmes relatifs aux droits de l'homme, et, tout particulièrement, à la situation des réfugiés et personnes déplacées.

2. Le Rapporteur spécial a pu s'entretenir les 28 et 29 juillet 1994 à Nairobi, et du 29 au 31 juillet à Kigali et Gitarama, avec des représentants du nouveau Gouvernement rwandais, des responsables de diverses agences des Nations Unies oeuvrant au Rwanda ainsi que des représentants des organisations non gouvernementales. Parmi les personnes rencontrées étaient notamment : M. Paul Kagame, Vice-Président de la République et Ministre de la défense; M. Faustin Twagiramungu, Premier Ministre; M. Alphonse-Marie Nkubito, Garde des Sceaux, Ministre de la justice; M. Jean-Marie Vianney Ndagijimana, Ministre des affaires étrangères; Dr. Joseph Nsengumana, Ministre de l'enseignement supérieur et de la recherche scientifique; M. Mugbo Rie, Ministre du travail et des affaires sociales; M. Shahryar Khan, Représentant spécial du Secrétaire général pour le Rwanda; le Général Roméo Dallaire, Commandant de la Mission des Nations Unies pour l'Assistance au Rwanda (MINUAR); M. Michel Moussalli, Envoyé spécial du Haut Commissaire des Nations Unies pour les Réfugiés (HCR); M. Arturo Hein, Coordonnateur humanitaire du United Nations Rwanda Emergency Office (UNREO) et son Directeur exécutif, M. Charles Petrie; ainsi que M. Bernard Kouchner, et le collectif des ligues et associations des droits de l'homme au Rwanda (CLADHO).

3. Le Rapporteur spécial souhaite ici exprimer ses remerciements à toutes ces personnalités qui lui ont fourni de l'assistance et ainsi facilité sa visite, tout particulièrement au Commandant de la MINUAR pour son appui logistique.

4. Ces différents entretiens ont permis de faire le point sur la situation qui prévaut au Rwanda en mettant l'accent sur l'insécurité, le retour des réfugiés et des personnes déplacées, et aussi de s'accorder avec les autorités sur certains points.

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I. L'INSECURITE AU RWANDA

5. Le problème fondamental que pose la situation actuelle au Rwanda se ramène à celui de la sécurité. La fin du conflit armé n'a pas pour autant mis un terme à l'insécurité. Les hostilités n'ont, en effet, laissé derrière elles que ruine et désolation : grandes pertes en vies humaines, nombreux dégâts matériels, familles endeuillées, villes vides d'habitants ...

6. Certes, depuis la chute de Gisenyi le 15 juillet 1994 et le cessez-le-feu, la vie commence peu à peu à renaître. A Kigali et à Gitarama des magasins sont nettoyés ou déjà ouverts, des petits marchés s'ouvrent ça et là, et le grand marché de Kigali a, quant à lui, rouvert dès le 27 juillet. Le Représentant spécial du Secrétaire général pour le Rwanda reste assez optimiste, estimant que dans deux ou trois mois "se produira un grand changement", entendant par là que la vie redeviendra normale. Mais la préoccupation majeure de l'insécurité demeure, se caractérisant par trois traits essentiels : l'occupation illégale des maisons abandonnées; le banditisme; les exécutions sommaires; et la quasi-absence d'administration d'Etat.

A. L'occupation illégale des maisons abandonnées

7. Des personnes occupent illégalement les maisons abandonnées par les propriétaires ou locataires en fuite. Le cas le plus délicat semble être celui des anciens réfugiés, tout particulièrement ceux qui ont fui le pays lors des massacres au cours des dernières années. Revenus au Rwanda, ils revendiquent leurs terres et s'installent dans les maisons des déplacés ou réfugiés. Le gouvernement se trouve ainsi confronté à un contentieux délicat. Celui-ci est d'autant plus grave que les bâtiments publics n'échappent pas à cette occupation illicite. Le parquet de Kigali a été ainsi transformé en restaurant avec pancartes portant la mention, et les dossiers en charbon, pour faire du feu en vue de préparer bouillie et thé.

8. Certes, le gouvernement a mis sur pied un comité interministériel, piloté par les Ministres de la défense et de l'intérieur, en vue de faire rentrer les propriétaires dans leurs droits, estimant qu'ils ont priorité sur les anciens réfugiés. Mais, le problème ne sera qu'à moitié résolu sinon déplacé, car il faut trouver des maisons pour loger les nouveaux venus et des terres disponibles pour construire ou cultiver. La difficulté procède ici de ce que le Rwanda ne s'étend que sur une superficie de 26 338 km² pour une population estimée avant les hostilités à près de 8 millions, c'est-à-dire, une très forte densité de 350 habitants/km². Les lourdes pertes causées par les massacres puis les épidémies pourraient-elles être compensées par le retour des anciens réfugiés ? On saisira davantage la difficulté si l'on ne perd pas de vue que la surpopulation de ce pays est une des causes rémanentes du conflit armé. A cette difficulté s'ajoutent le banditisme et les exécutions sommaires.

B. Le banditisme et les exécutions sommaires

9. Dans les villes du Rwanda sévissent banditisme et brigandage. Des bandes armées s'adonnent au pillage des maisons et cases. On signale également des disparitions et enlèvements de personnes ainsi que des exécutions sommaires. Ces derniers actes sont attribués, par des rumeurs persistantes, au Front

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patriotique rwandais (FPR). Les membres du gouvernement, qui reconnaissent implicitement les faits, n'en imputent pas la responsabilité au FPR. Ils ne démentent pas cependant le fait que des éléments incontrôlés du FPR ou de l'armée puissent s'adonner à de tels actes par mesures de représailles. Mais, la responsabilité des disparitions et exécutions sommaires pourrait également être imputée aux parents des victimes sur la personne des bourreaux ou de leurs familles par esprit de vengeance. On signale par ailleurs des miliciens à Kigali et dans certaines régions du Rwanda. Ils menaceraient de continuer leurs exécutions sommaires et auraient déjà tué un militaire qu'ils auraient jeté dans un égout. Le nouveau gouvernement a, semble-t-il, engagé des "actions immédiates à l'endroit des fauteurs de troubles" pour assurer la sécurité des personnes et des biens. Mais cette initiative se trouve compromise par l'absence d'une véritable structure administrative.

C. La quasi-absence d'une administration d'Etat

10. La quasi-absence d'une administration d'Etat constitue le troisième élément qui, du reste, peut expliquer les deux autres. Les anciennes autorités politiques, judiciaires et administratives, dominées par le groupe ethnique Hutu, ont fui le pays en même temps que les militaires et au fur et à mesure que l'armée du FPR avançait. En effet, beaucoup d'agents de l'administration centrale et de l'administration locale, et tout particulièrement les préfets et les bourgmestres, ont déserté le pays. Il en va de même des magistrats et surtout des éléments des forces de sécurité, gendarmes et militaires. Les médias ont ainsi annoncé, le mardi 2 août 1994, la présence à Goma de près de 20.000 soldats gouvernementaux. Ce chiffre pourrait s'avérer être bien en deçà de la réalité.

11. Le FPR, qui a remporté la victoire militaire, ne dispose que d'une administration embryonnaire, une administration de guerre qui assure à l'heure actuelle la transition et tout reste à faire. Le pays reste à reconstruire presque ex nihilo. La situation critique d'insécurité où est plongé le Rwanda n'est pas de nature à rassurer ceux qui y habitent, encore moins les réfugiés dont le retour est vivement souhaité par la communauté internationale.

II. LE RETOUR DES REFUGIES ET DES PERSONNES DEPLACEES

12. La grande préoccupation de la communauté internationale à l'heure actuelle est le retour au Rwanda des réfugiés et personnes déplacées. Ceux-ci vivent dans des conditions précaires mais hésitent à rentrer, craignant des représailles de la part des nouvelles autorités et ce, nonobstant les mesures prises pour les rassurer.

A. Les conditions pénibles d'existence

13. Les réfugiés rwandais ont vécu et vivent encore dans des conditions pénibles et dramatiques se rapportant à leur fuite et à leur séjour en terre d'exil.

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1. La fuite

14. Fuyant l'avancée victorieuse des éléments du FPR, des millions de personnes ont déferlé en enfonçant, pour s'y réfugier, les portes des Etats frontaliers, tout particulièrement celles du Zaïre. Le nombre des arrivées est impressionnant, se chiffrant à plusieurs milliers de réfugiés. Un hebdomadaire international annonce le 28 juillet 1994 pour Goma que le rythme était de "12 000 à l'heure". D'autres sources émanant des organismes des Nations Unies font même état de 20 000 à l'heure. Aux populations civiles, il faut ajouter plusieurs milliers de soldats gouvernementaux, mêlés à la foule ou la suivant.

15. Le déferlement de cette marée humaine s'est accompagné non seulement de faim, de soif et d'épuisement dus à la longue marche et au poids des bagages, mais également de nombreux morts par accident (piétinement, asphyxie...) ou par assassinats. De plus, l'arrivée ne sera que le commencement du calvaire des rescapés, car leur séjour ne sera pas moins pénible.

2. Le séjour

16. L'exode des Hutus a contribué à vider davantage le Rwanda de sa population. Le nombre de réfugiés qu'ont entraîné la guerre et les massacres est estimé à la fin du mois de juillet à près de 2,5 millions. La population de réfugiés s'établit comme suit : 1,2 million à Goma, 500 000 au Sud-Kivu, 300 000 à 400 000 en République-Unie de Tanzanie, 150 000 au Burundi, 10 000 à 12 000 en Ouganda. Goma, base arrière de l'"opération Turquoise", est ainsi devenue le premier centre d'accueil des réfugiés, surclassant le camp de Bénaco en Tanzanie. Le drame procède de ce que Goma, qui ne comptait que 300 000 habitants, connaît l'intrusion subite de 1 200 000 personnes supplémentaires, soit le quadruple de sa population. La surpopulation de la ville zaïroise, dans des conditions précaires d'existence, contenait les germes d'un drame humain qui la singularisait. Les conséquences étaient en effet prévisibles. A la famine a succédé une épidémie de choléra. Celle-ci a causé la mort de plusieurs milliers de personnes. Les chiffres avancés ne sont pas précis, variant d'une source à l'autre et donnant lieu à controverse. Le nombre de morts se situerait entre 20 000 et 50 000. Au choléra s'est adjoint une dysenterie qui vient de se déclarer et risque peut-être de revêtir la forme d'une épidémie. Des journalistes ajoutent à la liste des malheurs rwandais la menace d'une éruption volcanique (émanant de deux volcans, le Nyiragongo et le Nyamuragira situés à quelques dizaines de kilomètres au nord de Goma, comme cela a été rapporté dans la presse internationale les 24-25 juillet 1994).

17. En dépit de ces souffrances, les réfugiés hésitent à rentrer dans leur pays, craignant pour leur vie.

B. La crainte de représailles

18. Les Hutus réfugiés dans les différents Etats frontaliers et tout particulièrement à Goma veulent bien rentrer chez eux, mais craignent que les nouvelles autorités politiques à dominante Tutsi ne se vengent et ne les massacrent. Ils se trouvent ainsi enfermés dans un dilemme difficile à dénouer, la seule alternative qui s'offre à eux : mourir de maladie (choléra, dysenterie...) ou au contraire risquer les représailles. Cette crainte, qui

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trouve son origine dans le génocide des Tutsis, est entretenue et exacerbée à la fois par la Radio Télévision Libre des Milles Collines (RTLM) et par l'ancien gouvernement en fuite.

1. L'action de la RTLM

19. La RTLM a continué sa campagne d'incitation à la haine ethnique et à la violence. Elle aurait appelé les Hutus à quitter le Rwanda pour se réfugier à l'extérieur du pays, tout particulièrement au Zaïre, de peur de se faire massacrer par les nouvelles autorités. L'invitation serait elle-même assortie de représailles à peine voilées à l'encontre des récalcitrants. Il a été rapporté au Rapporteur spécial dans ce sens l'un des propos qui circulent à Goma: "les loups dorment avec les moutons". Et les premiers s'adressant aux seconds, leur lancent "ne rentrez pas, restez avec nous", laissant sous-entendre qu'en cas de refus, la sanction serait inévitable : les loups mangeront les moutons.

20. La pression exercée par la RTLM est d'autant plus forte et efficace qu'elle est bien connue, qu'elle est leur radio et que les Rwandais ont une "culture de radio", ayant presque en permanence leur poste à l'oreille. L'opinion publique s'est réjouie un moment de ce que la "radio qui tue" ait cessé d'émettre. Il a même été rapporté que les militaires français l'avaient neutralisée. Mais il n'en est rien, car pas plus tard que le lundi 1er août 1994, la presse internationale déplorait encore son existence et la campagne par elle orchestrée.

2. L'action de l'ancien gouvernement

21. La campagne menée par la RTLM vient au soutien de l'action entreprise par les anciennes autorités rwandaises. Des témoignages concordants et dignes de foi ont en effet révélé que ceux-ci ont appelé les populations Hutus à les suivre dans leur retraite de peur de se faire massacrer par le FPR et les Tutsis. Cette invitation, dit-on, aurait fait l'objet d'une véritable campagne menée par les médias, des préfets, des officiers de l'armée et de la gendarmerie, ainsi que par des bourgmestres. Elle s'appréhenderait beaucoup plus comme un ordre qu'une simple recommandation, les destinataires n'ayant pas le choix. Car un grand nombre de Hutus aurait été forcé à les suivre, constituant ainsi de véritables otages. Et ceux qui ont refusé auraient été considérés comme des collaborateurs des Tutsis et de ce fait massacrés. L'on rapporte en ce sens le témoignage de plusieurs personnes, dont une institutrice, qui auraient déclaré être allées à Goma contre leur gré "pour ne pas risquer leur vie". Tout se passe comme si la fuite de cette marée humaine vers les Etats frontaliers du Rwanda et tout particulièrement vers le Zaïre (Goma) n'était pas spontanée et désordonnée mais forcée et planifiée. Les Hutus craignent à la fois les massacres supposés perpétrés par les nouvelles autorités tutsis et ceux effectivement commis par les anciennes autorités hutus. Cette situation a conduit le FPR, sous la pression de la communauté internationale, à prendre des mesures destinées à rassurer les réfugiés et les personnes déplacées.

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C. Les mesures destinées à rassurer les réfugiés
et les personnes déplacées

22. Pour exhorter les réfugiés et les personnes déplacées à rentrer chez eux, diverses mesures ont été prises par le nouveau gouvernement autant que par la communauté internationale.

1. Le nouveau Gouvernement rwandais

23. Dans le but de favoriser le retour au pays des nationaux, le nouveau Gouvernement rwandais a entrepris essentiellement deux actions.

24. La première a consisté dans les discours prononcés par les plus hautes autorités de l'Etat. Le Président de la République, le Vice-Président et le Premier Ministre ont, en effet, respectivement invité les réfugiés à rentrer en leur donnant l'assurance qu'ils n'avaient rien à craindre ni pour leur personne ni pour leurs biens. Il a été précisé qu'ils récupéreront ce qu'ils ont laissé et que priorité était donnée à leurs droits sur ceux des anciens réfugiés. Un tel engagement, certes interne, mais souscrit devant la communauté internationale, n'est pas sans portée réelle. Toutefois, certains observateurs craignent que les réfugiés n'aient pas accès à l'information diffusée sur la radio rwandaise en raison de la portée limitée de ses émissions à la région de Kigali. Des membres du gouvernement ont cependant précisé que l'objection devait être relativisée, ne valant que lorsque la radio émet en modulation de fréquence. Il importe à ce stade de se demander si les réfugiés écoutent ou ont le temps d'écouter la radio rwandaise. Par ailleurs, à supposer qu'ils le fassent, ne considéreront-ils pas l'engagement du gouvernement comme relevant du discours politique, y voyant là-même un piège, eu égard à toute la campagne orchestrée par les anciennes autorités rwandaises ? Les discours doivent donc être suivis dans les meilleurs délais de mesures concrètes d'application pour emporter l'adhésion des réfugiés sceptiques.

25. La seconde action est constituée par les accords conclus par le Président de la République à la fin du mois de juillet dernier avec ses quatre homologues des Etats frontaliers : Zaïre, Tanzanie, Burundi et Ouganda. Dans ces instruments internationaux, les Etats s'accordent essentiellement sur quatre points :

- a) Retour en toute liberté des réfugiés au Rwanda;
- b) Non-utilisation des territoires des Etats de refuge comme base de déstabilisation du Rwanda;
- c) Désarmement des militaires et des personnes armées;
- d) Cessation immédiate des radios mobiles incitant à la haine ethnique au cas où elles existeraient.

26. S'ils étaient appliqués, ces accords seraient de nature à favoriser le retour des réfugiés Hutus au Rwanda. Mais ces mesures restent encore insuffisantes et doivent être complétées par celles de la communauté internationale.

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2. La communauté internationale

27. Le terme de communauté internationale doit être appréhendé lato sensu, englobant non seulement les organes des Nations Unies mais également des Etats Membres et les différentes organisations non gouvernementales qui concourent sur le terrain à la sauvegarde des vies humaines.

28. La communauté internationale ainsi entendue a mis sur pied toute une série de mesures destinées à favoriser le retour des réfugiés et des personnes déplacées en toute sécurité. Faute de les citer toutes, quelques-unes, les plus récentes, seront mentionnées à titre d'illustration :

a) La mise en place de relais humanitaires sur les routes de retour des réfugiés est envisagée par le HCR et la MINUAR. Ces "routes humanitaires" iraient notamment de Goma et Bukavu à Kigali et seraient jalonnées à intervalles réguliers de ponts de ravitaillement en eau, en nourriture et en médicaments;

b) L'installation de soutiens techniques et logistiques ainsi que le débarquement de vivres sont prévus, non au camp des réfugiés ni sur les "routes humanitaires", mais directement au Rwanda. C'est la stratégie adoptée par les Etats-Unis d'Amérique pour attirer les réfugiés et favoriser ainsi leur retour au Rwanda. Cette politique a déjà eu un commencement d'exécution dès le dimanche 31 juillet 1994 par le débarquement de soldats et de matériels américains;

c) L'installation de stations de radio destinées à faire circuler l'information auprès des réfugiés. L'information porterait sur leur sécurité et contrebalancerait les rumeurs alarmistes des extrémistes Hutus. A cet effet, deux stations de radio ont déjà été mises sur pied. La première, la section suisse de Reporters sans frontières, dirigée par le journaliste Philippe Dahinden, a en principe commencé à émettre de Bukavu au Zaïre, tandis que la seconde, animée par Reporters sans frontières devrait l'être à partir de Goma. Mais ces mesures demeurent encore insuffisantes. Aussi le Rapporteur spécial a-t-il suggéré quelques propositions qui ont reçu l'accord du Gouvernement.

III. PROPOSITIONS ET RECOMMANDATIONS

29. Le Rapporteur spécial dans ses entretiens avec les membres du gouvernement a émis certaines suggestions ou propositions qui ont été favorablement accueillies. Ces propositions dont, à la vérité, certaines semblaient déjà acquises, sont destinées essentiellement au retour des réfugiés et à la paix sociale au Rwanda. Elles se rapportent au non-recours à des représailles, à des mesures complémentaires rassurantes et au déploiement des spécialistes des droits de l'homme des Nations Unies sur le terrain.

A. Le non-recours à des représailles

30. Le but principal de la démarche du Rapporteur spécial auprès des nouvelles autorités de Kigali était de s'assurer qu'elles n'allaient pas se livrer à des exécutions sommaires. Le Rapporteur spécial a été satisfait de la réponse qu'il a reçue des différentes personnalités rencontrées et qui, de surcroît, ne comportait aucune équivoque. Elle s'énonce en ces termes : le nouveau gouvernement s'engage non seulement à ne pas entreprendre des mesures ou des

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actes de représailles mais de plus à punir les personnes qui se livreraient à de tels actes. C'est ainsi que le Premier Ministre a déclaré : "Je m'engage à ne pas laisser les exécutions sommaires se perpétrer, les personnes coupables seront châtiées... On ne peut tolérer l'impunité dans ce pays."

31. L'impunité étant l'une des sources de violations graves des droits de l'homme, dont le génocide, au Rwanda, le gouvernement affirme sa ferme détermination à la "tarir". C'est en ce sens qu'une réorganisation rapide de l'appareil judiciaire est entreprise par le Ministre de la justice. Il a été également affirmé avec non moins de fermeté que le non-recours aux représailles et la poursuite des coupables du génocide, qui lui est inextricablement lié, sont les conditions indispensables à la réconciliation et à l'unité nationales, dont la nécessité s'impose impérieusement. Le Rapporteur spécial a enregistré avec satisfaction ces points de vue qui coïncident avec ceux par lui exprimés dans son rapport préliminaire.

32. Le non-recours à des mesures de représailles, déjà contenu dans les discours précités des trois premières personnalités politiques de l'Etat et qui n'exclut pas la poursuite des coupables du génocide, vise un double objectif. Le premier est destiné, dans l'immédiat, à rassurer les réfugiés de ce qu'ils pourront regagner leurs collines et maisons en toute quiétude et sécurité. Le second tend, dans un terme plus ou moins long, à prévenir la justice privée et à ramener ainsi définitivement la paix sociale au Rwanda.

33. Mais dans l'immédiat, cette position, pour louable et appréciable qu'elle soit, n'en est pas moins limitée. Aussi le Rapporteur spécial a-t-il proposé des mesures complémentaires.

B. Les mesures complémentaires rassurantes

34. Le Rapporteur spécial a suggéré aux autorités politiques de prendre un certain nombre de mesures concrètes en complément de celles déjà adoptées en vue de rassurer davantage les réfugiés. Ces suggestions se répartissent en mesures immédiates et à court terme.

1. Les mesures immédiates

35. Les mesures immédiates comportent :

a) Une campagne d'explication à l'adresse des populations vivant sur le territoire national tendant à déplorer et à condamner les massacres, à compatir à la douleur des victimes et des familles endeuillées, à leur donner l'assurance que les coupables seront jugés et punis par la justice et à leur demander, avec instance, de s'abstenir de se livrer à la justice privée de peur d'encourir des sanctions sévères;

b) Des circulaires, notes de service et instructions adressées à toutes les autorités nationales ou locales, leur enjoignant de ne tolérer aucun acte de représailles et d'engager les poursuites contre les coupables de tels actes;

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c) Une réglementation interdisant et réprimant sévèrement les actes incitant à la haine ethnique et à la violence. En ce sens, le Rapporteur spécial s'est félicité de ce que les nouvelles cartes d'identité, aux dires des membres du gouvernement, ne comportent plus mention de l'appartenance ethnique.

2. Les mesures à court terme

36. Les mesures à court terme préconisées par le Rapporteur spécial ont trait essentiellement à l'éducation aux droits de l'homme et au respect scrupuleux de la dignité humaine. Cette éducation serait assurée à la fois par l'école et par la radio. Il s'agirait tout simplement de l'intégrer dans leurs programmes respectifs. L'on mesurera la portée d'une telle action si l'on garde à l'esprit, à court terme, la "culture de la radio" au Rwanda, et, à moyen terme, le rôle de l'école dans la formation des personnes pour les générations à venir.

37. Ces mesures à effet lointain devraient être prises dans les meilleurs délais et complétées par le déploiement des spécialistes des droits de l'homme des Nations Unies sur le terrain.

C. Le déploiement des spécialistes des droits de l'homme des Nations Unies

38. Le Rapporteur spécial a enfin obtenu l'adhésion des autorités rwandaises à l'idée de déployer des spécialistes des droits de l'homme des Nations Unies sur l'ensemble du territoire national. Il a mis l'accent sur le rôle de ces observateurs et le dispositif y afférent.

1. Le rôle des spécialistes des droits de l'homme des Nations Unies

39. La présence des spécialistes sur le terrain présente des avantages certains afférents aux divers rôles qu'ils sont susceptibles de jouer : persuasion, dissuasion, prévention et défense.

40. La première consiste à redonner confiance aux réfugiés et aux personnes déplacées pour qu'ils rentrent en toute quiétude, car la présence de tels spécialistes est en elle-même rassurante, en ce qu'elle peut constituer une garantie pour eux contre d'éventuels massacres. Elle est également dissuasive en ce sens que les nouvelles autorités se garderont d'exercer des représailles en présence des spécialistes des Nations Unies, qui, de surcroît, vérifieront la bonne foi et la sincérité des autorités de ne pas entreprendre des mesures de représailles.

41. La dissuasion renvoie ainsi à la prévention en ce qu'elle prévient de nouvelles violations des droits de l'homme par la présence des spécialistes des Nations Unies, qui surveilleront le retour des réfugiés en s'assurant de leur sécurité et en aidant à leur réinstallation dans le strict respect de leurs droits. Enfin, la défense consistera purement et simplement dans l'assistance aux enquêtes sur le terrain en vue d'établir les preuves sur les différentes violations des droits de l'homme par les parties au conflit et les auteurs du massacre et du génocide.

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2. Le dispositif

42. Le dispositif envisagé par le Rapporteur spécial comporte trois phases. Au départ, pour tenir compte de la modicité des moyens du Centre pour les droits de l'homme et de l'urgence, les spécialistes des Nations Unies se réduiraient à 20 spécialistes répartis comme suit :

a) 10 destinés à suivre les personnes réfugiées tout le long du parcours des "routes humanitaires" précitées;

b) 10 autres évoluant, à raison d'un par ville, dans les 10 principales agglomérations suivantes : Kigali; Butare (à 136 km de Kigali); Byumba (75 km); Gitarama (53 km); Kibungo (108 km); Kibuye (139 km); Gisenyi (175 km); Gikongoro (165 km); Ruhengeri (116 km); Cyangugu (291 km). Au fur et à mesure que les réfugiés et les personnes déplacées rentrent chez eux, les spécialistes déployés le long des "routes humanitaires" pourraient se joindre à ceux placés dans les localités mentionnées auparavant.

43. Dans un second temps, dès que ses moyens le permettront, l'Organisation des Nations Unies devrait déployer entre 150 et 200 spécialistes sur l'ensemble du territoire rwandais durant une période minimum de six mois afin de surveiller non seulement le retour mais aussi la reconstruction de l'Etat rwandais, tout en menant les enquêtes nécessaires en vue d'établir la manifestation de la vérité sur les massacres. Le dispositif atteindra ainsi son plein régime durant la première période difficile de reconstruction nationale où les droits de l'homme et les libertés fondamentales risquent d'être exposés à des violations graves.

44. En troisième lieu, à la fin de la période de reconstruction nationale, l'Organisation des Nations Unies devrait progressivement procéder au retrait des spécialistes sur le terrain pour ne laisser sur place qu'une cinquantaine de personnes en vue de terminer l'enquête jusqu'à la fin du mandat du Rapporteur spécial.

45. Telles sont l'ensemble des mesures qui devraient, si elles étaient appliquées, vaincre la réticence des réfugiés et des personnes déplacées et permettre leur retour massif, tout en garantissant leur sécurité. A l'heure actuelle, l'interruption de leur convoyage par les Nations Unies est justifiée par l'épidémie de choléra que l'on veut éviter d'importer au Rwanda. Il faut espérer que les épidémies seront très bientôt enrayerées et que les réfugiés rwandais regagneront sans difficultés leurs collines et leurs maisons.

46. L'assistance internationale aux efforts de réconciliation et reconstruction au Rwanda est indispensable. C'est la raison pour laquelle le Rapporteur spécial joint sa voix à celle du Haut Commissaire aux droits de l'homme qui, le 2 août 1994, a lancé un appel pressant à la communauté internationale pour qu'elle soutienne, moyennant des contributions volontaires, le déploiement des spécialistes des droits de l'homme sur le terrain avec l'appui logistique nécessaire dans les meilleurs délais.

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47. Des enquêtes sont actuellement menées dans la région au sud-ouest du Rwanda par l'équipe de spécialistes des droits de l'homme établie par le Haut Commissaire aux droits de l'homme. Elles feront bientôt l'objet d'un rapport.



General Assembly

Distr.
GENERAL

A/48/944
23 May 1994
ENGLISH
ORIGINAL: FRENCH

Forty-eighth session
Agenda item 31

THE SITUATION OF DEMOCRACY AND HUMAN RIGHTS IN HAITI

Letter dated 13 May 1994 from the Permanent Representative of
Haiti to the United Nations addressed to the Secretary-General

Further to the letter dated 23 March 1994 addressed to you by President Jean-Bertrand Aristide, I have the honour to enclose herewith the text of the terms of reference and procedures which were negotiated with your Special Envoy, Mr. Dante Caputo, for the deployment of the International Civilian Mission in Haiti.

I should be grateful if you would have the text of this letter and its annex distributed as a document of the General Assembly under agenda item 31.

(Signed) Fritz LONGCHAMP
Permanent Representative

Annex

INTERNATIONAL CIVILIAN MISSION IN HAITI

1. The International Civilian Mission in Haiti (subsequently referred to as the Mission) is hereby set up in response to the request which the President of Haiti, Jean-Bertrand Aristide, put forward in his letter of 8 January 1993, addressed to the Secretary-General of the United Nations and the Secretary-General of the Organization of American States.
2. The Mission shall carry out its mandate in accordance with the decisions taken and the agreements concluded by the Secretaries-General of the two organizations and, more specifically, in pursuance of the provisions of this document.
3. The objective of the Mission shall be to ensure that the human rights laid down in the Constitution of Haiti and the international instruments to which Haiti is party, especially the International Covenant on Civil and Political Rights and the American Convention on Human Rights, are respected in Haiti.
4. The Mission shall exercise its mandate throughout the territory of Haiti. It shall be provided, at the headquarters of each of the two organizations, with a support group.
5. The Mission shall be composed of two groups, the members of which shall come from the two organizations. Each group shall have a director in Haiti. The two directors shall report regularly on the progress of their mission, through the intermediary of the Special Envoy, to the Secretaries-General of the two organizations, who shall, in turn, report to the competent bodies of each organization.
6. The Special Envoy shall be entrusted with the task of supervising the activities of the Mission.
7. Each group shall be governed, in respect of the administrative and budgetary aspects, by the applicable rules in the organization to which it belongs. The financing of each group shall be undertaken separately by the United Nations and the Organization of American States.
8. The Special Envoy shall make the necessary arrangements concerning the presence of the Mission in Haiti.
9. The Special Envoy shall assess the political situation in Haiti with the assistance of the Mission.
10. In order to enable it to achieve its goals, the Mission shall have the following mandate:
 - (a) The Mission shall attach particular attention to respect for the rights to life, integrity and security of the person, individual liberty, freedom of expression and freedom of association;

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(b) The Mission shall acquaint itself with the human rights situation in Haiti and shall take any initiative it may deem useful in order to ensure recognition and respect for these rights;

(c) The Mission shall, in particular, be able to:

- (i) Ensure respect for human rights in Haiti;
- (ii) Receive communications relating to human rights violations by any person, group of persons or organization in Haiti;
- (iii) Travel freely to any place and enter any establishment without being accompanied and without giving notice;
- (iv) Convene freely in any part of Haitian territory;
- (v) Talk freely and in confidence with any person, any group or any member of any body or institution;
- (vi) Gather, by the means it considers appropriate, any information it may deem relevant;
- (vii) Put forward recommendations relating to its conclusions on cases or situations which come within its purview;
- (viii) Verify that the competent authorities have taken action on those recommendations;
- (ix) Devise and launch a campaign aimed at educating the general public in human rights and at explaining to it the mandate of the Mission itself;
- (x) Utilize, where necessary, the mass media for discharging its mandate;
- (xi) Assist the judiciary in strengthening the legal means of guaranteeing the exercise of human rights and respect for legal procedures.

11. The review by the Mission of a case or a situation shall not prejudice the application to such case or situation of the international and inter-American rules on the recognition and protection of human rights. The Mission's mandate shall not be a substitute for the mandates of the United Nations Human Rights Committee and the Inter-American Commission on Human Rights, respectively, in the application of the International Covenant on Civil and Political Rights and the American Convention on Human Rights.

12. The Haitian authorities undertake to render all necessary assistance to the Mission. For that purpose, they undertake to:

(a) Provide the Mission with all the facilities it may need in order to carry out its mandate;

/...

(b) Ensure the security of persons who have communicated information, provided testimony or furnished evidence of any kind to the Mission, if the Mission deems it appropriate;

(c) Provide, as soon as possible, any information requested by the Mission;

(d) Implement, as rapidly as possible, recommendations made to them by the Mission;

(e) Refrain from obstructing the Mission in the performance of its tasks.

13. The Mission shall issue a special identity document to each of its members.

14. The Haitian authorities shall take the necessary steps to guarantee the security of members of the Mission and ensure their protection, both in respect of the physical integrity of persons and as regards property.

15. The privileges and immunities enjoyed by members of the Mission shall be the same as those applicable to members of the two organizations under their respective constituent charters, the relevant agreements in force in Haiti and the agreements concerning the operation of the offices of the two organizations in Haiti.

16. The members of the Mission shall enjoy, in particular, the following privileges and immunities:

(a) Immunity from personal arrest or detention and immunity from any jurisdiction in respect of oral or written statements they may make in the exercise of their functions;

(b) Inviolability of all papers and documents;

(c) The right to communicate with their respective headquarters and with each other by radio, telephone, fax, satellite links or any other means of communication, and to receive all documents or correspondence, which shall enjoy the same privileges and immunities as those which apply to couriers, emissaries and diplomat agents;

(d) The right to use any means of transport for travel within Haitian territory;

(e) Complete freedom of movement of personnel, equipment and vehicles in all parts of the country.

17. Mission premises shall be inviolable. The property and assets of such premises shall be exempt from any form of executive, administrative, judiciary or legislative constraint.

18. The archives of the Mission and all documents therein shall be inviolable, wherever they may be.

/...

19. Privileges and immunities shall be granted to members of the Mission with a view to ensuring their complete independence in the exercise of their functions and shall not be used to their personal advantage or for the purpose of engaging in activities contrary to Haitian law.

20. The Mission is initially established for one year and its mandate is renewable.

* * *

21. Immediately upon deployment of the Mission, the Special Envoy shall initiate discussions in order to evaluate requirements and ways and means of strengthening democracy, accelerating economic development and modernizing and professionalizing the institutions that will guarantee justice and a stable democratic order. The discussions will focus, in particular, on reform of the judiciary, professionalization of the Armed Forces and separation of the police and the Armed Forces. On the basis of the Special Envoy's conclusions, the United Nations and the Organization of American States shall engage in the necessary consultations in order to implement these technical cooperation initiatives.



General Assembly

Distr.
LIMITED

A/C.5/48/L.27
22 December 1993

ORIGINAL: ENGLISH

Forty-eighth session
FIFTH COMMITTEE
Agenda item 164

FINANCING OF THE UNITED NATIONS OBSERVER MISSION UGANDA-RWANDA

Draft decision submitted by the Chairman

The General Assembly,

In accordance with the framework set out in General Assembly resolution 48/___ of ___ December 1993,*

Having considered the report of the Secretary-General on the financing of seventeen peace-keeping operations 1/ and the related reports of the Advisory Committee on Administrative and Budgetary Questions, 2/ and concurring with the observations of the Advisory Committee,

(a) Notes that the integration of the United Nations Observer Mission Uganda-Rwanda within the United Nations Assistance Mission for Rwanda is purely administrative in nature and that it will in no way affect the mandate of the United Nations Observer Mission Uganda-Rwanda as set out in Security Council resolution 846 (1993) of 22 June 1993;

(b) Decides that, in view of the commitment authorization provided by the Advisory Committee on Administrative and Budgetary Questions to the United Nations Observer Mission Uganda-Rwanda, in accordance with General Assembly resolution 41/187 of 20 December 1991, no action is required at this time pending consideration of the report of the Secretary-General on the financing of the United Nations Observer Mission Uganda-Rwanda.

* Resolution to be adopted on agenda item 138.

1/ A/C.5/48/40.

2/ A/48/782 and A/48/778.

93-72529 (E) 221293



Asamblea General

Distr.
LIMITADA

A/C.5/48/L.27
22 de diciembre de 1993
ESPAÑOL
ORIGINAL: INGLÉS

Cuadragésimo octavo período de sesiones
QUINTA COMISION
Tema 164 del programa

FINANCIACION DE LA MISION DE OBSERVADORES DE LAS
NACIONES UNIDAS PARA UGANDA Y RWANDA

Proyecto de decisión presentado por el Presidente

La Asamblea General,

De conformidad con el marco establecido en su resolución 48/___, de ___
diciembre de 1993*,

Habiendo examinado el informe del Secretario General sobre la financiación
de diecisiete operaciones de mantenimiento de la paz¹ y los informes conexos de
la Comisión Consultiva en Asuntos Administrativos y de Presupuesto², y
coincidiendo con las observaciones de la Comisión Consultiva,

a) Toma nota de que la integración de la Misión de Observadores de las
Naciones Unidas para Uganda y Rwanda y la Misión de Asistencia de las Naciones
Unidas para Rwanda es de índole puramente administrativa y no afectará de
ninguna manera el mandato de la Misión de Observadores de las Naciones Unidas
para Uganda y Rwanda, establecido en la resolución 846 (1993) del Consejo de
Seguridad, de 22 de junio de 1993;

* Resolución que se aprobará en relación con el tema 138 del programa.

¹ A/C.5/48/40.

² A/48/782 y A/48/778.

b) Decide que, habida cuenta de la autorización para contraer compromisos que ha concedido la Comisión Consultiva en Asuntos Administrativos y de Presupuesto a la Misión de Observadores de las Naciones Unidas para Uganda y Rwanda, de conformidad con la resolución 41/187 de la Asamblea General, de 20 de diciembre de 1991, por el momento no es preciso adoptar ninguna medida en espera de que se examine el informe del Secretario General relativo a la financiación de la Misión de Observadores de las Naciones Unidas para Uganda y Rwanda.



General Assembly

Forty-eighth Session

93rd Meeting

Thursday, 14 April 1994, 10.30
New York

Official Records

President: Mr. Insanally (Guyana)

The meeting was called to order at 11 a.m.

Tribute to the memory of the late President of the Republic of Burundi, His Excellency Mr. Cyprien Ntaryamira; the late President of the Rwandese Republic, His Excellency Major-General Juvénal Habyarimana; and former President of the International Court of Justice, His Excellency the late Mr. Eduardo Jiménez de Aréchaga of Uruguay

The President: Before we consider the items on the agenda for this morning, the General Assembly will pay tribute to the memory of the late President of the Republic of Burundi, His Excellency Mr. Cyprien Ntaryamira, and the late President of the Rwandese Republic, His Excellency Major-General Juvénal Habyarimana.

I have the sad duty today of presiding over a tribute of condolences to yet another President of Burundi. It was only on 29 October 1993 that we convened to pay our respects to President Melchior Ndadaye, who was assassinated shortly after his election to office. We meet on this occasion to honour President Cyprien Ntaryamira, who died tragically in his quest to bring peace and reconciliation to his native land. On behalf of the General Assembly, I should like to extend our deepest sympathy to the Government and people of Burundi and to the bereaved family in their tragic loss.

On behalf of the General Assembly, I should also like to offer our sincere condolences to the Government and people of Rwanda and to the bereaved family on the tragic death of His Excellency Major-General Juvénal

Habyarimana, President of the Rwandese Republic. I had the honour of meeting President Habyarimana last October, when he addressed the Assembly to call for a return to stability in Rwanda. Sadly, his mission of peace has now been tragically aborted.

It is my hope that the lives of these two leaders will not have been sacrificed in vain, and that the international community will do all in its power to assist both Burundi and Rwanda to resolve the situation of fratricidal conflict which threatens to bring further chaos, bloodshed and suffering to those two nations.

The Assembly will also pay tribute to the memory of a former President of the International Court of Justice, His Excellency the late Mr. Eduardo Jiménez de Aréchaga. A prominent judge, teacher and public personality of Uruguay and the Americas, Mr. Jiménez de Aréchaga had also been Under-Secretary for Foreign Affairs of Uruguay.

I should like to ask the delegation of Uruguay to accept and to transmit to the Government of Uruguay and to Mr. Jiménez de Aréchaga's bereaved family our expression of sympathy at this sad loss.

I invite representatives to stand and observe a minute of silence in tribute to their memory.

The members of the General Assembly observed a minute of silence.

94-85390 (E)

This record is subject to correction. Correction should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Verbatim Reporting Section, Room C-178, and incorporated in a copy of the record. Corrections will be issued after the end of the session in a consolidated corrigendum. When the result of a recorded and/or roll-call vote is followed by an asterisk, see annex to the record.

The President: I now call on the representative of Cameroon, who will speak on behalf of the African States.

Mr. Biloa Tang (Cameroon) (*interpretation from French*): Rwanda and, once again, Burundi have suffered a blow by the passing away of their Heads of State under tragic and painful circumstances. On this sad occasion, I would like, on behalf of the African Group and on my own behalf, to pay tribute to these distinguished victims and to express our most heartfelt and sincere condolences to the bereaved families and to the authorities and fraternal peoples of these two countries.

We have the same feelings about the victims of the violence linked to the painful developments in the region, which have brought enormous destruction and considerable material losses.

We believe that above all it is now urgently necessary to restore peace, stability and security to Rwanda and Burundi. It is in this sense that one should understand the positions adopted by the African Group at the emergency meeting held here in New York on 11 April. The Group basically appealed for an immediate cease-fire, the cantonment of troops at the positions they held before the outbreak of the current hostilities and the cessation of the insane violence that has overtaken Rwanda. The international community must also take urgent action to protect the lives and possessions of Rwandese and other civilians. In this context, it seems to us that the United Nations Assistance Mission for Rwanda (UNAMIR) should be strengthened.

Likewise, with a view to facilitating the restoration of peace, the Arusha Peace Accord should be given every chance to be fully implemented. Furthermore, appropriate international humanitarian assistance should be mobilized for Rwanda and Burundi.

The international community must therefore respond to the hopes and urgent needs of Rwanda and Burundi at this time of severe tribulation, thus demonstrating that the people of Rwanda and Burundi will not be left on their own. We believe that together we can meet these challenges.

Finally, I pay a heartfelt tribute, and express our condolences, on the occasion of the passing away of Mr. Eduardo Jiménez de Aréchaga of Uruguay. We offer our sincere condolences to his family and the bereaved people and Government of Uruguay. We hope that the contribution made by Mr. Jiménez de Aréchaga to the

development of international law will last and be built upon.

The President: I now call on the representative of Mongolia, who will speak on behalf of the Asian States.

Mr. Erdenechuluun (Mongolia): It is with a sense of profound sorrow and pain that I speak today as Chairman of the Group of Asian States Members of the United Nations.

On behalf of the members of the Asian Group, I extend our deepest condolences to the Governments and peoples of Burundi and Rwanda upon the tragic deaths of President Cyprien Ntaryamira and President Juvénal Habyarimana. Our condolences and sympathy also go to the families of the Presidents and of those others who were victims of the terrible crash.

Here we cannot but condemn the acts of violence and attacks on the members of the United Nations Assistance Mission for Rwanda (UNAMIR), which resulted in the deaths of 10 Belgian peace-keepers. We bow our heads before these courageous people who died in the line of duty.

The late Presidents paid the ultimate price for the peace and unity of their peoples and countries. Let us hope that these tragic losses will again expose the absurdity of the civil conflict and war, and will serve to further promote national and international efforts to halt the violence and bring peace and national reconciliation to the people of Burundi and Rwanda, who are suffering so much.

May I, on behalf of the Asian Group, extend our sincere condolences upon the sudden death of Mr. Eduardo Jiménez de Aréchaga to the Government of Uruguay and the bereaved family. Former President of the International Court of Justice, Under-Secretary for Foreign Affairs of Uruguay, prominent judge, teacher and public personality of Uruguay and the Americas, Mr. Jiménez de Aréchaga made his own important contribution to the development of international relations and left a distinctive mark and legacy in the practice and theory of international law. He will be remembered and respected as a dedicated teacher whose students will now carry his baton by continuing his work.

The President: I now call on the representative of Armenia, who will speak on behalf of the Eastern European States.

Mr. Arzoumanian (Armenia): The member States of the Eastern European Group are deeply saddened by the tragic news of the untimely deaths of the Heads of State of two African countries, President Juvénal Habyarimana of Rwanda and President Cyprien Ntaryamira of Burundi.

It is all the more tragic that their deaths occurred on their way from Dar es Salaam, where African leaders had gathered to further the peace process. Presidents Juvénal Habyarimana of Rwanda and Cyprien Ntaryamira of Burundi deserve a high tribute for their dedication and their contribution to the cause of peace and national reconciliation.

In this hour of grief in Rwanda and Burundi, we, the members of the Group of Eastern European States, extend our deepest sympathy and sincere condolences to the peoples of Rwanda and Burundi and to the bereaved families.

It is yet another sad duty to express, on behalf of the member States of the Eastern European Group, our heartfelt condolences and sympathy to the Government and the people of Uruguay and to the bereaved family on the sudden death of Mr. Eduardo Jiménez de Aréchaga, former President of the International Court of Justice and Under-Secretary for Foreign Affairs of Uruguay.

The members of the Eastern European Group share the profound sorrow of the Government of Uruguay in connection with the loss of this significant political figure and public personality of the highest calibre, and we deeply appreciate Mr. Eduardo Jiménez de Aréchaga's important contribution to the elaboration of international law throughout his career.

The President: I now call on the representative of Haiti, who will speak on behalf of the Latin American and Caribbean States.

Mr. Longchamp (Haiti) (interpretation from French): Fatal accidents are a sad part of the reality of life. None the less, the international community was moved to learn on 6 April of the incident in Rwanda that cost the lives of two Heads of State of the region: the President of the Republic of Burundi, His Excellency Mr. Cyprien Ntaryamira, and the President of the Rwandese Republic, His Excellency Major-General Juvénal Habyarimana.

We had hardly swallowed this bitter pill when we learned of many acts of violence that followed this accident

and that resulted in the cruel and brutal deaths of so many others: the Prime Minister of Rwanda, the Minister of Information, the Minister of Agriculture, the Minister of Labour and Social Affairs and the President of the Constitutional Court, not to mention soldiers of the Belgian battalion, Jesuit priests and thousands of civilians.

It is ironic that these mass killings took place at a time when the Heads of State of these two brotherly countries had been making unprecedented efforts to rid their societies of the use of force as a means of resolving conflicts and to restore peace in their countries.

I wish, on behalf of the member States of the Latin American and Caribbean Group, which I have the honour to represent this month, to express sincere condolences to the Governments and peoples of Burundi and Rwanda and to the thousands of women and children affected.

On behalf of the Group I also urgently appeal to the international community to use all possible means to help restore peace in those two countries, thus sparing the neighbouring countries - already beset by many problems - the burden of having to deal with the pressing needs of refugees. We hope those peoples will find the security and confidence to tackle undisturbed the arduous struggle for development.

On almost the same date the Government and people of Uruguay mourned the passing of Mr. Eduardo Jiménez de Aréchaga, Under-Secretary of State for Foreign Affairs of Uruguay and former President of the International Court of Justice. On behalf of the Group, I take this opportunity to express our sympathy to all those grieving this sad loss.

The President: I now call on the representative of Turkey, who will speak on behalf of the Western European and Other States.

Mr. Güven (Turkey): It was with profound sorrow that the Group learned of the tragic deaths of His Excellency Mr. Juvénal Habyarimana, President of the Rwandese Republic, and His Excellency Mr. Cyprien Ntaryamira, President of the Republic of Burundi, in an air crash on their way back from a summit meeting in Tanzania held for the purpose of re-establishing peace and security in their region. With feelings of deep grief, we wish to pay tribute to the memories of both Presidents. Both these eminent statesmen of highly distinguished qualities were

recognized and respected by the international community for their dedication and devotion to the cause of peace in their countries, as well as in Central Africa, and they lost their lives in the pursuit of that ideal.

We deeply regret that thousands of civilian lives have been lost and that there have been casualties among personnel of the United Nations Assistance Mission for Rwanda (UNAMIR) personnel, there with the aim of implementing the Arusha Peace Agreement. We express our hope for an immediate return to normality in that region.

It is also with deep sorrow that we have been informed of the sudden demise of Mr. Eduardo Jiménez de Aréchaga, former President of the International Court of Justice. We express our utmost regret at the loss of such a prominent judge, statesman, teacher and public personality of the American continent.

I should like to conclude by expressing our Group's sincere and heartfelt condolences and feelings of sympathy to the Governments and the peoples of both the Rwandese Republic and the Republic of Burundi, to the bereaved families of the late President Habyarimana and the late President Ntaryamira, to the family of Mr. Jiménez de Aréchaga and to the families of the United Nations personnel.

The President: I now call on the representative of the United States of America, who will speak for the host country.

Mr. Inderfurth (United States of America): The United States Government is deeply saddened by the untimely and unfortunate deaths of President Habyarimana of Rwanda and President Ntaryamira of Burundi. That the attack on the lives of these two men should have occurred as they returned from a regional summit in Dar es Salaam, where they were attempting to devise a strategy to bring peace to that troubled region of the world, is doubly saddening.

The ensuing conflagration in Rwanda magnifies this tragedy. Thousands have died, including United Nations peace-keepers. We pray that the killing will stop. We appeal to all warring factions in Rwanda to put an end to the spiral of violence and return to the peace process. We commend the citizens and leadership of neighbouring Burundi for the restraint they have shown in the face of these events and urge them to continue peacefully with their plans to hold elections shortly for a new President.

On behalf of the Government of the United States, I wish to express profound condolences to the Governments of Rwanda and Burundi and to the families of the two fallen Presidents.

We also note with sadness the loss of a distinguished international jurist and former President of the International Court of Justice, Eduardo Jiménez de Aréchaga of Uruguay. The judge's association with the United Nations and other international organizations spanned four decades, from 1948 to 1988. To those who knew him personally he was a warm and generous colleague. To others he is remembered as a jurist and scholar who greatly enriched the law. We extend sincere condolences to the Government of Uruguay and to the family of this esteemed jurist.

The President: I now call on the representative of Burundi to speak in response.

Mr. Sinunguruzza (Burundi) (*interpretation from French*): His Excellency Mr. Cyprien Ntaryamira was the second President of Burundi to die within the past six months. One can imagine the total dismay of the people of Burundi when it learned on Wednesday, 6 April 1994, of his tragic death only two months after he took office. The blow was all the greater in that this new cause for mourning compounds that which the people of Burundi had been suffering since October following the assassination of its first democratically elected President, His Excellency Melchior Ndadaye, and the death of thousands of innocent victims of the interethnic massacres that ensued.

From this rostrum, members have just paid their last tributes to our illustrious deceased President. I wish to thank them all sincerely. In my turn, I should like to take up that task. We wish first to offer our sincere condolences to the brotherly people of Rwanda, which has experienced the same tragedy as the people of Burundi. We hope that the violence it is currently suffering will come to a rapid end so that the Rwandese people can return to dialogue.

To the brotherly people of Uruguay, we also offer our heartfelt condolences. We also offer our deepest sympathies to the United Nations, which is mourning the deaths of Belgian peace-keepers.

Finally, I should like personally and on behalf of the people, Government and delegation of Burundi, to thank all those who, since the beginning of the tragedies that

have repeatedly struck my country, have shown us tokens of their sympathy and have encouraged us to rise above and bear with dignity the harsh trials that have befallen us twice in less than six months.

I wish to thank in particular all those who, from this rostrum, have just spoken on behalf of their Governments and regional organizations for their expressions of sympathy and support for the people and Government of Burundi. I also thank the Security Council which, through its President, Mr. Colin Keating, conveyed its sincere condolences to the people of Burundi on the very day of the accident.

With the support of the international community, we are certain that the people of Burundi, which mourns its President in dignity, cannot fail to overcome these difficulties or to pursue the course of peace and reconciliation which Mr. Ntaryamira set in motion during the two months of his presidency.

His Excellency Cyprien Ntaryamira gave his life for his country. Trained as an agronomist, he threw himself body and soul into the promotion of agriculture in the countryside, a sector which comprises 80 per cent of the population of Burundi. Following the first democratic elections in Burundi, which took place in June 1993, he was put in charge of the important Ministry of Agriculture and Livestock.

In October 1993, the impetus towards democracy was checked by the assassination of His Excellency Mr. Melchior Ndadaye and by the interethnic massacres that followed. A lengthy crisis ensued. After an intensive effort involving the Government, the established political parties and the country's political and moral leaders, a consensus emerged that the person capable of restoring calm and peace was His Excellency Cyprien Ntaryamira.

His level-headedness, his integrity, his insight and his strong sense of the national interest are qualities that made him sought after by political and moral leaders as the one person able to achieve calm and consensus. He was the embodiment of hope for everyone in Burundi, particularly that broad sector of the population which makes its living in agriculture and which identified with this agronomist, whose competence and experience made him eminently qualified to resolve Burundi's agricultural land management problems.

In his inaugural speech of 5 February 1994, he unveiled in plain language his vision for a unitary society:

"In our plan for society, we demand and we teach respect for human rights. Be he Hutu, Tutsi or Twa, the citizen of Burundi, his loved ones and his property must be respected.

"No ethnic group is to be exterminated or crushed. No ethnic group is better than another and all people of Burundi are equal before God and the law. Our goal is to restore Burundi on the road of understanding. The people of Burundi must trust and respect one another. They must unite in a climate of peace and trust to rebuild what has been destroyed."

Unfortunately, hope was short-lived. Returning from Dar es Salaam, where he had been discussing with fellow leaders of the region the priority issues on his agenda for peace and security in Burundi and Rwanda, His Excellency Cyprien Ntaryamira was aboard the Rwandan presidential plane. On its approach to Kigali airport in Rwanda, the aircraft crashed. All the occupants lost their lives. Those from Burundi included His Excellency Mr. Cyprien Ntaryamira, President of the Republic; Mr. Bernard Ciza, Minister for Development Planning and Reconstruction; and Mr. Cyriaque Simbizi, Minister for Communications and Spokesperson for the Government.

Upon announcement of our President's death, a group of high-ranking governmental authorities was empanelled to monitor and defuse any unrest linked to the tragic event. I am very happy to report that the situation today is calm throughout the country thanks to the broadcasting of messages of peace and visits among the populace by members of the Government and the National Assembly.

I have taken note of the congratulations of Mr. Boutros Boutros-Ghali, Secretary-General of the United Nations, to the people of Burundi, who, in his words, "have responded to the tragedy with exemplary forbearance and restraint".

I take this occasion to reiterate our thanks to the United Nations for all the support it has given Burundi since the beginning of the crisis. We ask the Organization to continue supporting us in our efforts to maintain peace and national reconciliation in Burundi, particularly now that remaining internal difficulties stemming from the crisis of October 1993 are compounded by the need to support Rwandese refugees on our soil.

I can assure you, Mr. President, that my Government wishes to restore the institution of the presidency quickly in order to avoid a lengthy power vacuum at the very apex of the State. In the mean time, the Constitutional Court has already indicated that the office of President is vacant, and the President of the National Assembly is now acting as a caretaker President.

In conclusion, I should like once again to reiterate my thanks, and to assure you that my Government will always give pride of place to the principle of concertation in all the steps it takes along the road towards reconciliation for the people of Burundi.

Mr. Bizimana (Rwanda) (*interpretation from French*): I should like, on this sad occasion, on behalf of the people of Rwanda, to say how touched we are by the warm tributes paid to our sorely missed President, His Excellency Major-General Juvénal Habyarimana, who died on 6 April at the age of 57 after an attack on the plane bringing him back from the regional summit meeting at Dar es Salaam, in Tanzania, on the efforts to restore peace in Rwanda and in Burundi.

My delegation would like to express its heartfelt thanks for all the expressions of condolence and the statements of encouragement and sympathy that have been conveyed to us by you, Mr. President, the Secretary-General, Mr. Boutros Boutros-Ghali, the heads of the main bodies in the United Nations system, the Chairmen of the United Nations regional Groups and the delegation of the host country, the United States of America. I shall convey those condolences to the family of our late lamented President and to the Rwandese Government and people.

We also with great sadness pay tribute to the memory of the late President of Burundi, His Excellency Mr. Cyprien Ntaryamira, who was himself killed in the assassination of the Rwandese Head of State. We reiterate here to the delegation of Burundi our feelings of solidarity and ask it to be so good as to convey our sincere condolences to the family of His Excellency President Ntaryamira and to the Government of fraternal people of Burundi.

The assassination of the Rwandese Head of State has hit us hard, and causes the people of Rwanda great sadness. His loss deprives the Rwandese people of a man of consensus who, throughout his career - as Chief of Staff of the National Guard from 1 July 1963, Minister for the National Guard and Police since 1965 and President of the Republic since 5 July 1973 - served his country with

devotion and selflessness. His love for his country and his people is expressed in his devotion and in his constant commitment to the ideal of unity and harmony in the national effort for development and social well-being.

Abroad, President Habyarimana always promoted and showed his faith in African unity as an essential element for Africa's social and economic progress. At the international level, I shall refer only to his last speech in praise of our Organization, which he delivered on 6 October last, when in this Assembly, from this very rostrum, he paid a sincere tribute to our international Organization for all the activities undertaken, carried out with skill, designed to restore peace in regions and countries devastated by war, to prevent other conflicts and assist disadvantaged peoples or those sorely tried by disasters of all types. He made it clear that although the means at our Organization's disposal are limited the Organization is the last hope of the peoples. He went on to reaffirm Rwanda's unfailing determination to work for the advent of peace in the world and understanding between nations. President Habyarimana was always inspired by the ideals underlying the creation of the United Nations and worked tirelessly to promote them.

I pray that the solemn tributes paid today to the memory and the remarkable qualities as a politician of the Rwandese Head of State, assassinated while serving the cause of peace, will be accompanied by an active determination on the part of the international community to take forceful steps in the cause of peace in Rwanda, where the human tragedy, the violence and the hostilities are taking a great toll and are where thousands of people are left in desolation awaiting humanitarian assistance of many kinds.

Mrs. Flores (Uruguay) (*interpretation from Spanish*): My delegation wishes to express its profound grief at the tragic deaths of His Excellency Mr. Cyprien Ntaryamira, President of the Republic of Burundi, and of His Excellency Major-General Juvénal Habyarimana, President of the Rwandese Republic, and to convey our grief to the peoples and Governments of the two countries.

The delegation of Uruguay also wishes to express its deep gratitude for the expressions of solidarity from various delegations on the sad loss of the well-known international jurist Mr. Eduardo Jiménez de Aréchaga. He was an outstanding personality in many fields of human activity.

He began his teaching career as Professor of International Law at Montevideo University, where he acquired an international reputation and became one of the most outstanding examples of Latin American learning. In over 20 years as a professor, he passed on his knowledge in an outstanding way and trained generations of students and teachers who recognized him indisputably as their mentor. His thinking is reflected in many written works, of which the "*Derecho Constitucional de las Naciones Unidas*", which combines academic rigour and political realism in an exemplary manner, is particularly noteworthy.

International law, in his view, had a twofold objective: to achieve change in the order and order in the change. He felt that international law was called upon to fulfil a dynamic function as an instrument of change based on the interdependence that now exists between States.

His experience in the United Nations was complemented by his experience as a member for many years of the International Law Commission, whose President he became in 1963. As a representative of Uruguay to the two United Nations Conferences on the Law of Treaties, he was elected Rapporteur in 1968 and 1969.

His extensive international career culminated in his election as Judge and President of the International Court of Justice. It was during his years in those offices that the review of the Court's rules of procedure took place.

His well-balanced and innovative thinking was reflected in his subsequent activities as a member of arbitration panels. Indeed, arbitration law has been enriched with new theories such as "constructive compensation for moral damage," which was reflected in the New York arbitration award. Innovative recommendations on his part for the solution of problems coming before him led to subsequent developments in international law.

In addition to his extensive career in the international sphere, he played an important role in Uruguay. Over the years, he held important posts in our country in various offices of State. All of this amply demonstrated his enormous capacity for work and his ability to adapt to the most varied circumstances.

Those of us who had the privilege of knowing Mr. Eduardo Jiménez de Aréchaga and of appreciating the many aspects of his personality can affirm that although he

has physically left us, there can be no doubt that through his work, and especially through the humanism that characterized him, he will always be present for each and every one of us.

Introduction of reports of the Fifth Committee

The President: The Assembly will now consider the reports of the Fifth Committee on agenda items 17 (b), 133, 136 and 159. I request the Rapporteur of the Fifth Committee to introduce the reports in a single intervention.

Mr. Kabir (Bangladesh), Rapporteur of the Fifth Committee: I have the honour to present to the General Assembly the reports of the Fifth Committee on agenda item 17 (b) and the remaining outstanding issues related to the financing of peace-keeping operations.

On agenda item 17 (b), entitled "Appointment of members of the Committee on Contributions", part II of the report of the Fifth Committee is contained in document A/48/693/Add.1.

In paragraph 4 of that report, the Committee recommended to the General Assembly the appointment of Mr. Uldis Blukis of Latvia to fill the unexpired portion left vacant by the resignation of Mr. Imre Karbuczky of Hungary - that is, until 31 December 1994. The Committee recommended by acclamation the appointment of Mr. Blukis.

Concerning agenda item 133, entitled "Financing of the United Nations Mission for the Referendum in Western Sahara", part II of the report of the Fifth Committee is contained in document A/48/816/Add.1. In paragraph 10 of that report the Fifth Committee recommended to the General Assembly the adoption of draft resolution A/C.5/48/L.62, as orally revised, which was adopted by the Committee without a vote.

On agenda item 159, entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991", part II of the report of the Fifth Committee is contained in document A/48/802/Add.1. In paragraph 6 of that report the Committee recommends to the General Assembly the adoption of draft resolution A/C.5/48/L.61, which was adopted by the Committee without a vote.

On agenda item 136, entitled "Financing of the United Nations Protection Force", part IV of the report of the Fifth Committee is contained in document A/48/819/Add.3. In paragraph 6 of that report the Committee recommends to the General Assembly the adoption of a draft decision submitted orally by the Chairman, which was adopted by the Committee without a vote.

Those draft resolutions and decisions were adopted by the Committee by consensus at its 61st meeting on 8 April 1994.

The President: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Fifth Committee which are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote or position.

The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records. May I remind members that under paragraph 7 of decision 34/401, the General Assembly agreed that:

"When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I also remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we shall proceed to take decisions in the same manner as was done in the Committee.

Agenda item 17 (continued)

Appointments to fill vacancies in subsidiary organs and other appointments

(b) Appointment of members of the Committee on Contributions: report of the Fifth Committee (Part II) (A/48/693/Add.1)

The President: In paragraph 4 of its report the Fifth Committee recommends that the Assembly should appoint Mr. Uldis Blukis as a member of the Committee on Contributions for a term of office beginning on 14 April 1994 and ending on 31 December 1994.

May I take it that it is the wish of the Assembly to appoint the person recommended?

It was so decided.

The President: May I also take it that it is the wish of the General Assembly to conclude its consideration of agenda item 17 (b)?

It was so decided.

Agenda item 133 (continued)

Financing of the United Nations Mission for the Referendum in Western Sahara: report of the Fifth Committee (Part II) (A/48/816/Add.1)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 10 of part II of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 48/250).

The President: We have thus concluded this stage of our consideration of agenda item 133.

Agenda item 136 (continued)

Financing of the United Nations Protection Force: report of the Fifth Committee (Part IV) (A/48/819/Add.3)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 6 of part IV of its report.

That draft decision was adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to do the same?

The draft decision was adopted.

The President: We have thus concluded this stage of our consideration of agenda item 136.

Agenda item 159 (continued)

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991: report of the Fifth Committee (Part II) (A/48/802/Add.1)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of part II of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 48/251).

The President: I shall now call on those representatives who wish to explain their position on the resolution that has just been adopted.

Mr. Inderfurth (United States of America): My Government welcomes the recommendation of the Fifth Committee authorizing the Secretary-General to commit up to \$11 million in funds for the war crimes Tribunal for the former Yugoslavia this calendar year. It is our understanding that this amount, when combined with voluntary contributions, should provide adequate funding for the Tribunal to operate effectively.

The United States places a very high priority on the work of the war crimes Tribunal. We urge Member States to support it and cooperate with it in every way possible. My own Government is making a voluntary cash contribution of \$3 million. We are providing millions of dollars' worth of goods and services. We have provided hundreds of refugee interview reports, and we will cooperate fully in seeing that the legal mandate of the Tribunal is fulfilled.

I want to acknowledge the efforts of other Governments as well. I note particularly that the Netherlands has been helpful in providing a seat for the Tribunal at The Hague. The Government of Pakistan has made a \$1 million voluntary contribution. Germany and Denmark have apprehended individuals suspected of committing war crimes in Bosnia, and numerous Governments have played a constructive role in the effort to recruit outstanding individuals as judges and prosecutors.

The United States believes the war crimes Tribunal is important for five reasons.

First, the magnitude of the war crimes committed in the former Yugoslavia clearly merits an international legal response.

Secondly, the prospect of being punished for war crimes may cause some potential violators of human rights to refrain from future abuses. The very existence of the Tribunal may save lives and discourage further aggression.

Thirdly, the Tribunal will make it easier for the people of the former Yugoslavia to achieve a durable peace. Responsibility for the crimes committed there does not rest with the Serbs or Croats or Muslims as peoples; it rests with the individual people who ordered and committed the crimes. The wounds opened by war will heal much faster if collective guilt for atrocities is expunged and individual responsibility is assigned.

Fourthly, the Tribunal can be a deterrent to other potential aggressors around the world. In doing so, it serves the fundamental goal of the United Nations, which is to save humankind from the scourge of war.

Finally, the war crimes Tribunal can strengthen the fabric of international law. For example, it gives life to the principle that the laws of war should be applied irrespective of battlefield success. It reinforces the status

of rape during armed conflict as a violation of international humanitarian law. It recognizes that interference with the delivery of humanitarian aid is a war crime, something which has broad implications for future United Nations missions, and it clarifies that there is a corollary to the right to emigrate, and that is the right to remain, a right directly opposed to "ethnic cleansing".

These are key principles. Made concrete, they would shield the citizens not of one ethnic group in the former Yugoslavia, but of each, and they would provide an extra margin of security to us all. Clearly, the war crimes Tribunal will not revolutionize human behaviour. It will not stop all aggression. It will not end war crimes. It will not, even in the best case, ensure more than a measure of justice in the former Yugoslavia. But it will, at least, place the force and prestige of international law squarely on the side of the victims of this conflict. It will enhance the prospects for a durable peace. It will add a measure of caution to the scales and the minds of would be aggressors, and it will strengthen perceptively the foundations of civilized society in a perilously unstable world.

The United States urges all Members to support the war crimes Tribunal, financially and otherwise, and we look forward to working with other Members to make the Tribunal a success.

Mr. Zevelakis (Greece): I have the honour to speak on behalf of the European Union in explanation of position after the adoption of the resolution on agenda item 159, entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991".

The European Union has in various instances stressed the particular importance it attaches to the securing of a sound financial basis which will enable the International Tribunal to fulfil its mandate. We would like, therefore, to express our satisfaction at the adoption of the resolution by the General Assembly.

By the resolution just adopted, the General Assembly has provided the Secretary-General with the means to allow the Tribunal to operate; namely, it has authorized the Secretary-General to enter into commitments of up to \$11 million for the period from 1 January to 31 December 1994, and to proceed with the signing of the lease for the premises of the Tribunal as well as with the employment of the necessary staff.

The European Union noted with satisfaction the statement made to the Fifth Committee by the Controller of the Organization, Mr. Yukio Takasu, who indicated the specific measures that the Secretary-General will take in implementing the resolution in order to respond speedily and effectively to the current needs of the Tribunal. We wish to refer to the entry into a four-year lease agreement and a one-year employment contract. In the same context, we especially welcome the information that the judges will be provided with basic remuneration on an annual basis for the period of their appointment.

We concur with the assessment that these measures will indeed provide an indispensable foundation for the operation of the Tribunal. Furthermore, it is our understanding that should any additional requirements arise before the submission of the performance report the Secretary-General will inform Member States accordingly.

We also recognize the cash flow concerns expressed by the Controller, and we would like to reiterate our readiness to accept an additional assessment for the financing of the Tribunal.

Despite the fact that the adoption of this resolution successfully meets the imminent needs of the financing of the Tribunal, it does not address all the aspects of the issue, leaving the question of the mode of financing to be settled at a later stage. It will be recalled that during the debate in the Fifth Committee the European Union stressed that the Tribunal should be financed as a section of the regular budget of the United Nations.

For the benefit of the continuation of the review of this item that the General Assembly will undertake, we avail ourselves of this opportunity to contribute the following elements to future discussions.

Being a jurisdictional mechanism, the Tribunal constitutes what is essentially considered to be a regular budget activity. We wish to emphasize, in this context, that the financing of the International Court of Justice - a jurisdictional mechanism *par excellence*, and indeed one competent for the settlement of disputes between States and thus directly related to issues pertaining to the maintenance of international peace and security - is financed by a section of the regular budget. Indeed, the financing of bodies entrusted with the administration of justice is the responsibility of all Member States alike. We therefore believe that the integration of the Tribunal into the regular budget is the appropriate course of

action, especially taking into account that other activities of the Organization related to peace and security are financed in that way.

As an additional point, addressing a shared concern of a number of Member States, the European Union wishes to reiterate that in providing resources for the Tribunal the General Assembly should not prejudice the funding of other regular budget activities and programmes.

In conclusion, we would like to underline that the resolution was adopted by consensus, in conformity with the procedure of the Fifth Committee, and we remain convinced that we will be able to arrive at a decision on the outstanding aspects of this issue in the same way.

Mr. Jadmani (Pakistan): I have the honour to speak on behalf of the members of the Organization of the Islamic Conference Contact Group on Bosnia and Herzegovina in explanation of position after the adoption of the resolution.

The members of the Organization of the Islamic Conference (OIC) have consistently and strongly advocated the expeditious establishment and immediate commencement of the work of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991. We attach great importance to the work of the Tribunal, through which the perpetrators of crimes against humanity would be brought to justice. The international community owes this debt to the innocent victims of torture, rape, pogroms and ethnic and religious cleansing. Needless to say, in order for the Tribunal to achieve this objective, it requires adequate resources and a sound financial basis.

The Tribunal was established in May 1993. However, after almost a year it remains hostage to the issue of finances. The General Assembly has not been able to agree on the mode of financing. As an interim measure, the Secretary-General is being granted commitment authority to make the necessary administrative arrangements for the functioning of the Tribunal. A decision has been postponed once again. We therefore remain gravely concerned by the continued deferral of a final decision on the mode of financing. A temporary solution through short-term decisions such as commitment authority does not meet the long-term requirements of the Tribunal.

As emphasized by the Assembly in its resolution 47/235 of 14 September 1993 and is reaffirmed in this resolution, the Tribunal should be financed through the assessed contributions. This is the only means by which its independence and impartiality can be guaranteed. The Assembly should decide on this question at the earliest possible moment. In this regard, the reports requested of the Secretary-General on the future needs of the Tribunal would amply facilitate the work of the Assembly.

We attach particular importance to paragraph 10 of the resolution, by which the Secretary-General has been authorized to make the necessary arrangements to ensure that the Tribunal continues with its ongoing work. We firmly believe that the work of the Tribunal should not be made hostage to the availability of resources; with the resources made available by the General Assembly, the Secretary-General should intensify his efforts to accelerate the work of the Tribunal so that the perpetrators of those crimes for which the Tribunal is established are brought to justice immediately.

Finally, the delegates of the OIC Contact Group joined the consensus on the resolution in the usual spirit of Fifth Committee work. However, we hope that the General Assembly will accord high priority to this important matter and take a decision in the spirit of consensus at the earliest possible moment.

Mr. Dankwa (Ghana): On behalf of the Ghana delegation, I have the honour to explain our position on the decision the Assembly has just taken on the resolution contained in document A/48/802/Add.1, of 12 April 1994, on the financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

The Ghana delegation welcomes the adoption of the resolution without a vote as yet another expression of the commitment of the international community not only to restore peace and security in the territory of the former Yugoslavia, but also to guarantee the world against a recurrence of such unbridled violation of international humanitarian law, even in the event of a breakdown of law and order.

The Ghana delegation is, however, disappointed that objective realities did not make it possible for the Secretary-General to present justifiable estimates on the basis of which the General Assembly could have

determined, even in approximate terms, the administrative and budget requirements of the Tribunal. As a consequence, the Assembly has had no choice but to provide a commitment authority to enable the Secretary-General to take appropriate measures, particularly those with budgetary implications, for the functioning of the Tribunal from 1 January 1994 to 31 December 1994. It is the hope and expectation of the Ghana delegation that all efforts will be deployed by the Secretary-General to provide a complete, detailed budgetary estimate as early as possible, as requested by the resolution.

The Ghana delegation is gratified to note that the Secretary-General considers reasonable and adequate the amount of \$11 million provided as the level of commitment authority. Our delegation is ready to work with other delegations to find solutions to whatever problems or difficulties may emerge in the course of the implementation of the resolution.

The crucial question of the mode of financing the operations of the Tribunal still remains unresolved. The Ghana delegation subscribes to the view that the Tribunal should, as a matter of principle, be financed under the provisions of Article 17 of the Charter. The expenses of the Tribunal should be borne by members as apportioned by the General Assembly. While voluntary contributions may come in handy and should not be discouraged, the Organization should ensure, as expressed in the resolution, that the acceptance of such voluntary contributions in cash, kind or personnel is consistent with the impartiality and independence required and expected of the Tribunal, and that such voluntary contributions are supplementary to the assessed contributions.

The Ghana delegation recognizes that the Tribunal was established under Chapter VII of the Charter, through Security Council resolutions 808 (1993) of 22 February 1993 and 827 (1993) of 25 May 1993, for the sole purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia between 1 January 1991 and a date to be determined by the Council upon the restoration of peace. We wish to stress the Tribunal's limited jurisdiction in terms of scope and place, as well as the general understanding of time limitation, and urge the Security Council to keep under constant review the operations of the Tribunal to ensure compliance with the terms of the resolutions.

The Ghana delegation also recalls that in resolution 808 (1993) the Security Council determined that

the situation that necessitated the establishment of the Tribunal constituted a threat to international peace and security and that the establishment of the Tribunal would contribute to the restoration and maintenance of peace. Whatever nature is ascribed to the operations of the Tribunal, it is an indisputable fact that it was conceived and born in the context of Chapter VII of the Charter as a means of maintaining international peace and security. It was that, and that alone, that provided a jurisdictional basis for the action by the Security Council.

It is therefore the considered opinion of the Ghana delegation that, in accordance with the established practice of the United Nations, in order to meet the expenditures of the Tribunal through apportionment, as required under Article 17 of the Charter, we require a different procedure from the one applied to meet expenditures of the regular budget of the United Nations; that due account should be taken of the special responsibilities of certain Member States, as stated in General Assembly resolution 1874 (S-IV) of 27 June 1963; and that those countries in a position to make relatively larger contributions should be provided the opportunity to do so, while the relatively limited capacity of less developed countries should be recognized. A special account, therefore, has to be established for the finances of the Tribunal, and a special scale for peace-keeping or peace-maintenance operations should be applied.

The General Assembly should endeavour to eschew political expediency and uphold its own principles and practices to assure the international community that, in its efforts to construct a new order to replace the confrontational order, the relative jurisdictions of the various organs of the Organization and the underlying principles of the Charter will be respected.

The President: We have heard the last speaker on this matter.

May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 159?

It was so decided.

The meeting rose at 12.15 p.m.

UNITED NATIONS
General Assembly

FORTY-EIGHTH SESSION

Official Records

SECOND COMMITTEE

35th meeting

held on

Thursday, 18 November 1993

at 10 a.m.

New York

SUMMARY RECORD OF THE 35th MEETING

Chairman:

Mr. MONGBE

(Benin)

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Distr. GENERAL

A/C.2/48/SR.35

7 January 1994

ORIGINAL: ENGLISH

93-82492 (E)

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The meeting was called to order at 10.20 a.m.

AGENDA ITEM 98: INTERNATIONAL DECADE FOR NATURAL DISASTER REDUCTION (continued)
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A/48/573-S/26705)

AGENDA ITEM 171: EMERGENCY ASSISTANCE FOR THE SOCIO-ECONOMIC REHABILITATION OF
RWANDA (continued) (A/48/241)

1. Mr. VANDUNEM "MBINDA" (Angola) said that since the resumption of fighting
by UNITA in October 1992, thousands had been killed or wounded and about
3 million persons had become displaced. Despite the difficult conditions, the
Angolan Government had launched a far-reaching programme for economic stability
intended to provide emergency relief to the sectors of the population most
severely affected and to accelerate economic activity. It had also approved
structural adjustment measures including devaluation of the currency in an
effort to promote recovery of the key economic sectors.

2. The economic and social situation in Angola had been aggravated by drought,
famine and war ravaging the central and southern regions. Continuing efforts
were needed on the part of the international community to assist Angola in
rehabilitating its economy. His Government took the opportunity to express its
gratitude for the many forms of assistance provided by various Governments and
organizations and specialized agencies of the United Nations system. It also
paid tribute to those who had lost their lives in the course of humanitarian
efforts in Angola. International assistance to Angola should begin to move from
the stage of purely humanitarian assistance to encompass rehabilitation and
development for long-term results, however.

/...

(Mr. Vandunem "Mbinda", Angola)

3. He confirmed that the Government of Angola and UNITA were once again meeting face to face under United Nations auspices, and expressed the hope that peace would finally prevail.

4. Mr. OZOLINS (World Health Organization), reporting on the progress of the International Programme on the Health Effects of the Chernobyl Accident (IPHECA), said that it was a cooperative effort among Belarus, the Russian Federation and Ukraine as the affected States, WHO and a number of other countries and organizations, financed exclusively by voluntary resources. It concentrated on the highest priority health issues: leukaemia and related blood diseases, selected thyroid diseases, brain damage from prenatal exposure and management of epidemiological registers. Pilot projects were being implemented in each of those areas. Specialists had examined thousands of people, both adults and children, and WHO had assisted the effort by providing equipment and instrumentation, diagnostic kits, international expertise and training of specialists.

5. Special attention continued to be given to the incidence of thyroid cancer, particularly in Belarus. A meeting of experts held in October 1992 in Kiev had confirmed that a considerable increase had occurred in the incidence of thyroid cancer in children in Belarus and, to a lesser extent, in Ukraine; the incidence among adults had also increased. Scientists were still seeking answers to the enigma of the wide variations in the epidemiological situation of thyroid cancer from one country or region to another. A long-term epidemiological study of children exposed to radio-iodine was needed.

6. The International Programme was intended to be sustained over several decades. Its main aim was to relieve the health consequences of the accident by assisting the health authorities in affected countries and providing equipment, training, expert advice and exchange of information. Its other objective was to consolidate experience gained, thereby improving medical preparedness for the future. The limited financial support available for the pilot phase would be exhausted by mid-1994, but the need to continue the programme was obvious. Support was required to continue and expand the projects on thyroid, haematology, developmental brain disorders and standardized registration of data and information. In addition, the long-term epidemiological study of thyroid cancer incidence in the affected areas was a high priority. New activities, including the study and treatment of the persons who had taken part in the immediate aftermath of the accident, the identification and reduction of its psycho-social impact, genetic effects and dose reconstruction were also needed. The knowledge and experience gained from the aftermath of Chernobyl would benefit the entire international community. Health studies would make an essential contribution to the assessment of the total impact of the accident, allowing for the development of realistic emergency preparedness and response plans if similar events occurred in the future. They also provided a unique addition to the body of knowledge of the risks from activities involving exposure to radiation, thus improving comparisons of the risks of different forms of energy production.

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7. Mr. ACHARYA (Nepal), commenting on the International Decade for Natural Disaster Reduction, said that whereas the developed countries generally suffered heavy capital losses and relatively lower loss of life, in developing countries the situation was the reverse. The suffering of the survivors, however, was the same.

8. The continuum from relief to rehabilitation and development must be part of any strategy to mitigate the consequences of natural disasters. Relief assistance did, indeed, save many lives, but relief must be followed by rehabilitation and development. Accordingly, some flexibility must be built into the country programmes of the United Nations operational agencies. An appropriate development strategy was the most important matter for consideration at the upcoming World Conference on Natural Disaster Reduction.

9. The report of the Secretary-General on strengthening the coordination of humanitarian emergency assistance (A/48/536) indicated that the United Nations system was well prepared to provide early warning, assess needs, prepare appeals and implement relief activities. The transfer of such technology and knowledge to developing countries must be increased, however. In 1993, Nepal had experienced the worst floods and landslides in its history. Thousands of people had lost their homes and livelihoods and the damage to infrastructure was enormous. It was a stark reminder that Nepal, a country prone to natural disaster, did not have even the most basic capabilities in areas such as hazard mapping and risk assessment. The World Conference must emphasize a mechanism to ensure the transfer of knowledge and technology on prevention to developing countries.

10. With the establishment of the Department of Humanitarian Affairs, coordination among United Nations agencies had improved, but much remained to be done. As the General Assembly had stressed at its forty-fourth session, special attention must be given to the least developed, land-locked and island developing countries. Their special problems must be taken into account when deciding on any action plan designed in the context of the Decade.

11. Mr. PETERS (Office of the United Nations High Commissioner for Refugees), said that the level and emphasis of UNHCR operations varied from one situation to another. In Croatia, for instance, UNHCR was leading the United Nations effort to bring relief to refugees and internally displaced persons. As a result of the resurgence of fighting in Angola, on the other hand, its voluntary repatriation activities had been curtailed. The prospects for voluntary return were marginally better in Afghanistan, where persons willing to repatriate despite the unsettled situation were being assisted by repatriation grant programmes located in Pakistan and Iran. Its activities in Afghanistan had focused on rehabilitation to allow local communities to absorb the internally displaced persons and the estimated 6 million refugees. On a brighter note, major repatriation movements to El Salvador had been concluded and attention was now focused on local settlement of refugees and reintegration of returnee populations.

12. In the search for solutions to the problems facing those countries, three basic points became apparent. First, the suffering in those areas demonstrated the growing discrepancy between the needs of the affected populations and the resources available to meet them. Second, the requirements of reconstruction

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(Mr. Peters)

and rehabilitation demonstrated the need for improved coordination in the transition from relief to rehabilitation. Third, the problems in each of those war-ravaged countries illustrated that humanitarian action could not function in a vacuum, for it merely alleviated the symptoms; only sustained political action by the international community could affect the root causes. Humanitarian and political efforts must therefore be coordinated through mutually supportive action.

13. Coordination from the top down was not always successful, but it could work where realistic, agreed and concrete objectives were spelled out and where coordinating structures were adapted to the demands of particular situations. UNHCR had taken a number of initiatives to strengthen its coordination efforts with development, regional and other humanitarian organizations, United Nations political and peace-keeping initiatives, non-governmental organizations and concerned Governments. The International Conference on Central American Refugees (CIREFCA) process, managed by a joint UNHCR/UNDP support unit, represented a practical model of how coordination on the relief-to-development continuum could work. In May 1993, as the emphasis had shifted from repatriation and relief to reintegration and development, UNDP had assumed leadership of the programme, allowing UNHCR to scale down its activities. In the same vein, the agreement between UNHCR and the World Food Programme was a successful model that could be replicated with other agencies. It specified the modalities and parameters for delivery of food in refugee situations and the relative operational responsibilities, in order to avoid duplication and to ensure complementarity, but it was subject to periodic revision as circumstances changed. In the former Yugoslavia, where UNHCR was the lead agency, coordination had greatly enhanced the complementarity of humanitarian and political efforts.

14. Coordination worked where respective roles were clearly delineated to ensure complementarity and draw on comparative advantage. The constant priority of UNHCR was to reinforce its links with partners and search for new ones in a coordinated international humanitarian effort. In that sense, coordination and partnership were more than abstract concepts; they were a daily goal.

15. Ms. ARYSTANBEKOVA (Kazakhstan) said that, during the first years of the International Decade for Natural Disaster Reduction, severe disasters in various parts of the world had shown that natural disasters continued to pose a major threat to human life and property, and her delegation encouraged the international community to speed up the implementation of the objectives of the Decade through improved coordination and machinery.

16. Her delegation welcomed the efforts of the Department of Humanitarian Affairs to promote coordination within the United Nations system with a view to ensuring a comprehensive approach to natural disaster reduction. Such coordination should continue to benefit from the experience of such United Nations bodies and agencies as the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP), the United Nations Centre for Human Settlements (UNCHS), the Food and Agriculture Organization of the United Nations (FAO), the United

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(Ms. Arystanbekova, Kazakhstan)

Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Health Organization (WHO), especially in the provision of training and technical assistance to disaster-prone countries.

17. Kazakhstan and Central Asia as a whole was a large disaster-prone region which, unfortunately, had not been fully incorporated within the framework of the Decade. Kazakhstan was the ninth largest country in the world, and the diversity of its natural environment and broad industrial infrastructure made it vulnerable to both natural and technological disasters. Earthquakes of up to 7.9 on the Richter scale occurred in the mountainous regions, as did mudflows, avalanches, landslips and landslides, while other regions were vulnerable to spring flooding. In April and May 1993, severe floods in western Kazakhstan, had resulted in heavy death toll and sizeable material losses. Her delegation wished to express the gratitude of the Government and people of Kazakhstan to the United Nations and the Governments of Japan, Italy, Switzerland, the United Kingdom and Luxembourg for their relief assistance to the victims of the flood.

18. The international community was already aware of the man-made disasters of the Aral Sea and the Semipalatinsk nuclear testing site in Kazakhstan. Her delegation called upon the countries of the world to help to avert another environmental disaster in the Caspian Sea region. The rapidly rising level of water in the Caspian Sea not only caused flooding of adjacent territory but also endangered the environmental balance of the entire region.

19. In order to deal with problems of natural and man-made disasters, Kazakhstan had established the State Commission on Emergency Situations. The Commission drew widely on international experience and promoted bilateral and multilateral cooperation. Bilateral agreements were currently being drawn up with the Russian Federation, Germany and Italy.

20. In connection with the activities and programmes of the Decade, the Government had set up the National Committee on the Decade whose main objective was to create a reliable system of natural disaster reduction and to promote cooperation in that field at the international level. Since many major cities, towns and other settlements in Kazakhstan were situated in active seismic zones, the National Committee and the State Commission of Kazakhstan were focusing on earthquake hazards. Kazakh experts believed that a comprehensive approach to the reduction of earthquake hazards should incorporate reliable earthquake forecasting, the use of modern construction technologies and materials, efficient reinforcement of old and unreliable buildings and structures, and education of the population about earthquake-reduction problems. In order to elaborate and implement such a system in Kazakhstan and Central Asia as a whole, national efforts should receive strong international support.

21. Her delegation proposed that the United Nations should establish a Centre of Seismology and Seismic Construction Technologies in Kazakhstan, with headquarters at Alma Ata, which would serve as the Centre's scientific and technical base.

22. Kazakhstan supported the interregional project on the reduction of vulnerability to natural or technological disasters in metropolitan areas, sponsored by the World Bank, UNDP and UNCHS, and invited them to choose

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(Ms. Arystanbekova, Kazakhstan)

Alma Ata, which had a population of 1.5 million and was vulnerable to natural and technological disasters, as a case for their detailed studies. Problems relating to natural and technological disaster reduction in Kazakhstan and Central Asia in general should be addressed within the framework of the Consultative Group meetings of the World Bank and UNDP. Those problems should also be dealt with by the United Nations interim office in Alma Ata.

23. Ms. CAREY (Bahamas), speaking on behalf of the 12 States of the Caribbean Community (CARICOM), said that the International Decade for Natural Disaster Reduction provided the international community with a programme of action to minimize, if not eliminate, the loss of life and devastation resulting from the destructive effects of nature. The Decade should be instrumental in promoting the transfer of appropriate knowledge and technology to those communities in many developing countries that were less capable of reducing the impact of natural disasters. Technical cooperation and development programmes that emphasized technology transfer, institution-building, procurement and installation of equipment and facilities, and human resources development, would help overcome impediments to improvements in disaster reduction.

24. CARICOM commended the initiatives of the international community, including the European Development Fund (EDF), Germany, Italy and the Netherlands, to provide funding specifically for demonstration projects. It also commended the joint effort of the International Council of Scientific Unions and the World Meteorological Organization (WMO) in projects that would improve early warning systems for climate-related hazards. UNDP and the Department of Humanitarian Affairs had held useful workshops in 18 countries and had provided training materials to more than 100 countries. CARICOM also appreciated the UNESCO Training Materials for Disaster Reduction that had been developed for civil servants and the staff of non-governmental organizations.

25. The Pan-Caribbean Disaster Preparedness and Prevention Project, which provided inter alia for training of personnel, technical assistance, surveys of vulnerable areas and improvement of telecommunications systems in the region, had increased the region's capacity for disaster management. Following the conclusion of that project, steps had been taken to create a permanent regional mechanism to provide for an automatic, immediate and coordinated response to natural disasters and humanitarian emergencies; the Caribbean Disaster Emergency Response Agency had become operational in September 1991. One area of concentration in the Agency's work programme for 1993-1996 would involve development of disaster mitigation and prevention strategies in the Caribbean subregion.

26. The implementation of the activities of the Decade must be facilitated through extrabudgetary resources. A solution to the funding problem could be provided by financial institutions, public and private corporations, industrial enterprises, foundations and other non-governmental organizations. Every effort must be made to give top priority to the financing of the Decade. In that regard, CARICOM was looking forward to the 1994 World Conference on Natural Disaster Reduction, which should encourage the exchange of ideas and experiences and promote strategies for disaster preparedness, mitigation and recovery.

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(Ms. Carey, Bahamas)

27. The link between natural disaster prevention and sustainable development had been recognized and incorporated into Agenda 21, and the CARICOM countries welcomed the fact that disaster mitigation programmes would be an integral part of the anticipated outcome of the Global Conference on the Sustainable Development of Small Island Developing States to be held in Barbados in May 1994. That should include specific actions at the regional, national and international levels to assist disaster-prone small States in preparedness, mitigation, response and recovery.

28. The Caribbean Community supported the efforts of the United Nations to intensify special economic and disaster relief assistance, and to link special economic and disaster relief assistance with the development planning of countries affected by disasters. However, it was necessary to focus on enhancing developing countries' capability to reduce and prevent natural disasters, which would enable them to minimize the damage caused to life and property.

29. Mr. ANDEMICAEL (International Atomic Energy Agency) said that, in its efforts to mitigate the radiological consequences of the Chernobyl disaster, the International Atomic Energy Agency (IAEA) had carried out a major project with FAO. Cattle in the areas affected by fallout from the accident were being given a compound called Prussian blue, which radically and safely reduced Caesium-137 contamination in meat and milk. That project had been based on recommendations made by the 1990 International Chernobyl Project, which had been organized by IAEA with the participation of the Commission of the European Communities, FAO, the International Labour Organization (ILO), the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR), WHO and WMO.

30. In corroborating the evidence on the environmental contamination in the area, the International Chernobyl Project had concluded that the long-term radiation doses to people still living in contaminated area were lower than had been originally estimated and were of the same order of magnitude as doses from natural background radiation in some areas of the world. The investigation had found no radiation-related illnesses in the general population, although it had not ruled out the possibility of increased illnesses among a few high-risk groups.

31. The Project had also made several recommendations for further action by the international community. First, the Project had proposed the initiation of programmes to alleviate the psychological effects of the accident. While the importance of such programmes had been recognized by WHO and other organizations dealing with health aspects of the accident, a lack of funds had limited the contribution of international agencies. Secondly, the Project had stressed the importance of implementing programmes to address serious public health issues in the affected areas that were not related to the accident.

32. A third recommendation was that certain high-risk groups, such as children with a high-absorbed thyroid dose, should be covered by specific medical care programmes based on their potential risks. That finding had been reinforced by reports of an increase in the number of children suffering from thyroid cancer in radiation-contaminated areas of Ukraine and Belarus. In order to determine the causes of that increase, it would be necessary to examine the influence not

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(Mr. Andemicael, IAEA)

only of the various inhaled iodine isotopes but also of the administered non-radioactive prophylactic iodine as well as endemic iodine-deficiency problems. A reasonable estimate of the thyroid dose received by the affected individuals and population, along with a solid epidemiological study would make it possible to estimate the number of expected cases. Such studies would be neither easy nor inexpensive, and close cooperation among all the health-related projects must be ensured.

33. The fourth recommendation was that epidemiological studies should concentrate on prospective cohort studies of selected high-risk populations. Improvements should be made in the statistical data-collection and registry systems used by local scientists. In addition, internationally accepted standards and methods should be adopted. While some progress had been made, the response to that recommendation remained limited due to insufficient resources.

34. IAEA was concerned that the actions taken to mitigate the consequences of the Chernobyl accident should be based on scientific studies and, given the shortage of resources, priorities should be set according to objective criteria. IAEA fully supported the Inter-Agency Task Force, whose work was an integral part of the broader effort to coordinate United Nations programmes of assistance to the countries in transition.

35. Mr. NOBILO (Croatia) said that one year after the adoption of General Assembly resolution 47/166 on international cooperation and assistance to alleviate the consequences of war in Croatia and to facilitate its recovery, the conflict in the former Yugoslavia continued to undermine Croatia's economic rehabilitation. Croatia was deeply grateful for the extensive humanitarian assistance contributed by the international community; however, that aid had not been directed to the reconstruction and development of the country, since the overwhelming needs of Bosnia and Herzegovina had forced the international community to reallocate its resources. As a result, the bulk of non-humanitarian assistance to Croatia had been provided through various humanitarian programmes under the coordination of UNHCR.

36. With respect to activities undertaken under the consolidated inter-agency appeal, he said it was unfortunate that so few of the projects had been oriented towards meeting the longer-term reconstruction needs of the country. In addition, many of the small-scale projects initiated under the inter-agency appeal had achieved only limited success due to the complex military situation and the lack of close coordination with Croatian authorities.

37. In regard to the humanitarian effort, he said that the distribution of resources allocated under the humanitarian portion of the inter-agency appeal should take differences in the humanitarian situations in the territories of the former Yugoslavia into account. In the case of Croatia, those differences entailed a shift in emphasis away from short-term humanitarian relief towards programmes for post-war economic recovery and rehabilitation. In that connection, he noted with regret that UNDP and the United Nations had not been adequately represented at the Conference on reconstruction and development of the Croatian economy which was held in Zagreb in May 1993. At the Conference, the Prime Minister of Croatia had pointed out that Croatia was aware of the difficulty of undertaking any major restructuring effort through international

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(Mr. Nobile, Croatia)

capital markets under current conditions; as a result, grants and other forms of international technical cooperation would remain the country's principal source of long-term assistance.

38. Croatia fully recognized the complex situation in which General Assembly resolution 47/166 had to be implemented; nevertheless, he believed that, notwithstanding the difficult conditions prevailing in his country, more might have been possible. Therefore, Croatia urged the international community to explore further possibilities for long-term support for Croatia. In that context, Croatia looked forward to the start-up of its first UNDP country programme in 1994. In conclusion, he supported the adoption of a follow-up resolution to General Assembly resolution 47/166.

39. Mr. CALOVSKI (the former Yugoslav Republic of Macedonia), said that the international community should respond positively to requests for assistance to Angola, Croatia, El Salvador, Rwanda, Liberia, Somalia, Sudan and Afghanistan and also to States affected by the implementation of economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro). His delegation supported efforts to strengthen international cooperation and coordination in dealing with the consequences of the Chernobyl disaster as well as efforts to advance the preparatory work for the World Conference on Natural Disaster Reduction to be held in May 1994.

40. His country was experiencing severe economic hardships as a result of the sanctions regime imposed by the Security Council against the Federal Republic of Yugoslavia (Serbia and Montenegro). Unless assistance was provided by the international community, his Government would soon be faced with an impossible situation. While the international community had expressed much sympathy for his country's problems, no tangible assistance had been forthcoming. In that context, Macedonia appreciated the personal commitment and efforts of the Under-Secretary-General for Humanitarian Affairs to collect additional humanitarian assistance and to deliver it where necessary.

41. Given the scope of the problems facing neighbouring States as a result of the sanctions and since only a few Member States could be members of the Security Council, the latter should keep informed of all decisions relating to sanctions. Moreover, the time had come to implement Article 50 of the United Nations Charter. To do that it was necessary to ensure that those States which were likely to be most affected by decisions taken by the Council should be involved in the decision-making process.

42. Mr. KHANDOGY (Ukraine) said that while economic sanctions had proven to be a politically viable and effective policy, consequences had not been given adequate attention. Those consequences included loss of markets and interruption of relationships with long-standing trading partners, interruption of transport schedules on the Danube and additional costs to Governments of neighbouring States in connection with enforcing and monitoring of the sanctions regime. For Ukraine, the cost of compliance with the sanctions regime would reach \$4 billion by the end of 1993.

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(Mr. Khandogly, Ukraine)

43. To date, the recommendations of the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia had not been implemented. The States which bore special responsibility under the Charter for the maintenance of international peace and security, had not shown sufficient understanding of the economic problems encountered by third-party States. Moreover, whenever the latter raised the question of elaborating a mechanism for the implementation of Article 50 of the Charter, the permanent members of the Security Council had, on various pretexts, delayed consideration of the question. It might be worthwhile to consider establishing a special United Nations fund to compensate third-party States for disruptions caused by strict observance of the sanctions regime.

44. The Organization had worked out a solid package of concepts and proposals to solve the extremely complex and sensitive problem of the consequences of sanctions for third-party States. In that connection, he drew attention to the report of the Secretary-General on the subject (A/48/573), General Assembly resolution A/47/120 and the relevant recommendations of the Security Council Committee established pursuant to resolution 724 (1991).

45. Ukraine believed that the draft resolution to be submitted on the subject adequately reflected the opportunities for resolving the question within the framework of the United Nations.

46. Mr. CATARINO (Portugal) said that the tragic economic and social situation in Angola could be changed only by bringing the conflict in that country to an end through a political settlement within the context of the Peace Accords signed in Lisbon in 1991. Once a political solution could be reached and the peace process resumed, conditions for economic reconstruction and rehabilitation in Angola would be re-established. In order to bring that moment closer, the international community must show its commitment to peace and development in Angola by continuing to provide material, technical and financial assistance. For its part, Portugal was doing everything in its power to bring about a political settlement. In addition to lending political and diplomatic support for the peace process, his country was contributing to the efforts of the international community, through its cooperative programmes, to extend humanitarian and economic assistance to Angola.

47. Mr. RAICHEV (Bulgaria) said that the application of strict economic and trade sanctions on the Federal Republic of Yugoslavia (Serbia and Montenegro) by the Security Council had placed an extraordinary burden on States in the region and undermining economic development.

48. In the case of Bulgaria, the embargo had had an extremely severe impact, for it had disrupted transport along the direct routes to markets in Central and Western Europe and alternative routes which raised the cost of Bulgarian exports. Losses to Bulgaria in 1992 were estimated at approximately US\$ 943.6 million. Moreover, the sanctions had severely affected the development of the private sector, thus seriously undermining the ongoing economic reforms. The combined effect of the above factors in the midst of a generalized economic crisis posed a threat to democracy and social stability in Bulgaria. Bulgaria called once again upon the international community to show

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(Mr. Raichev, Bulgaria)

its support and understanding. He believed that it was the moral, political and legal responsibility of all United Nations Member States to cooperate to ensure that the difficulties of States adversely affected by the application of trade and economic sanctions met with a sympathetic hearing and that concrete assistance was extended to them. Accordingly, Bulgaria, together with a number of other interested States, would introduce a draft resolution on the subject.

49. Mr. AL-JARRAH (United Arab Emirates), referring to agenda item 100, said that his delegation appreciated the humanitarian role of the United Nations and its specialized agencies in various parts of the world. His country had provided financial and moral assistance to Somalia since the beginning of the crisis there and called upon the parties to the dispute to return to the negotiating table with a view to restoring peace and stability and rebuilding the country's infrastructures.

50. His country had provided monetary aid and emergency assistance to Bosnia, whose Muslim population had suffered greatly at the hands of Serbia, Montenegro and the Bosnian Serbs and Croats. It was confident that the United Nations, the Security Council and the international community would deal with that question on the basis of the United Nations Charter so as to restore peace and stability.

51. The United Arab Emirates urged the international community to provide assistance for the reconstruction of Lebanon and also stressed the importance of the continued role of the United Nations and its specialized agencies in providing humanitarian assistance to Afghanistan.

52. Ms. JOPLING (World Food Programme) said that the World Food Programme (WFP) was responding to an increasing number of emergencies throughout the world and, in 1992, had dispensed more than 3 million tons of food assistance for refugees and displaced persons. As food was only one component of relief efforts, WFP was cooperating closely with other organizations in rehabilitation work in Afghanistan, Angola, Liberia and El Salvador and in addressing emergencies in Rwanda, Somalia and the Sudan.

53. The creation of the Department of Humanitarian Affairs constituted an important milestone for the United Nations system and the Department had already played a crucial role in complex emergency relief efforts, acting as a facilitator in emergencies where peace-keeping, peacemaking and humanitarian issues were inextricably linked. Its role was to coordinate, while the agencies carried out the field operations. WFP welcomed the strong emphasis placed by the Department on the continuum from relief to rehabilitation to development and reaffirmed its commitment to support emergency prevention programmes and the International Decade for Natural Disaster Reduction.

54. Mr. MAHMOUD (Lebanon), speaking on agenda item 100, drew attention to salient points in the Secretary-General's report on assistance for the reconstruction and development of Lebanon (A/48/453). The report noted a disappointing lack of progress in economic recovery and continuing social hardship, which necessitated humanitarian assistance for low-income and other vulnerable groups. In addition, the continued Israeli occupation was adversely affecting the reconstruction progress in southern Lebanon.

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(Mr. Mahmoud, Lebanon)

55. At the request of the Lebanese Government, the Secretary-General had organized an inter-agency emergency humanitarian needs assessment mission to South Lebanon and West Bekaa, which had formulated projects amounting to a total of US\$ 29 million.

56. Those and other activities by the United Nations system in Lebanon played a vital catalytic role in capacity-building and developing human resources in different sectors of the economy. The ambitious projects planned for Lebanon, however, remained hostage to regional political circumstances, exacting a heavy toll from the people of that country. While his Government was grateful for the support provided by friendly countries of the Gulf region and the European Community, Lebanon had been suffering for 17 years and he regretted, therefore, the reluctance by donor countries to support vigorous efforts to revitalize the Lebanese economy.

57. Mr. DUBČEK (Slovakia) speaking on agenda item 169, said that, while the Slovak Republic complied fully with all the resolutions of the General Assembly and the Security Council, sanctions rarely affected the violator only. As the Secretary-General had stated in "An Agenda for Peace", States confronted with special economic problems should also have a realistic possibility of having their difficulties addressed. Having exhausted the possibilities available under Article 50 of the Charter of the United Nations, the Slovak Republic was among those States which were still severely affected by the sanctions against the former Republic of Yugoslavia.

58. Slovakia had maintained close trade links over many years with Yugoslavia and the imposition of sanctions had reduced to a sixth the total turnover between those two countries. In addition, the conversion of military production introduced in 1990 had severely impacted on the economy of Slovakia, resulting in large-scale unemployment. The Slovak economy remained too dependent on its heavy industry, which required special means of transportation such as that provided by the Danube. The sanctions regime had virtually closed that waterway, with a pronounced negative impact on all the riparian States. Delays caused by the authorization procedures were resulting in additional economic losses and had led many companies to the brink of bankruptcy.

59. In addition, a domino effect had caused whole branches of the economy to be destroyed, resulting in total losses of US\$ 246 million, directly or indirectly attributable to the sanctions regime. The situation was further aggravated by punitive tolls which the Yugoslav authorities and the authorities of the so-called Republic of Srpska Krajina illegally imposed on vessels passing through that territory. Finally, shipping companies operating on the Danube were only operating at a fraction of their capacity, with consequent losses of revenue and thousands of jobs.

60. Effective measures were urgently needed to mitigate the serious negative impact of such sanctions; otherwise the credibility of the Security Council and the United Nations itself would be undermined. His delegation therefore welcomed the report of the Secretary-General on economic assistance to States affected by the implementation of Security Council resolutions (A/48/573) and commended the establishment of the Informal Open-ended Working Group of the General Assembly and fully supported the draft resolution on the issue.

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61. Mr. MIHAI (Romania), speaking on agenda item 169, said that Romania was probably the worst-affected country in the region. As a neighbouring State and major trading partner of the former Republic of Yugoslavia, Romania was now faced with mass unemployment, the closure of many companies and far-reaching social implications which the Government lacked the means to address.

62. In addition to those more visible implications, increasing difficulties were caused by the disruption of established communications routes. The traditional traffic on the Danube had almost disappeared, with serious economic and social consequences for all the riparian countries. He insisted that recent reports in the press of alleged violations by Romania of the sanctions regime were entirely unfounded and reaffirmed his Government's determination to comply with the regime. At the same time, he appealed to Member States to assist countries affected by the sanctions, since strict observance of the sanctions regime and adequate support for affected third States should go hand in hand.

63. Mrs. KECSKES (Hungary), speaking on agenda item 103, said that her delegation shared the views expressed in the Secretary-General's report on the item (A/48/534). She appealed to the international community for assistance in facilitating the return of refugees and internally displaced persons. There were over 40,000 refugees from the former Republic of Yugoslavia and Croatia in Hungary and only effective international assistance and political solutions could bring about their return.

64. Finally, she stressed the vital link between economic recovery and peaceful international relations and said that the cessation of the armed conflict in Croatia was an essential precondition for the recovery of that country.

The meeting rose at 1 p.m.

UNITED NATIONS
General Assembly

FORTY-EIGHTH SESSION

Official Records

SECOND COMMITTEE
34th meeting
held on
Wednesday, 17 November 1993
at 10 a.m.
New York

SUMMARY RECORD OF THE 34th MEETING

Chairman: Mr. MONGBE (Benin)

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Distr. GENERAL
A/C.2/48/SR.34
23 December 1993

ORIGINAL: ENGLISH

93-82450 (E)

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The meeting was called to order at 10.20 a.m.

AGENDA ITEM 91: DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION (continued)

(a) TRADE AND DEVELOPMENT (continued)

Draft resolution on strengthening international organizations in the area of multilateral trade (A/C.2/48/L.13)

1. Mr. JARAMILLO (Colombia), introducing the draft resolution on behalf of the Group of 77 and China, said that he hoped that it would be supported by all delegations.

Draft resolution on international trade and development (A/C.2/48/L.15)

2. Mr. JARAMILLO (Colombia), introducing the draft resolution on behalf of the Group of 77 and China, expressed the hope that it would receive the support of all delegations.

(h) SCIENCE AND TECHNOLOGY FOR DEVELOPMENT (continued)

Draft resolution on science and technology for development (A/C.2/48/L.16)

3. Mr. JARAMILLO (Colombia), introducing the draft resolution on behalf of the Group of 77 and China, said that he hoped that it would be adopted by consensus.

AGENDA ITEM 98: INTERNATIONAL DECADE FOR NATURAL DISASTER REDUCTION (continued)
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AGENDA ITEM 169: ECONOMIC ASSISTANCE TO STATES AFFECTED BY THE IMPLEMENTATION OF THE SECURITY COUNCIL RESOLUTIONS IMPOSING SANCTIONS AGAINST THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) (continued) (A/48/239 and A/48/573-S/26705)

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AGENDA ITEM 171: EMERGENCY ASSISTANCE FOR THE SOCIO-ECONOMIC REHABILITATION OF RWANDA (continued) (A/48/241)

4. Mr. MANCZYK (Poland) said that his delegation welcomed the growing involvement of the United Nations system in activities to mitigate and minimize the consequences of the Chernobyl disaster. The international community and the United Nations system must undertake an objective and comprehensive analysis of the whole range of consequences of the accident.

5. In view of the magnitude of the task and the limited resources available, it was essential to create a sound and realistic structure for cooperation that could serve as the basis for broader contacts in future. The structure should establish an appropriate division of labour between the national authorities of the countries concerned, regional organizations and specialized agencies, taking into account the comparative advantage of each and the need to avoid duplication of resources.

6. The new project-oriented approach, agreed recently with Belarus, the Russian Federation and Ukraine, would require a more effective division of labour not only between the United Nations and the three States, but also among the United Nations system and the European Community, the European Bank for Reconstruction and Development (EBRD), the World Bank and other bilateral and multilateral donors. In particular, financial institutions should be more supportive of the national efforts of the affected countries.

7. Special attention should be paid to the activities of the World Health Organization (WHO) International Programme on the Health Effects of the Chernobyl Accident. In spite of financial constraints, which limited its activities to five projects, the Programme was widely recognized as the most effective international activity carried out under United Nations auspices for the mitigation of the hazardous health consequences of the accident. It would be unforgivable if, due to the exhaustion of extrabudgetary resources, the Programme were to be abruptly discontinued.

8. Poland had undertaken a number of bilateral programmes of assistance for children from the Chernobyl region. In 1993, Caritas Poland, a charity organization of the Polish Church, had organized summer holidays for 5,000 children from Belarus, Ukraine and Lithuania. In 1991 and 1992, about 18,000 children had been invited to Poland. Similar programmes, albeit on a smaller scale, had been organized by the Polish Red Cross.

9. Mr. HORIGUCHI (Japan) said that Japan had actively supported the programmes undertaken in Somalia by various international organizations. In 1993, it had provided \$4.6 million for the relief operations carried out by the United Nations Children's Fund (UNICEF), the International Committee of the Red Cross (ICRC) and the United Nations Volunteers (UNV), and had pledged approximately \$10 million in rice and wheat through the World Food Programme (WFP) for refugees and displaced persons in Somalia and neighbouring countries. The United Nations should convene the Fourth Coordination Meeting for Humanitarian Assistance for Somalia in Addis Ababa later in the year to consider means of facilitating the transition from relief to rehabilitation to development.

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(Mr. Horiguchi, Japan)

10. Japan welcomed the recent developments in Liberia, which had culminated in a cease-fire that had taken effect on 1 August 1993. While conditions in that country had begun to improve, Japan was concerned about the reports of human rights abuses against unarmed civilians and the news that a relief group had recently halted shipments to regions where fighting was said to be taking place. The United Nations should continue to pressure all sides to resume talks and abide by the agreement reached in Geneva in July 1993. In order to alleviate the suffering of the Liberian people, Japan had from the outset contributed to relief efforts through the relevant international organizations, such as WFP and the Office of the United Nations High Commissioner for Refugees (UNHCR). In December 1992, it had contributed \$1.35 million to the UNHCR assistance programme for refugees in Liberia.

11. Japan had been concerned over the resumption of hostilities in Angola and hoped that the warring factions would make further efforts to achieve national reconciliation and cooperate with the international community, so that the necessary humanitarian assistance could be provided throughout Angola as soon as possible. Japan had made several contributions to programmes to alleviate the suffering of the Angolan people. In September 1992, it had contributed \$2 million for the repatriation of Angolan refugees through UNHCR and, in 1993 it had provided assistance for the relief of displaced persons through ICRC.

12. His delegation appreciated the efforts of the United Nations and the relevant international and non-governmental organizations to strengthen humanitarian and economic assistance to Afghanistan, and regretted that such programmes must be run from Islamabad because of the continued instability in Kabul. Since 1979, the Japanese Government had strongly supported the efforts of the United Nations and the Government of Pakistan to alleviate the suffering of Afghans who had fled their homes. Through UNHCR, Japan had provided \$1.3 million to facilitate the voluntary repatriation of Afghans returning home from Pakistan, and \$2.3 million to a programme to assist Afghans returning from Iran. Japan had also contributed to a mine-clearance programme.

13. Japan welcomed the recent progress made towards national reconciliation in El Salvador and had responded to those efforts by expanding economic and technical cooperation to more than \$200 million since the signing of the Chapultepec Agreement in January 1992. Japan would continue working with the international community to promote reconstruction and development and raise the standard of living of the Salvadorian people.

14. Japan had actively assisted the countries of Central America in their efforts to promote democracy and economic development. Japanese bilateral official development assistance (ODA) to the region had increased from \$52 million in 1987 to \$240 million in 1992. Japan would continue to provide the greatest possible assistance to the countries of Central America engaged in such efforts. In Tokyo, in March 1993, Japan had hosted a special session of the Partnership for Democracy and Development in Central America, a global forum for discussion of assistance to the region.

15. Japan attached great importance to the results of the ongoing International Programme on the Health Effects of the Chernobyl Accident, which had been supported by a \$20 million-contribution in mid-1991 from the Japanese

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(Mr. Horiguchi, Japan)

Government. In October 1993, the Japanese Government had sent seven experts to Belarus, the Russian Federation and Ukraine to study current conditions and exchange opinions on promoting bilateral cooperation. At the end of 1993, Japan would invite 24 experts from those three countries to conduct technical studies in radiotherapeutics.

16. In order to avoid a repetition of the Chernobyl disaster, much work must be done to ensure the safety of nuclear power plants. The Japanese Government appealed to countries with operational nuclear power plants to take responsibility for their safety, if necessary with the assistance of the international community. In 1993, the Japanese Government had committed \$32 million in bilateral assistance and some \$6 million in multilateral assistance to improve nuclear safety in the former Soviet Union and countries of Central and Eastern Europe.

17. In October 1993, the Russian Government had confirmed that it had dumped liquid radioactive waste into the Sea of Japan, and admitted that it had been doing so for decades. After Japan had expressed strong concern about that action, Russia had decided to suspend further dumping for the time being. The Japanese Government sincerely hoped that the Russian Federation would abandon its practice of ocean dumping and dispose of its radioactive wastes in an appropriate manner.

18. His delegation attached special importance to the International Decade for Natural Disaster Reduction. In its resolution 46/149, the General Assembly had endorsed the convening of a World Conference on Natural Disaster Reduction in Yokohama City from 23 to 27 May 1994. The World Conference would give the international community an opportunity to consider ways of mitigating the threat posed by natural disasters.

19. Mr. FERRARIN (Italy) said that his delegation attached great importance to the Special Plan of Economic Cooperation for Central America. It had created and was helping to implement the Programme for Displaced Persons, Refugees and Returnees in Central America (PRODERE), a UNDP programme funded entirely by the Italian Government with a \$115 million grant. PRODERE, which stressed community participation, sustainable activities and human resource development, had demonstrated the effectiveness of a relief-development linkage.

20. Despite severe budgetary restraints, his Government had made a special effort to assist a number of countries seeking to achieve peace, stability and development. In that context, it relied very much on its close cooperation with the United Nations system. Italy had allocated more than \$47 million to emergency activities in Angola through various channels, and accorded priority to Eritrea, where it had committed more than \$3.2 million to UNICEF for relief activities on behalf of orphans and the children of refugees on the Sudanese borders and \$2.1 million to WHO for the rehabilitation of health infrastructure.

21. Italy funded a broad programme of assistance to Mozambique, totalling \$101.2 million, approximately \$10 million of which had been earmarked for the rehabilitation and reconstruction of rural infrastructure by the United Nations Office for Humanitarian Assistance Coordination (UNOHAC) in Maputo. Additional activities of that nature were being considered for 1994 and early 1995. In

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(Mr. Ferrarin, Italy)

addition to an extensive bilateral programme and the humanitarian activities carried out by the Italian military contingent of the United Nations Operation in Somalia (UNOSOM II), mainly in health care and the distribution of food aid, his Government had contributed \$22.5 million to various United Nations agencies, in particular the World Food Programme (WFP) and UNICEF. Approximately \$6.8 million was allocated to immunization activities, water and sanitation projects, and the rehabilitation of health infrastructure. In Mogadishu, the Italian contribution had enabled UNICEF to carry out a water chlorination campaign in order to reduce the spread of cholera. Italy had also contributed \$600,000 to UNICEF to help the population of south Lebanon and west Bekaa and \$9.4 million for humanitarian activities in Croatia in 1993, mainly through WFP, UNICEF and UNHCR.

22. His delegation welcomed the recent establishment of the United Nations Disaster Assessment and Coordination stand-by team (UNDAC) and the Central Register of Disaster Management Capacities and emergency stockpiles. The warehouse of the United Nations Department of Humanitarian Affairs in Pisa had very successfully provided emergency relief supplies, including tents, blankets, generators, tool kits, and water purifying kits. Funded largely by the Italian Government, it was primarily intended to assist the developing countries. In its seven years of existence, more than 200 operations had been flown from the warehouse to 52 countries. In the first six months of 1993, emergency relief supplies had been delivered to Tanzania, Iran, Armenia, Somalia, Georgia, Eritrea and Tajikistan. In view of its success, the Pisa warehouse should retain its central role in the United Nations emergency relief system. Its reserves were available for use by other countries and organizations as well.

23. His delegation had always supported the International Decade for Natural Disaster Reduction and had made financial contributions to the trust fund. Italy had also provided experts and scientists and elaborated projects that used advanced technologies to assess and monitor risks in order to ensure a speedier early-warning system and better resource management in emergencies. A number of Italian observatories and research institutes had concluded agreements with the United Nations Department of Humanitarian Affairs and the secretariat for the Decade. The Italian newsletter on the Decade, published in four languages, had become a key instrument for world-wide communication among disaster reduction workers.

24. Since 1968, natural disaster had cost Italy approximately \$90 million. Accordingly, the Italian Parliament had adopted a new civil protection law, which included innovative guidelines for public administration activities and the promotion of disaster prevention and preparedness among the citizens.

25. Mr. KENIK (Belarus) said that the profound, social and political changes that were taking place in Belarus had complicated the implementation of its national programme to minimize the consequences of the Chernobyl disaster. A considerable part - approximately 18 per cent - of the annual budget continued to be allocated to the solution of urgent health, ecological and economic problems of the affected regions. The difficulties involved in the transition from a centralized to a market economy, inflation, growing unemployment and an acute shortage of medicine and medical equipment severely limited the ability of Belarus to deal with the problem on its own, and it therefore appreciated the

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(Mr. Kenik, Belarus)

humanitarian initiatives of a number of countries and non-governmental organizations.

26. The United Nations and the agencies and organizations of the United Nations system and the Governments and non-governmental organizations of a number of countries had made significant contributions in such areas as humanitarian assistance, the implementation of medium-term technical projects and long-term research programmes, and medical assistance and ecological rehabilitation programmes. However, the time had come to undertake more effective action, which the General Assembly would periodically evaluate, in priority areas and in keeping with agreed time-frames.

27. Belarus greatly appreciated the new joint initiative of the International Atomic Energy Agency (IAEA) and the United Nations Development Programme (UNDP) to improve the systems of radiation protection and nuclear safety in the newly independent States of the former Soviet Union. His delegation also welcomed the readiness of WHO to broaden the framework of the International Programme on the Health Effects of the Chernobyl Accident through the creation of a special project for persons who had taken part in efforts to deal with the consequences of the accident in 1986. Those and many other initiatives, together with regional efforts carried out by the Commission of the European Communities and the Economic Commission for Europe (ECE), as well as a number of bilateral projects, provided a good basis for the continuation of international cooperation at the global, regional and bilateral levels.

28. The meeting of the Inter-Agency Task Force for Chernobyl at Geneva in April 1993 and the quadripartite intergovernmental meeting in Minsk in May 1993 with the participation of the Ministers of the three affected States and the United Nations Coordinator of International Cooperation on Chernobyl should continue to be open to all interested Governments, intergovernmental and, perhaps, non-governmental organizations. It was also necessary to ensure greater stability of the coordinating mechanism established within the United Nations system.

29. Over the past three years, there had been four United Nations Coordinators of International Cooperation on Chernobyl and the personnel of the virtually symbolic "Chernobyl secretariat", which consisted of two people, had been replaced three times. His delegation hoped that, in carrying out its reforms, the United Nations would maintain the "Chernobyl" elements in its programme activities and would preserve the existing coordinating mechanisms (United Nations Coordinator at the level of Under-Secretary-General, the Inter-Agency Task Force, one Professional and one General Service post in the Department for Humanitarian Affairs). His delegation also hoped that the integrated United Nations/UNDP office in Minsk would contribute to the effective coordination of specific projects and programmes.

30. At the current session of the General Assembly, it was necessary to find a practical formula for implementing the principle of comparative advantage of the United Nations and other international mechanisms. In that regard, the coordination and effectiveness of multilateral efforts involving the United Nations, UNDP, WHO, IAEA and the United Nations Educational, Scientific and Cultural Organization (UNESCO), and regional efforts involving ECE and the

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(Mr. Kenik, Belarus)

Commission of the European Communities, could be greatly enhanced. Inter-sectoral and sectoral cooperation in the solution of general and specific problems would be more effective if cooperation between the United Nations and the Commission of the European Communities was formalized in a bilateral agreement on the basis of a non-traditional partnership, which could perhaps include cooperation between the United Nations and the Conference on Security and Cooperation in Europe (CSCE).

31. The time had come to biennialize the discussion of the question of Chernobyl. However, his delegation could not support the idea of regionalizing the Chernobyl problem. Chernobyl was a problem for the entire world. While his delegation greatly appreciated the work of ECE in the solution of specific problems relating to the Chernobyl disaster, as well as its role in organizing the United Nations fact-finding mission in 1990 and in the preparation of the report that the Secretary-General had submitted to the forty-fifth session of the General Assembly, ECE did not have a broad, long-term mandate for multi-sectoral, system-wide, inter-agency coordination. Moreover, it was difficult to imagine how a regional commission could coordinate the activities of global, independent specialized agencies and programmes in areas that were outside its competence. Nevertheless, his delegation was prepared to consider and discuss any constructive ideas that would strengthen the effectiveness of international cooperation and enhance coordination in the study and mitigation of the effects of the Chernobyl disaster.

32. Mr. ARELLANO (Mexico) said that continued international support was needed to deal with the urgent economic situation in Central America. Mexico, which had historical and cultural ties to its neighbours in Central America, considered cooperation with that region a priority. Based on respect for sovereignty and an awareness that each country had different priorities, Mexico's cooperation programme with Central America supported initiatives undertaken by Governments themselves. In that spirit the Mexican Commission for Cooperation with Central America had been created in 1990 in order to promote, coordinate and evaluate cooperation programmes. Technical cooperation activities had been carried out in a wide variety of sectors and, by the end of 1992, nearly 1,000 technical cooperation activities had been carried out under the Tuxtla Gutiérrez agreement. Global cooperation activities increased by 26.2 per cent in the first 10 months of 1993. Economic, scientific, educational and cultural cooperation had also increased.

33. Under an agreement with the Central American Bank for Economic Integration (CABEI), signed in early 1993, Mexico had pledged \$100 million for pre-investment studies, development projects and technical assistance. Through Banco Nacional de Comercio Exterior, his Government had extended 20 lines of credit to commercial banks and the electrical power sector in Central America. A framework agreement for trade liberalization with the Central American countries had been signed in 1992. In August 1993, for the third consecutive year, Mexico and Venezuela had reaffirmed their support for Central America under the San José agreement.

34. Referring to the report of the Secretary-General on the Special Plan of Economic Cooperation for Central America (A/48/405), he expressed satisfaction at the activities carried out by the United Nations system, particularly UNDP as

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(Mr. Arellano, Mexico)

the lead agency for the Special Plan. His delegation agreed with the report's assertion that peace-building and the consolidation of democratic institutions in Central America must be continued. Priority attention must be focused on reducing poverty and the disparities affecting the most vulnerable groups, and on the reintegration into society of populations uprooted by conflict and the external debt.

35. Mr. CASTANEDA (El Salvador), speaking on behalf of the Central American countries, noted that the peace process in Central America, launched in 1987 with the signing of Esquipulas II had been given added impetus by the establishment of the United Nations Observer Group in Central America (ONUCA), the implementation of the Concerted Plan of Action in favour of Central American Refugees, Returnees and Displaced Persons adopted by the International Conference on Central American Refugees (CIREFCA), and the Special Plan of Economic Cooperation for Central America. Considerable progress had been achieved, particularly under the Special Plan, in strengthening democratic institutional development and modernizing the State, developing telecommunications infrastructure, in the fields of agriculture, environmental preservation, and in the enhancement of political freedom and respect for human rights. Much remained to be done, however, in the areas of peace-building and the consolidation of democratic institutions. The Special Plan must launch new initiatives in order to avert a fresh and, perhaps, more profound crisis. Central America was at a crucial juncture, and yet the financial and material resources to complete its priority programmes were limited. Those programmes included, inter alia, the reintegration into society of uprooted populations; balanced, integral economic and social development based on the concept of human development; the reduction of extreme poverty and of disparities affecting the most vulnerable groups; and the mitigation of the adverse effects of structural adjustment.

36. In that context, the commitments undertaken at Presidential Summits must be reaffirmed, particularly the Guatemala Summit, held in October, which established a framework of priorities for peace-building with human development. That called for a new strategy based on an integral, sustained concept embracing poverty reduction, respect for human rights, environmental protection and the continued modernization of productive capacity for the benefit of all sectors of society.

37. Outstanding among the commitments undertaken by Central American Presidents was the Central American Integration System (SICA), whose main objective was to ensure peace, freedom, democracy and development in Central America. The implementation of the Special Plan had also helped to build an intraregional and international consensus on the Central American question and had facilitated the coordination of external assistance to complement national efforts. However, numerous projects initiated under the Special Plan remained unfinished - only 15 of 71 projects had been completed. Therefore, the cooperation and assistance of the international community were vital. In that context, his delegation was pleased to note that the experience of PRODERE and other initiatives under the emergency programme, particularly within the framework of CIREFCA, was being applied to post-conflict peace-building in other regions. Even though armed conflict in Central American had virtually ended, its underlying causes had yet to be eliminated; recent events in certain countries of the subregion had

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(Mr. Casteneda, El Salvador)

highlighted just how fragile the pacification process was. In conclusion, the Central American countries supported the statement delivered by Mr. Zumbado, the UNDP Assistant Administrator and Regional Director, Regional Bureau for Latin America and the Caribbean.

38. Mr. BERGUIDO (Panama) said that Panama was implementing public awareness-building programmes on natural disaster reduction even within schools. Disaster prevention activities in each of the country's 67 municipalities were coordinated through the National Civil Protection System, which provided maps to pinpoint hazards, risks, vulnerability and resources. Specific natural disaster measures for each geographical area were disseminated on radio and television and in the press. Together with the Panama Canal Commission and other private and governmental institutions, the National Civil Protection System carried out flood control exercises in the Panama Canal areas. The National Civil Protection System also planned to assess the seismic vulnerability of hospitals and schools, identify buildings which could serve as shelters in the event of natural disasters and establish a national seismological network in conjunction with the geosciences institute of the University of Panama.

39. Despite all those efforts, the country was still at a very primitive stage of disaster prevention and reduction compared to many other countries. It would therefore appreciate assistance and technical advice.

40. His delegation welcomed the measures taken by the secretariat for the Decade and the Office of the United Nations Disaster Relief Coordinator to highlight the importance of preparedness and preventive measures. It supported the convening of the World Conference on Natural Disaster Reduction in 1994 and stressed the importance of the transfer of technology for disaster preparedness and prevention to developing countries.

41. Mrs. MAIKARFI (Niger) noted that natural disasters in developing countries took a greater toll in terms of lives and the aggravation of underdevelopment and poverty. Her delegation therefore welcomed the international community's recognition of the relationship that existed in many countries between major natural disasters and economic development. The international community must seek to enhance the capacities of each country, for disaster prevention and control through the provision of financing and assistance in the scientific and technical fields. Developed countries must share their technical and scientific knowledge with the developing countries and provide them with the necessary resources to set up early-warning and surveillance systems. The developing countries should also provide assistance in the reconstruction phase.

42. Her delegation welcomed the convening of the World Conference on Natural Disaster Reduction in 1994 and had taken note of the 12-point Plan of Action towards the Conference. The Niger, a land-locked, Sahelian country with a permanent drought problem, attached great importance to the question of natural disasters and their impact on populations and to measures to counter environmental degradation. In that context, the Niger had taken environmental protection measures and launched an ongoing, large-scale campaign to build awareness among the population.

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(Mrs. Maikarfi, Niger)

43. In recent months, the Niger and other countries of the Sahel and Maghreb subregions had also had to deal with a massive invasion of locusts. According to reports by the Food and Agriculture Organization of the United Nations, the locust situation was particularly disturbing and was liable to spread to neighbouring countries. The authorities of those countries had met to elaborate a common locust control strategy with the cooperation of FAO but they lacked sufficient means to implement it. She appealed to the international community for assistance, in particular for the developing countries, which were most in need of aircraft, certain chemicals and specialized technical personnel.

44. Mr. MUTHANA (Republic of Yemen) said that the challenges currently facing Yemen were greater than at any time in the past due to the enormous development tasks imposed by unification. Unification had meant multi-party democracy, greater individual freedom, respect for individual and group rights, economic liberalization, the opening up of the private sector, the promotion of a population strategy, monetary reform and the overcoming of budgetary and balance-of-payments problems. Yemen's good intentions could be seen in the fact that direct, free parliamentary elections had been held. Both of the former halves of Yemen had for many years relied heavily on the aid of the international community; that aid would undoubtedly be needed for some years to come.

45. However, despite the numerous resolutions and decisions adopted by both the General Assembly and the Economic and Social Council urging donor States and organizations to provide assistance to Yemen and to help in establishing a comprehensive programme to assess Yemen's needs arising from unification, the support provided to his country remained modest. He therefore called for more effective implementation of the resolutions.

46. His country intended, together with the United Nations Development Programme, to hold a second series of round table discussions and hoped that donor States, international organizations and other providers of capital would offer concrete support. All who had taken part in the first round had manifested their approval of his Government's economic and social policy.

47. His country was pleased at the response by many companies to its declaring Aden a free market open equally to all investors, both foreign and domestic, and would welcome further investment proposals.

48. His delegation would shortly be proposing a draft resolution calling for full implementation of the resolutions on assistance to Yemen and the presentation of a report thereon to the General Assembly at its fiftieth session. He hoped that it would be adopted by consensus.

49. Mr. BIZIMANA (Rwanda), speaking to the question of emergency assistance for the socio-economic rehabilitation of Rwanda, recalled his delegation's statement on the subject to the General Assembly on 5 October 1993. The three-year war had ravaged Rwanda's social, economic and administrative infrastructures, exacerbating the economic decline initiated by the plunge in the price of coffee, his country's major export, and its structural adjustment programme was now threatened, despite the fact that the Government had established the broad outlines of a short- and medium-term post-war economic policy.

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(Mr. Bizimana, Rwanda)

50. The signing of the Arusha Peace Agreement on 4 August 1993 had opened the way to a new era of peace and national reconciliation that would make it possible for the Rwandese people to work for the reconstruction and development of their homeland and to strengthen the process of democratization already under way. The assistance of the international community was urgently needed to achieve those goals, as well as to assist with the resettlement of over 900,000 displaced persons, the repatriation of refugees, the reintegration of demobilized military personnel into society and the rebuilding of the country's infrastructures. He expressed his Government's appreciation to Member States, United Nations bodies and intergovernmental and non-governmental organizations for the valuable assistance provided thus far and, in particular, to the Department of Humanitarian Affairs for having launched the consolidated appeal for international assistance for those displaced by the war. His delegation looked forward to further international support following the Round-table Meeting on humanitarian assistance to be held in early 1994.

51. He noted with satisfaction that a comprehensive programme catering to the needs of demobilized soldiers was being studied using previous United Nations peace-keeping experience in other regions. His delegation also welcomed the very recent decision by the Department of Humanitarian Affairs to allocate a substantial sum to the UNHCR for assistance to refugees who had fled from Burundi - 400,000 of whom were in Rwanda - since that country's military putsch of 21 October 1993. The United Nations should send an international force to Burundi to help restore peace and security and the rule of law.

52. In conclusion, he said that his delegation appreciated the support already shown for its draft resolution on assistance to his country and that it looked forward to receiving support from additional countries.

53. Mr. BULL (Liberia) welcomed the report of the Secretary-General on assistance for the rehabilitation and reconstruction of Liberia (A/48/392) and expressed his delegation's gratitude to the Department of Humanitarian Affairs for the excellent manner in which it had continued to mobilize the international community to provide humanitarian and other assistance to his war-torn country. He also wished to convey the appreciation of the Government and people of Liberia to all donors and governmental and non-governmental organizations for their assistance and to the peace-keeping forces (ECOMOG) of the Economic Community of African States (ECOWAS) for their role in effectively countering the unprovoked attack on Monrovia on 15 October 1992. The positive role which the United Nations continued to play in Liberia also merited commendation. The growing cooperation between ECOWAS and the United Nations demonstrated that with the requisite political will, the United Nations and regional or subregional organizations could complement each other's efforts with regard to conflict resolution, as envisaged under Chapter VIII of the United Nations Charter.

54. After summarizing the steps which had led to the adoption of the peace agreement at Cotonou, Benin, on 25 July 1993, he paid a tribute to the efforts of all concerned. Since the signing of the agreement, a five-member Transitional Council of State had been established; it would be installed once the disarmament process had begun. The legislative assembly and the judiciary had been reorganized in order to properly represent all political subdivisions in the country. Efforts were under way to deploy additional troops from eastern

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(Mr. Bull, Liberia)

and southern Africa to augment the ECOMOG forces and thus serve as a confidence-building measure to ensure full compliance with the agreement. His delegation appealed to the international community to contribute to the trust fund established by the Secretary-General to defray the costs entailed in financing the peace process. Citing paragraphs 76 and 77 of the report, he underscored the importance of continued humanitarian assistance.

55. He welcomed the announcement by the Under-Secretary-General for Humanitarian Affairs that as the United Nations continued its humanitarian efforts in Liberia it would increasingly combine emergency assistance with aid for rehabilitation and reconstruction. His delegation was also pleased to note that the United Nations planned to convene a round-table conference of donors on Liberia. In conclusion, he expressed the hope that the draft resolution which his delegation would introduce on the item would be adopted unanimously.

56. Mr. WANG Xinggen (China), speaking to the item on the International Decade for Natural Disaster Reduction, welcomed the significant progress that had been made since the launching of the Decade. National committees or focal points for the Decade had been established in 104 countries and, according to incomplete statistics, more than 100 projects for disaster reduction and mitigation had been implemented at the national level. Many regional and international conferences had been held on the subject.

57. His country would participate actively in the preparatory work for the forthcoming World Conference on Natural Disaster Reduction in order to help ensure that it achieved positive results. While his delegation agreed with the Secretary-General that the main actions to reduce vulnerability to natural disasters must be initiated and pursued at the country level, the developing countries urgently required technical and financial assistance in those areas, and it hoped that the United Nations would promote the exchange of information on disaster reduction and prevention and the use of new technology.

58. Turning to the item on special programmes of economic assistance, he said that his delegation supported the international community in providing assistance to Afghanistan, Mozambique, Somalia, the Sudan, Croatia and other countries and regions affected by disasters. External assistance was essential if they were to continue to make progress in overcoming the effects of disasters. His own country, which was vulnerable to disasters, would continue to provide assistance to the best of its ability through bilateral channels. Such aid always should be provided in a humanitarian spirit, without any political motivations, and in a manner ensuring respect for the sovereignty and wishes of the recipient countries.

59. Mr. BANGALI (Sierra Leone) said that his delegation commended the United Nations for its work in providing economic and humanitarian assistance to the countries in question and was pleased to note that there had been encouraging improvements in those countries; nevertheless, it cautioned that such assistance would prove to no avail if new conflicts continued to erupt while efforts were under way to resolve the old ones. It therefore appealed to the Governments or

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(Mr. Bangali, Sierra Leone)

caretaker Governments in the countries concerned to consider the broader implications of peace rather than short-term political gains.

60. His delegation was pleased to note that the conflict in Liberia was gradually being resolved and appealed to the parties concerned to maintain the cease-fire now in place and cooperate in implementing the Cotonou peace agreement without further delay. His own country - which had been severely affected by the Liberian conflict - could not embark on the task of economic reconstruction and rehabilitation without peace in Liberia.

61. His Government condemned the indiscriminate, callous and random planting of land mines in the regions of conflict in his country. Many military personnel and civilians had been killed or maimed for life by such mines. His delegation welcomed the recent adoption by the General Assembly, by consensus, of a resolution on assistance for mine clearing operations.

62. Mr. BABA (Uganda) said that Uganda was among the countries which had suffered economic losses as a result of the effects of Security Council sanctions imposed against the former Yugoslavia. Those sanctions had come into force at a time when a road construction project of very high socio-economic importance to Uganda was halfway to completion. The suspension of work on the project - which had been contracted to the Yugoslav firm Energoprojekt - had given rise to major financial losses. Moreover, the sections of the road already completed were deteriorating rapidly from traffic and weather conditions. Currently, there was no possibility that Uganda could enter into an agreement with another company to complete the project on terms similar to those negotiated with Yugoslavia. Countries such as Uganda, with meagre resources, should not be made to suffer when they were not the intended targets of the sanctions. An effective mechanism was called for to compensate countries experiencing the economic consequences of such international actions.

63. Mr. REVANALES (Venezuela) said that economic cooperation was a necessary prerequisite to any integration process. Accordingly, Venezuela had played an active role in political efforts to achieve a Latin American solution to the severe internal and regional conflicts that had afflicted the Central American countries during the 1970s and much of the 1980s. It had also fostered economic cooperation through participation in such multilateral bodies as the Action Committee in support of the Economic and Social Development of Central America (CADESCA). Venezuela, along with Mexico, had supplied the petroleum requirements of the region and assisted those countries in the financing of oil imports. Venezuela had applied to become an extraregional associate in the Central American Bank for Economic Integration (CABEI). As a member of the Group of Three, it was also working within the high-level group on cooperation with Central America to promote cooperation with Central America and the Caribbean. The private sector played a fundamental role in advancing the integration of both regions. Cooperation programmes designed to expand markets and increase commercial productivity and competitiveness were indispensable in order to sustain political and economic adjustment and stabilization efforts.

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(Mr. Revanales, Venezuela)

64. Developing countries had undertaken a process of adjustment and liberalization of their economic systems and were extremely vulnerable to external factors; as if they were to succeed they must have a favourable international economic environment. The trend towards the formation of economic blocs among industrialized countries must not be allowed to contribute to the marginalization of developing countries. Venezuela hoped that, South-South cooperation and North-South understanding would be strengthened, resulting in lasting economic and social development. Greater South-South cooperation was indispensable in order to enhance the developing countries negotiating position vis-à-vis the industrialized countries.

65. Ms. ASHRAF (United Nations Educational, Scientific and Cultural Organization (UNESCO)), concerning the International Decade for Natural Disaster Reduction, said that although prevention, preparedness and emergency response measures were much less costly, in the long run, than relief and reconstruction, relief continued to be the primary form of disaster management; that trend must be reversed. The forthcoming World Conference on Natural Disaster Reduction would provide new opportunities to strengthen the disaster mitigation capacity of the international community. Ideally, natural disaster reduction activities should yield collateral benefits for economic development and environmental protection, hence the need for integrated approaches in development policies to take into account environmental and disaster reduction goals.

66. Turning to special programmes of economic assistance, she said that UNESCO sought to fulfil its mission in two ways: by working to consolidate peace and by promoting human development. To build a culture of democracy it was necessary first to ensure freedom of expression and the progressive development and reinforcement of institutions which enhanced justice, as well as participation in decision-making. On the basis of field missions to areas where the United Nations was conducting peace-building operations, UNESCO had launched several pilot projects in various countries, the first one being in El Salvador.

67. UNESCO had participated in the multi-agency mission to El Salvador organized by UNDP to plan and implement a coordinated United Nations system-wide response to the technical needs of El Salvador's National Reconstruction Plan. In consultation with all sectors of Salvadorian society, UNESCO had designed specific projects to reflect the society's fundamental needs and aspirations in the areas of human development and democratic citizenship; they covered such aspects as national identity, learning and living in a culture of peace, information and social communication for peace, and training in methods of conflict resolution.

68. The role of UNESCO in situations of active conflict included the creation of interim educational structures to assure continuity of learning for the people, support for the independence of the mass media and meetings of opinion leaders to provide a basis for mutual understanding which might facilitate peace. With regard to the alleviation of the consequences of war in Croatia, UNESCO was involved in an emergency action programme and a plan of action to safeguard the old city of Dubrovnik. A fact-finding mission had led to the preparation of a plan of action for education of children and displaced persons

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(Ms. Ashraf, UNESCO)

including financial support, educational technical support, capacity-building, creation of flagship schools and rehabilitation and reconstruction of educational centres.

69. UNESCO would contribute to the rebuilding of educational, cultural and social institutions by preparing multisectoral and sectoral reviews and drawing up detailed reconstruction programmes. One of the main activities of its educational buildings programme was the design of educational buildings able to withstand disasters. The development of school maintenance and repair programmes was considered a cost-effective strategy for hazard reduction.

The meeting rose at 1.20 p.m.



President: Mr. INSANALLY
(Guyana)

Major-General Juvénal Habyarimana, President of the Republic of Rwanda, was escorted into the General Assembly Hall.

The meeting was called to order at 3.35 p.m.

AGENDA ITEM 127 (continued)

**SCALE OF ASSESSMENTS FOR THE
APPORTIONMENT OF THE EXPENSES OF THE
UNITED NATIONS (A/48/414/Add.5)**

The PRESIDENT: I should like to draw the General Assembly's attention to document A/48/414/Add.5. In a letter contained in that document, the Secretary-General informs me that, since the issuance of his communications dated 21, 24, 27 and 29 September and 4 October 1993, the Gambia has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

**ADDRESS BY MAJOR-GENERAL JUVENAL
HABYARIMANA, PRESIDENT OF THE REPUBLIC
OF RWANDA**

The PRESIDENT (interpretation from French): The Assembly will first hear an address by the President of the Republic of Rwanda.

The PRESIDENT (interpretation from French): On behalf of the General Assembly, I have the honour to welcome to the United Nations the President of the Republic of Rwanda, His Excellency Major-General Juvénal Habyarimana, and to invite him to address the Assembly.

President HABYARIMANA (interpretation from French): I am experiencing a feeling of signal honour and genuine pleasure, and also at the same time a deep feeling as I now, on behalf of my country, Rwanda, speak before this prestigious General Assembly of the United Nations, which each year considers the fate of our world.

Above all, I should like to associate myself with the eminent speakers who have spoken before me here, to extend to you, Sir, on behalf of the delegation of which I am the head, our warmest congratulations on your election to the presidency of the United Nations General Assembly at its forty-eighth session. We are assured that your personal qualities and your extensive experience in international issues will assist you in discharging this difficult responsibility. Your personal qualities and your experience are the best guarantee of the success of the work of the present session. We also wish to congratulate all the other members of the General Committee, who, we are sure, will spare no effort in assisting you in successfully discharging the difficult task entrusted to you. The delegation of the Republic of Rwanda will spare no effort to participate actively and effectively to ensure a successful conclusion of the debate on the items on the agenda of this session.

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Distr. GENERAL

A/48/PV.19
25 October 1993

ENGLISH

Moreover, we wish to render a well-deserved tribute to your predecessor, Mr. Stoyan Ganev, who was always inspired by the same concern for effectiveness in the cause of peace, justice and international security. He deserves our deep gratitude for having guided with wisdom and competence the work of the forty-seventh session of the General Assembly.

We should also like to take advantage of this happy opportunity to warmly welcome the presence here with us of new Member States, the admission of which is an important stage towards achieving the universality of the Organization.

The forty-eighth session of the United Nations General Assembly is opening at a time when the world presents to us a rather gloomy picture. Here and there are several scattered islets of peace and prosperity but they are few indeed. Moreover, in various corners of the world armed conflicts and political tensions are ready to explode into open crisis and economic and social ruin. In many countries we find poverty and upheavals in the quest for more balanced societies, and everywhere there is anguish in the face of so many challenges which confront the conscience of man and which spawn fear for the future.

Fortunately, good will is being demonstrated and mobilized at the level of States, non-governmental organizations, and regional and international organizations - in the forefront of which is the United Nations - to arouse the universal conscience, extinguish the fires, accompany political change, allay misery and renew hope and the enjoyment of life for those for whom the horizon seems closed and gloomy.

It is an appropriate time and place to pay a sincere tribute to the world Organization and to its tireless Secretary-General, Mr. Boutros Boutros-Ghali, for all the actions undertaken and carried out with skill and designed to restore peace in regions and countries devastated by war, to prevent other conflicts, and to assist disadvantaged peoples or those sorely tried by disasters of all types. To be sure, the means are limited, but is not this Organization the last hope of people?

And success nurtures that hope. Thus we welcome enthusiastically the end of the civil war in Cambodia and the re-establishment of State institutions in that country.

Rwanda welcomes the progress that has been made towards a settlement of the conflict in Mozambique and is following particularly closely the political developments in

South Africa. While the system of apartheid in the latter has not yet been completely eliminated, recent developments promise positive and rapid progress.

Rwanda is also most gratified at the very positive course of the Middle East peace negotiations, which, thanks to mutual recognition between Israel and the Palestine Liberation Organization (PLO) and to the signing, in Washington on 13 September 1993, of an agreement on Palestinian autonomy in Gaza and Jericho, have just gone through a very important stage. We hope that this historic agreement, which lays the bases for reconciliation between Israelis and Palestinians, will open the way to a lasting solution to all the issues connected with the problem of the Middle East and will lead ultimately to peace and calm in that part of the world.

To that end, we call on the international community to redouble its efforts to secure positive results for the attempts now being made to settle the conflicts in Bosnia and Herzegovina, Liberia, Angola, Somalia and all other countries where peoples are being battered, divided and plunged into misery by individual or tribal egoism and ambition or are having their sovereignty threatened by the inordinate greed of other States.

At the level of international economic relations, it is depressing to note that, to this day, three quarters of mankind live on the sidelines of economic and social progress, in so far as numerous structural imbalances continue to hamper the efforts of the countries of the South to achieve self-development and international cooperation. Indeed, despite the concerted efforts at integration, despite the internal adjustments still undertaken at enormous sacrifice, and despite the expressions of good will for international partnership, foreign debt continues to grow, and the gap between the economies of the North and those of the South continues to widen.

The delegation of Rwanda is convinced that if the lot of mankind is to be improved, the international community must undertake measures that can promote the emergence of a new, more balanced and more equitable world economic order. In this regard, only a common political will on the part of all the Members of this Organization can help to correct the structural imbalances in the global economy and to open the way to a new partnership in which interdependence means, first and foremost, a shared destiny for mankind, in which international cooperation is even more synonymous with success that benefits all the partners - the seal of fraternity and the promise of genuine solidarity.

Rwanda has always believed that international cooperation, if it is to be more effective, must be based to an even greater extent on intense, transparent, consistent and concise action agreed with our partners and undertaken within what must one day be regarded as a genuine contract of solidarity. Rwanda has always believed that well-planned cooperation implies the concept of co-management, of co-responsibility. This means shared responsibility, ongoing dialogue, transparency of commitments and acceptance of the right of all sides to make mistakes, so that, to a greater extent than in the past, cooperation can meet the stakes of the future. To secure even more genuine cooperation, the international community must seek effective solutions to all these challenges that are leading us into institutionalized, crushing debt.

In addition, the scope of international cooperation can be widened, and its impact increased, only through genuine integration of action and of programmes in the context of a national strategy and with a global vision of authentic self-development. Rwanda has always attached special importance to international cooperation, to which it owes so much of its progress, its development and its achievements.

With regard to the political situation in Rwanda, my country, as Members know, is emerging from a pointless and undeserved war, which was imposed on it three years ago, on 1 October 1990. Allow me, before sketching out the situation into which this war has plunged the population of Rwanda and the country's economy, to emphasize once again the role of the international community in resolving crises and conflicts, for the ending of the war in my country is the result of a miracle of international solidarity.

There is no doubt that this required the good will of the two parties to the conflict. Wisdom prevailed over ambition, and hatred yielded to the nation's need to survive. But the will of the two parties to pool their efforts was strongly supported by countries neighbouring Rwanda, among which the two parties chose, by common agreement, the Republic of Zaire as Mediator and the United Republic of Tanzania as Facilitator.

The two warring parties benefited also from the skilled help of President Abdou Diouf of Senegal, who was at that time Chairman of the Organization of African Unity, and of certain friendly countries - France, Belgium, the Federal Republic of Germany and the United States of America. In addition, they received most valuable assistance from the Organization of African Unity and the United Nations. All these countries and international organizations sent representatives to Arusha, Tanzania, to take part in the

peace negotiations that had begun in Zaire following the launching of hostilities, that had continued in Tanzania for a year, with their participation, and that culminated in a peace agreement.

I take this opportunity to express once again to all these countries and organizations the sincere gratitude of the Government and people of Rwanda for their highly valuable contribution to the positive outcome of the negotiations, which were very trying to all who were involved and which on numerous occasions would have been on the verge of collapse had it not been for the tenacity and determination of the two parties and the wise and firm advice of all friends present.

This senseless war that befell Rwanda is now subsiding, thanks to the peace agreement that was signed in Arusha on 4 August 1993. It was bloody and devastating. We mourn tens of thousands of victims. The war resulted in considerable destruction of infrastructure, equipment and socio-economic and administrative systems, and it left in a state of dire poverty more than 900,000 displaced persons, whose property went up in smoke.

That war has left us with orphans and invalids of all ages, widows, helpless old people and hundreds of thousands of economic victims. In the regions affected by the war, misery and desolation hold sway. Education has been severely jeopardized and the psychological consequences for the most vulnerable age groups are doubtless incalculable.

This war has destroyed the fragile equilibrium of the country's food supply and has exacerbated the famine which has struck the entire country, because it broke out in the country's most fertile regions, which have not been cultivated for three years now. The representatives of international bodies and non-governmental organizations who visited the camps of displaced persons cannot forget the desolate sight of the make-shift shelters where hundreds of thousands of human beings, crammed together in highly unsanitary conditions, continue to lead lives that are close to intolerable. Those representatives cannot forget the long lines of hungry people on the roads, seeking the assistance sent them by the international community, which with difficulty was able to deliver it to them for their survival.

And what can we say of the economy in general? Already badly shaken, it is today in even worse condition, following the enormous expenditures resulting from the war and the destruction it caused. Thus, after the signing of the Arusha Peace Agreement, the time has come for the long-

term, enormous work of national reconstruction in the newly regained peace and calm, without forgetting the other, no less important objective, the implementation of national reconciliation and the continued strengthening of the process of democratization in the management of the country. We can already welcome the establishment of a multi-party system by the constitutional review of 10 June 1991, thanks to which 17 political parties were agreed upon. Five of them are at present forming a transition Government which soon will be expanded to the Rwanda Patriotic Front for a new transitional period which should lead to pluralist, free and democratic elections.

On the economic level, Rwanda has been experiencing a crisis since the 1980s, which has had negative repercussions on the implementation of the budget and has been exacerbated not only by the war but also by the unpredictable nature of external shocks, in particular the collapse of the international price of coffee, our primary export.

As it was no longer possible to control the growth of public expenditures and of the fundamental imbalance in the balance of trade, in combination with a production system whose structure is very fragile, my country implemented, in November 1990, a programme of recovery having the following priorities: to relaunch the economy, to achieve internal and external financial balance, to promote domestic savings, to encourage the activity of the private sector and to improve the management of the public sector.

Rwanda's structural adjustment programme has been given great technical and financial support by all the donors, headed by the Bretton Woods institutions. Unfortunately, the launching of this programme, which the Government could apparently have carried out without too many sudden detours, coincided with the attack of October 1990.

From this rostrum, I would like most solemnly to thank the international community for the support it has accorded Rwanda both with assistance in the balance of payments and with development projects. We are even more grateful for the priority the international community has given to assistance for those displaced by the war, in answer to the consolidated appeal made by the Department of Humanitarian Affairs of the United Nations, whose dedication is inestimable.

Following the war and the new deterioration of the terms of trade which affected the economy of Rwanda, the very backbone of our structural adjustment programme is threatened. I am speaking here of the liberalization of

external and internal trade which requires a comfortable currency reserve situation.

The Government of Rwanda has just decided upon the primary features of its short- and medium-term post-war economic policy from 1993 to 1996, items we have submitted to the international community. This policy reflects the Government's commitment to do all in its power to stabilize the large financial balances and to launch the process of economic recovery on the basis of the fundamental strategy of the structural adjustment programme, which gives a key role to market forces. In short, the positive results of the measures that have been in place since November 1990 must be capitalized upon, and new measures required by the deterioration of short- and medium-term economic prospects, linked to the war, must be planned.

Therefore, in accordance with the contents of the Peace Agreement, the priorities of the expanded transitional Government are to pursue efforts at economic recovery and to work on four programmes for specifically post-war economic development: emergency assistance to those displaced by the war in order to help them return to their property, assistance in the reintegration of Rwandese refugees, assistance in reconstruction and assistance in the social and economic reintegration of demobilized military personnel.

For the repatriation of Rwandese refugees in accordance with the Dar-es-Salaam Declaration of 19 February 1991, a donors' meeting will be organized at the initiative of the Government, the Organization of African Unity (OAU) and the Office of the United Nations High Commissioner for Refugees (UNHCR). With the war, we saw all types of destruction, particularly the damaging and/or destruction of several thousands of hectares of forest which will even further aggravate the wood shortage. With the end of the war, the country will have to dispose of the funds to demobilize more than 31,000 military personnel. We will also have to locate throughout the country paying jobs and training which can facilitate their social and economic reintegration.

Within the framework of the preparation for the programmes of reconstruction and socio-economic reintegration of demobilized military personnel, I have personally sent a request to the Secretary-General of the United Nations, on 2 January 1993, and an inter-agency mission of the United Nations systems and of the United Nations Development Programme (UNDP) is at present backing the Government of Rwanda in the preparation of the

document to be submitted to the donors at a round table for humanitarian emergency assistance.

Rwanda is trying to manage its meagre resources in an extremely difficult context. But it remains committed to the strategy of economic development contained in the structural adjustment programme it launched in November 1990, with, as its base, the process of economic liberalization that has already begun and is giving the private sector a larger role in decision-making.

By signing the Peace Agreement the Government of Rwanda firmly committed itself to strengthening the basis of a State of law in which public freedoms, together with political rights, justice and equality, will be guaranteed. In that Agreement the two parties have agreed that an independent National Commission for Human Rights will be established entrusted with dealing with violations of human rights perpetrated by any person on Rwandan territory and, in particular, by State bodies and by persons under cover of the State or other organizations. Simultaneously, the Government will move to improve the functioning of the legal and penal systems, in particular by forbidding arbitrary and illegal arrests and inhumane treatment of detainees and by severely punishing the perpetrators of such acts.

Since the country's human, material and financial means are severely limited, an appeal will be made to foreign financial and technological assistance, especially in the area of the training of magistrates and officials of the Office of the Public Prosecutor and Ministry of Justice personnel.

In the Peace Agreement the Government of Rwanda has also reaffirmed its determination to reach a final settlement of the refugee problem, a goal to which it had committed itself in the Dar-es-Salaam Declaration of 19 February 1991 at the regional summit meeting which examined the problem of Rwandan refugees.

The task will be a difficult one for the broad-based transitional government envisaged in the agreement within the framework of the Protocols of Agreement on Power-sharing between the country's political parties and the Rwandese Patriotic Front (RPF). That Government will be set up in the next few days, as soon as the prerequisite conditions have been met. The task will also be a difficult one for the people of Rwanda as a whole, who will be the ultimate authors and beneficiaries of the hoped-for progress and well-being.

Nevertheless, despite the will and determination of the Rwandan people and their Government, we must acknowledge the utter insufficiency of the domestic means available, given the titanic labour to be accomplished. We thus look to the international community to support and supplement our own efforts.

The first contribution we expect from the international community is the deployment, as rapidly as possible, of an international neutral force, as provided in the Arusha Agreement. On behalf of the people of Rwanda, I should like to express to the United Nations as a whole, and to the members of the Security Council in particular, our gratitude for the historic decision the Organization took yesterday in adopting the resolution establishing the United Nations Assistance Mission for Rwanda (UNAMIR), so long awaited for the implementation of the Arusha Peace Agreement.

The Agreement assigns to that force the task of facilitating the implementation of the Peace Agreement, specifically by supervising implementation of the Protocol on the Integration of the Armed Forces of the Two Parties and by providing various kinds of assistance to the authorities and competent bodies. The Agreement also assigns to UNAMIR security tasks, including, *inter alia*, monitoring the overall security situation in the country and investigating and reporting on activities carried out by the competent authorities and bodies in the maintenance of public order; assisting in ensuring the security of the civilian population; assisting with mine-clearance operations; assisting in the identification of arms stockpiles and the neutralization of armed bands throughout the country, and monitoring the respect by both sides of the comprehensive cease-fire and cessation of hostilities, as provided in the Peace Agreement.

Lastly, the Arusha Peace Agreement entrusts the neutral international force with the tasks of supervising the training process of the national armed forces, and here I would mention only the supervision of the disengagement of forces, supervision of the demobilization of all the military forces and the Gendarmerie, and participation in the training programme for members of the New National Army and National Gendarmerie.

This is some indication of how necessary and urgent the establishment of the neutral international force is in order to allow for the creation of the broad-based transitional government and the reintegration of persons displaced by the war, the repatriation of refugees and, in a

general manner, national reconstruction in conditions of maximum security.

Another extremely vital contribution we expect from the international community, and more specifically from the United Nations system and, on a bilateral level, from the friendly countries and various non-governmental organizations, will be that of financing the priority programmes to which I referred a few moments ago.

Today, more than ever, Rwanda needs the attention, concern and good will of the international community. It is relying on that community's generosity to re-establish itself and to recover from the horrors of war. May that hope be realized soon.

With the support of the international community the people of Rwanda hope to pass smoothly through a transition period that, notwithstanding the guidelines of the Peace Agreement, could still turn out to be arduous. The people of Rwanda, however, are relying on the patriotism and sense of responsibility that their political authorities and the leaders of the parties in the government and the Transitional Assembly must demonstrate to consolidate the democratic gains and lay down, once and for all, the foundations of peace and national harmony. Once the demons of division have been exorcised, the people of Rwanda will surely build a new nation and experience once again uninterrupted progress.

At this session of the General Assembly elections will be held for a number of seats on the Security Council. Rwanda has officially put forward its candidacy to become a non-permanent member of that body entrusted with responsibility for international peace and security. Its candidacy was endorsed at the last Summit Meeting of the Organization of African Unity (OAU) held at Cairo at the end of June this year. As the Head of State, I ask for the Assembly's trust in my country, Rwanda, which has never yet had a seat on the Security Council. As a State concerned to carry out its responsibilities, including those on the international level, Rwanda believes that it can, today more than yesterday, make its modest contribution to the maintenance of peace in the world and to the restoration of peace in troubled regions and countries.

Emerging as it now is from a war that has tried it sorely, Rwanda is better aware of the price of peace, the peace it has now regained thanks in particular to the efforts of the international community.

Those are the reasons that have motivated Rwanda to put forward its candidacy for a non-permanent seat on the Security Council: to assist other warring nations to return to peace, but also to work, together with the other members of the Council, for the strengthening of peace within its own borders. Rwanda hopes that it will have your confidence.

An ancient country that was under United Nations trusteeship throughout the period prior to its accession to national independence, my country, Rwanda, which has just emerged from the throes of an unmentionable war and now yearns to rebuild, relying on the lessons of the past, has every reason to feel that it has matured, and it assures you of its unswerving determination to work for the advent of peace in the world and understanding among nations. On its behalf, I repeat to the United Nations, our Organization, our sincerest wishes that it may succeed and flourish for the happiness of all mankind.

The PRESIDENT (interpretation from French): On behalf of the General Assembly, I wish to thank the President of the Republic of Rwanda for the statement he has just made.

Major-General Juvénal Habyarimana, President of the Republic of Rwanda, was escorted from the General Assembly Hall.

AGENDA ITEM 9 (continued)

GENERAL DEBATE

Prince MOHAMED BOLKIAH (Brunei Darussalam): Before making my statement I should like to take this opportunity to express my country's deepest sympathy with the Government and people of India as they mourn the thousands of lives lost during last week's earthquake.

I wish to congratulate you on your election, Mr. President; to thank the outgoing President for his contribution to the work of the United Nations; and to welcome all the new Members of our Organization.

Much has been expected of the United Nations in the past year. Its priority has been to ensure that the profound political and economic change does not result in global conflict. This has sometimes meant coordinating international efforts. On other occasions the United Nations has had to take the lead in these operations. At the same time, it has continued to take up the challenges presented by the many far-reaching social, humanitarian and

environmental problems of our day. These have proved more and more difficult to contain within national or even regional boundaries.

The United Nations responsibilities have often been undertaken under most unfavourable conditions. I am therefore pleased that our Secretary-General and the countries representing the United Nations have always responded positively to the situations they have faced. I hope that they will continue to do this, even after such distressing events as those which have occurred in Somalia this week.

I say this because the past year has seen so many valuable achievements. The success of the United Nations Transitional Authority in Cambodia has shown what can be done through responsible regional efforts and patient multilateral action. In South Africa, national, regional and international efforts in support of United Nations resolutions have brought new hope. In the Middle East, the United Nations has been a positive influence in reducing tension after the Gulf War.

We also welcome the agreement between the Palestine Liberation Organization and Israel. This is the first step towards a peaceful settlement of the Palestinian question.

There have also been several initiatives aimed at improving the world economy and developing better trading arrangements in regions. At the same time, the United Nations has continued to give essential assistance to people in developing countries. It has also maintained its peace-keeping operations in a number of problem areas. The United Nations has also organized important international conferences where nations have been able to exchange views on many matters of international concern. This represents a considerable contribution to preventive diplomacy and peace-building. In each case, I hope these achievements will be consolidated by national and regional authorities.

In Cambodia, we wish the new Government every success as they go about the task of bringing lasting stability to their nation. Like all the countries in our region, we look forward to seeing the Cambodian people enjoying peace and prosperity again.

In South Africa, I believe conditions now exist for national leaders to encourage restraint and seek consensus.

The countries in the Gulf region are also in a position to work towards peaceful solutions to the remaining areas of difficulty.

In the Middle East, current developments should start a process that will restore all legitimate Palestinian rights and should lead to a comprehensive settlement in the region.

In terms of the world economy, objectives have been set. What we hope to see now is equally clear progress in strengthening linkages between the North and the South and in creating conditions that promote cooperation and sustainable growth. To do this, we need to improve the existing mechanisms for preventing economic disagreements from turning into open conflict. Each nation has a responsibility to promote fair trading arrangements throughout the world.

Today's overall situation presents many challenges. I feel that we can continue to turn them into positive developments if we note carefully the circumstances under which the United Nations appears to achieve its greatest successes. These occur when the special responsibilities of national Governments, non-governmental organizations and regional associations are recognized and agreed upon before the world body is asked to act.

Where those responsibilities have been in confrontation with each other, the effectiveness of United Nations operations has been hindered. This is clearly illustrated in Somalia and in Bosnia. In those countries, the United Nations initially acted in order to guarantee safe and effective humanitarian assistance. There have been considerable successes in these operations, and I thank those who have achieved them for their humanitarian work.

However, these efforts and the fact that conflict has not been allowed to spread outside the regions concerned should not divert our attention from the deep matters of principle involved.

That is why we wish to express our strong support for the Government of Bosnia and Herzegovina. We believe that the United Nations Charter would be severely compromised if the Organization became a party to any arrangement which forces a sovereign nation and fellow Member of the United Nations to submit to aggression. Not only would this condone terrorism - it would reward it.

In seeking to ensure that the United Nations does not become merely another factor in a local political equation, there are a number of proposals for reform. These are intended to give confidence to Members that United Nations decisions reflect the widest possible spectrum of world opinion. If they also assist in solving the world body's deep

financial problems, I see merit in considering them favourably.

We all have our different views on how the United Nations should best operate. Whatever they are, I hope we will make every effort to encourage our regional and subregional associations to play a crucial supporting role. Ideally, each region will be working on its own agenda for peace and development which will complement the work of the world body. The more this is done, the more the United Nations will be able to act in the way in which it is most effective - as the authority of last resort. In this way, I believe we can make considerable progress towards establishing what the Secretary-General has described as a workable international system.

Mr. NIASSE (Senegal) (interpretation from French): The General Assembly's annual convening in New York is a world event which, each year, expresses the hope of nations and peoples to find common ground, through dialogue and joint effort, in order to live together their shared destiny. In a world that is becoming daily more diverse and in which peoples are witness to so many contradictions, is it not here and now, in close friendship and fraternal dialogue, that humanity, with its boundless intellectual and ethical potential, can embark on a process of self-examination and be reconciled with the universal conscience, which is also the foundation of our human calling to live together and in harmony?

It is in that belief that the delegation of Senegal - which participated in your election, Mr. President, aware of your brilliant political record and the outstanding role your country plays on the international scene - extends to you through me the warm congratulations of my country, our people and its leaders. We have no doubt about your mastery of international practice, for we know that your vast experience as a statesman will make it possible for you to conduct, with effectiveness, intelligence and skill the work of this session of the General Assembly. My best wishes are thus with you in your election and with the task you have been called upon to accomplish, until September 1994, from this historic and lofty rostrum.

Your predecessor, Mr. Stoyan Ganev, former Minister for Foreign Affairs of Bulgaria, guided the proceedings of the forty-seventh session of our General Assembly with a competence and effectiveness that deserve our appreciation and gratitude. We wish heartily to congratulate him.

I should like to pay a special tribute to our Secretary-General, Mr. Boutros Boutros-Ghali, for the enormous

energy that he has expended with such foresight and courage to ensure the implementation of the principles and the realization of the objectives of the Charter of our Organization. The personal friendship that I have shared with that eminent citizen of the world for almost 25 years allows me to reiterate the esteem and admiration that I have always felt towards him.

Finally, I should like to extend my country's congratulations to all the new States Members of our Organization - the Czech Republic, the Slovak Republic, the Former Yugoslav Republic of Macedonia, the Principality of Monaco, the Principality of Andorra and Eritrea. I welcome all of them to the United Nations family.

Some 15 years ago, in September 1978, I had the honour for the first time, in my capacity as the new Minister for Foreign Affairs of Senegal, to address this Assembly. As the young head of the diplomatic corps of an African country, I referred to the many problems then confronting the international community and which revolved around two basic focal points.

The first of these was the accession to political sovereignty of peoples that had not yet experienced freedom, that had been denied the full exercise of inalienable rights inherent to every human being on Earth. Those rights had been denied them by other men, other peoples, other States and other nations in the name of a system that was imposed on them and to which they had been subjected. Hope in their fellow man was their only defence.

The other focal point of attention was the grave inequality of conditions for the economic, social, human and cultural development of nations. Some of these nations had near-total control of scientific developments, industrial technology, transport and communications, the cultural media and world trade networks. They even controlled the raw materials that were produced, to a great extent, in the underdeveloped regions.

Mrs. Fréchette (Canada), Vice-President, took the Chair.

At the same time, while the prices of these raw materials were falling year after year at a dizzying pace, other nations were forced to buy at a high price and with reduced resources the consumer goods produced in the industrialized countries. Those nations were devoting all of their export income to these transactions and were therefore unable to invest in order to ensure their own development.

Thus doomed to indebtedness, they lost a significant part of their own sovereignty just as they were taking their first tentative steps onto the international scene.

And here we are today, 15 years later, gathered together to evaluate, in an outpouring of solidarity, the distance we have covered.

The fact is that the world has changed - yes, it has changed - and the transformations that characterize this end of the twentieth century are so profound that the international community at large feels the need to reform radically the way the United Nations functions, as regards, particularly, the composition of the Security Council, the financial management of the United Nations and cooperation for development, to mention just a few of the most acute needs of the present day.

The world has changed. As for the African continent - to take this as a point of reference - most of the peoples formerly under foreign domination have acceded to independence. States have been created; the structures of an economy have been established; and political and economic leaders have been trained and set to work to help these peoples fulfil their destinies.

But inequalities remain, even though an unprecedented global crisis today affects the economies of all countries, including even those of the most highly industrialized nations. The world economy seems to have become dislocated. It has lost its balance. New rules are established and developed day by day in the quest for new balances and new solutions. And all this is done in a situation that increasingly jeopardizes international peace. This situation could, if we are not careful, lead to impatience, to intolerance, to irritation, to a lack of dialogue - in short, to inevitable confrontation. Such a threat is unacceptable, and we must not accept it.

That is why, together with my colleagues the other heads of delegations, I would like on behalf of my country - an African country, a Sahelian country, a developing country - to join other delegations in repeating to the nations gathered here that, in spite of all these problems, we do not have the right to despair.

For it is obvious today that the salvation of humankind resides in solidarity and in friendship and cooperation between human beings. The fundamental and logical underpinnings of relations between peoples are, more than ever before, dialogue and agreement, expressed through

firm language that translates our thoughts about the human being and about life.

It is fortunate that a country such as France - which I am pleased to mention, together with other industrialized countries that are supporting Africa - reaffirmed just a few days ago in Paris, through Mr. Alain Juppé, Minister for Foreign Affairs, that the West in general and the European countries in particular must be aware that if the majority of the populations of the world remain hungry, poor, bearing the weight of the distortions in the international economy, and if, in addition, they see their efforts to achieve political and social democracy destroyed by difficulties of all types, then there will always be a risk that international peace will be destabilized.

The industrialized countries must move in the right direction. They must understand that international solidarity can be expressed only through the mutual support that nations must give each other. In this respect, our continent, Africa, and many Asian countries should receive this support in a context of mutual respect. In other words, the proposal for an "agenda for development" initiated by the Brazilian delegation, with the support of the Group of 77, to accompany the "Agenda for Peace" submitted by our Secretary-General, Mr. Boutros Boutros-Ghali, deserves the international community's attention. This important measure reflects the concerns of the Head of State of Senegal, President Abdou Diouf, who, when he addressed this Assembly last year, on this very date, launched the idea of a general agreement on solidarity as the foundation for fruitful international economic cooperation, the driving force of North-South solidarity in a renewed form.

Ancient African wisdom - the ancient wisdom of our continent - teaches us that human beings, who alone can change and improve their own environment, are endowed with prodigious intellectual and moral resources, resources based on intelligence, imagination and the ability to rise to a situation in a way that makes it possible for them to fulfil their destiny. We must remain united and mutually supportive.

In this connection, the delegation of Senegal solemnly commends the international community for the efforts that made possible the signing in Washington on 13 September 1993 of the agreement between the State of Israel and the Palestine Liberation Organization. This historic event put an end to many decades of hostility and rancour, which cost thousands of lives and left many wounded and many alone, orphaned or widowed - all because of a lack of understanding which itself led to the

destruction of the conditions for development in the Middle Eastern countries as a whole. And, what is more, there was the flare-up in oil prices which began in October 1973 and which led to the inflationary curves that have since then characterized the global economy everywhere in the world.

It is now up to the international community to work to consolidate this important step in the direction of a just and comprehensive peace in the Middle East. In this endeavour, the United Nations family can rely, as in the past, on the constant and active support of my country to ensure that in that holy land Israelis and Palestinians can bring humankind into harmony with its profound values of tolerance, wisdom and concord.

That is also the way we view the efforts made to resolve conflicts that in the past seemed beyond any human solution. I have in mind, *inter alia*, Cambodia, where the settlement plan designed by the United Nations led to the holding in May 1993 of general, orderly and democratic elections, as a result of which a legitimate Government was established; El Salvador, where, after several years of civil war, negotiations conducted under the auspices of the United Nations led to the signing, at the beginning of last year, of the Mexico Agreement, which initiated a period of transition towards general elections planned for the beginning of 1994; Liberia, where repeated initiatives pursued by the members of the Economic Community of West African States, supported by the United Nations and by the Organization of African Unity, made it possible to conclude, in July 1993, a new peace agreement which should, as we fervently hope, lead to a definitive settlement of that fratricidal conflict; and Mozambique and Rwanda, where similar agreements have been concluded and where the United Nations has been meaningfully involved in their practical and complete implementation.

I also have in mind South Africa, where considerable progress has been made toward eliminating a system which the entire world rejected and condemned, and where peoples, united in fruitful diversity, must work together for the emergence of a human community characterized by justice and equality. My country, Senegal, will respond to the appeal made in this Hall a few days ago by President Nelson Mandela, when, from this very rostrum, he invited the international community to take a new approach consistent with the evolution of the situation in his country.

All of these are excellent examples of the fact that these new times bear new hopes, even though we still have grounds for legitimate concern. In fact, despite the victories

that freedom has won, when peoples are liberated peace is not always the result. The legacy of the collapsing old order is in fact often an unwieldy one, difficult to manage. On the ruins of oppression which lasted for far too long we must build a new world, a world of freedom and peace, of justice and progress.

During this uncertain period of transition, border conflicts, problems between neighbours and religious tensions bring a return to the conflicts - civil war, genocide, rivalry among members of the same national community - of an era we thought past. Yugoslavia, Somalia, Angola: there are many examples that show that universal peace, that primary objective of the United Nations, is yet but an aspiration.

The challenge, therefore, is to do all in our power so that in all parts of the world the freedoms regained will open the way to peace. My country, Senegal, which has always and in every way been committed to strengthening peace and promoting security, feels that working towards this objective means, first and foremost, affirming forcefully the rule of law in international relations. Lasting peace and security, in fact, can be guaranteed only if all nations of the world comply with the rule of law in their relations with other nations. That law must be the same for all if justice is to prevail.

In this context, and in connection with the tragedy of the fraternal people of Kuwait, I welcome the happy conclusions that have been reached by the Iraq-Kuwait Boundary Demarcation Commission. The international community must continue to protect all States from any external threat to their independence and sovereignty.

My thoughts turn also to Bosnia and Herzegovina, a martyred State and a State Member of the United Nations. I believe the international community has endeavoured in every stage of the evolution of the situation in the former Yugoslavia to guarantee the territorial integrity and sovereignty of Bosnia and Herzegovina, and the international community has committed itself to enforcing, above all, the rights of the Bosnian people, a people today undeniably the victim of true genocide. This commitment must be respected because the very credibility of our Organization is at stake.

In any event, it is in order to uphold respect for that commitment that my country, whose Head of State is Chairman of the Sixth Islamic Summit Conference, intends to continue the efforts he has already begun to contribute to the promotion of peace in Bosnia and Herzegovina, in close

cooperation with all countries that cherish the same ideals of peace and justice.

I also have in mind the painful situation prevailing in Angola. The Bicesse Accords, although freely entered into by the parties to the conflict, seem today to have collapsed. By calling into question the validity of the elections organized a year ago under those same Bicesse Accords, UNITA has once again plunged Angola into an atmosphere fraught with danger and uncertainty. The magnitude of the destruction and suffering caused by this situation warrants urgent efforts to arrive at a definitive cease-fire and a resumption of negotiations. The framework already exists: the Bicesse Accords, endorsed by the United Nations. The principles on which any solution to the conflict must be based are also very clear: the safeguarding of Angola's territorial integrity and national unity and also, above all, respect for the will of the Angolan people, freely expressed in the elections a year ago.

On these bases, my country would here like to send out a solemn appeal to all our Angolan brothers and sisters, above all those of UNITA, to understand that it is not in the interests of the Angolan people to continue the fighting. The interests of the Angolan people reside exclusively in the national effort that all must make to restore peace and harmony to Angola. We Senegalese, for our part, support all efforts to help them in this regard.

There is also the situation in Somalia, where a great deal remains to be done to restore peace and organize a viable State. The United Nations there is on the right path, conducting the most ambitious and largest operation ever organized in Africa. My country would like to express its pleasure once again over the organization of this operation in a country that is today experiencing a tragic and complex situation. The infrastructure has been devastated, the State has collapsed and fratricidal internal strife has engendered massive displacements of the population.

In the face of this tragic situation and in support of the Addis Ababa Agreement, which was the result on last 28 March of the Conference on National Reconciliation in Somalia, the international community, through the United Nations, gave the United Nations Operation in Somalia (UNOSOM II) a mandate to continue the disarmament and to work towards national reconciliation, and at the same time, and most important, towards the strengthening of political institutions.

We are pleased to note that today, in spite of the sporadic turmoil of recent months, UNOSOM II has begun

to help the Somali people restore the sovereignty and integrity of the State. It is in Somalia's and the whole international community's interests for this mission to continue and that it achieve the desired results.

I wish at this point to conclude my statement on a hopeful note.

There is a clear awareness today that our planetary community is inextricably interrelated, that it rests on a natural unity based on scientific and medical discoveries and the speed of communications. But despite, and perhaps because of, this very progress there remains a certain fragility in the balance of our world.

Our calling as human beings endowed with reason is therefore to remain united and to ensure together, hand in hand, the survival of humankind. It is our duty to see to it that our populations live long and in good health, to see to it that future generations derive the greatest benefit from the experiences we have had and that we are having now, so that, tomorrow, our legacy to them will be a world that has not been destroyed, a generous nature, a land united on the solid foundations of friendship, brotherhood, love and peace.

Mr. PHAN VAN Khai (Viet Nam) (spoke in Vietnamese; English text furnished by the delegation): On behalf of the delegation of the Socialist Republic of Viet Nam, I should like to extend to Ambassador Insanally warm congratulations on his election to the presidency of this forty-eighth session of the General Assembly.

We regard highly the vast efforts made and positive achievements attained by His Excellency the Secretary-General, Mr. Boutros Boutros-Ghali, in his position of lofty responsibility, towards the cause of peace, international security, development and cooperation among nations. In April of this year it was with warmth and high esteem, and moved by a desire to enhance Viet Nam's cooperation with the United Nations, that our Government and people welcomed the Secretary-General in our country.

We wish to congratulate the new Members of our United Nations family.

In the year since the previous session of our General Assembly, the world has offered us a chiaroscuro picture of opportunities intermingled with challenges, of hopes mixed with anxieties. The threat of a global war of annihilation continues to recede, and we are witnessing an increasing trend towards dialogue and cooperation, in new forms and

through new mechanisms, in different regions and on a world-wide scale. The progress towards restoration of peace in a number of places, especially in Cambodia and the Middle East, brings glad tidings to the whole world and demonstrates that in our day and age it is still possible, through peaceful negotiations, to settle conflicts that were once fierce and protracted.

However, humanity's conscience and reason remain profoundly disturbed by the bloody conflicts which are inflicting death and pain on peoples and provoking regional and international instability, by potentially explosive tendencies to increase armaments in certain parts of the world, by the widening gap between the developed and the developing world and by other important and pressing problems of a global nature, such as demographic explosion, environmental degradation, dangerous diseases, transnational crime, and so on.

In an unstable world whose evolution is fraught with complexities, the United Nations, while taking account of the direct responsibility of nations concerned, is facing major challenges in the discharge of its primary responsibility, namely the restoration and preservation of peace and stability. Never before has the United Nations been present and active in so many hot spots across the continents as it is today. In this regard the Secretary-General has given us a comprehensive approach to the problem in his report "An Agenda for Peace". (A/47/277)

It is the earnest desire of the people of Viet Nam that peace, closely linked with national independence and sovereignty, be primary components of the new world order. We endorse the view expressed in the report of the Secretary-General on the work of the Organization (A/48/1) that

"States and their sovereignty are increasingly recognized as indispensable building-blocks of international order and problem-solving". (A/48/1, para. 13)

Respect for the national independence, sovereignty and identity of each country, the strengthening of international cooperation, and the settlement of disputes through peaceful negotiations and mutual accommodation, considering peace, stability and cooperation to be the fundamental, long-term interest of each State and of the international community: all these are guiding principles in inter-State relations, principles that the United Nations and its Member States must respect. The Security Council is vested with the

primary responsibility for the activities of the United Nations in respect of the restoration and safeguarding of peace. This mission, however, devolves not solely on the Security Council but on all nations. Member States should therefore have a say in determining the objectives and guiding principles for decisions and actions undertaken by the Security Council with regard to international peace and security. Only by so doing can the United Nations truly be a universal Organization and a common instrument for the community of nation-States. The principles of respect for the sovereignty and territorial integrity of States, of non-coercion and non-interference in the internal affairs of States, of attainment of the consent of the parties concerned, and perseverance in the settlement of disputes through peaceful negotiations: such are the principles that should govern the Security Council's decisions.

Today the world is witnessing miraculous advances in science and technology. In that world, however, some hundred countries and with them billions of human beings are in danger of falling behind in the general advancement of mankind, while the wealth and property of the world are concentrated in the hands of a few developed countries. The gap in development levels is steadily widening. This, together with the accumulated external debt burden, has put developing countries at a constant disadvantage in North-South economic and trade relations. This reality carries potential challenges to security and stability, both regional and international. We should therefore fully comprehend, now more than ever, the interrelation between peace, security and development.

We support the proposal for the United Nations to work out a comprehensive and effective "agenda for development", considering the implementation of such an agenda through enhanced resources as a fundamental factor for the establishment of a new, sound and equitable world order. Development programmes of the United Nations and assistance from highly developed countries to developing countries, especially poor countries, are undertakings which do not benefit one side only; rather, they are necessary for the overall stability and development of the world and the various regions as well as of each State. We are of the view that attaching political conditions to development assistance and cooperation runs counter to the principle of equality and mutual benefit of wholesome international relations.

On the other hand, poor countries hope that the rapidly increasing cost of peace-keeping operations will not affect the ability of the United Nations in the field of development cooperation, and they wish to see balanced attention on the

part of the United Nations to both the Agenda for Peace and that for development.

One important direction of the United Nations activities that reflect the broadening attention given in this regard by the international community is the promotion of democracy and human rights. The World Conference on Human Rights held in Vienna last June clearly pointed out the close relationship between democracy and human rights. In our view, one should accord equal importance to, and promote concurrently, democracy within each country and democracy in inter-State relations. Respect for human rights must go together with respect for equality among States as well as between the United Nations and Member States. The United Nations itself needs to reform its organization and mode of operation so as to ensure democracy, justice and equality for all Member States.

An enlargement in the membership of the Security Council to enhance its representativeness, the promotion of greater transparency in the work of this body of authority within the United Nations system, the strengthening of the effectiveness of the General Assembly, the improvement of the relationship among the United Nations organs, together with perfecting the mechanisms and streamlining the machinery to ensure better efficiency and effectiveness of the United Nations activities - all these are urgent demands facing us as we are approaching the fiftieth anniversary of this Organization. Together with many other countries - member States of the Movement of Non-Aligned Countries, in particular - Viet Nam considers human rights to be primarily the concern and interest of each country, the pursuit of democracy and human rights in one country to be, first and essentially, the responsibility of that country and nation. At the same time, States may cooperate with one another in the promotion of democracy and human rights on the basis of respect for national independence and sovereignty, the right to self-determination, the right of a nation to choose its own path of development, in accordance with the purposes and principles set forth in the United Nations Charter, the Universal Declaration of Human Rights and the two basic International Covenants on Human Rights. We consider using imposed standards of human rights and democracy as preconditions for inter-State cooperation to be a manifestation of inequality and lack of democracy in international relations.

The Vienna Conference identified areas of agreement and at the same time revealed outstanding differences of views on human rights. We hope that, proceeding from the commitment to the common cause of human rights protection and promotion, from the recognition of both the

universality and the specificity of human rights, countries will engage in a dialogue in a spirit of mutual respect with a view to achieving a unity of purpose in a diversity of ways and means of implementation in the field of human rights. The Vienna Conference also put forth recommendations aimed at consolidating and strengthening the role and effectiveness of the United Nations in regard to human rights. To achieve this end, it is our view that we should make full use of the relevant existing machinery and mechanisms of the United Nations and enhance their efficiency and effectiveness. Taking account of the need to streamline its machinery, the Organization must carefully scrutinize and weigh any initiative for the establishment of new mechanisms.

Viet Nam is a country that has lived through protracted, devastating wars in which the use of millions of tons of bombs, ammunition and toxic chemicals has caused destruction of the environment, misery, loss of life and serious consequences for several generations now. It has been undertaking a process of renewal, overcoming many difficulties and challenges to achieve stability, development and integration into the international community.

Located in the most dynamic region for development in the world, Viet Nam has both assets and difficulties, opportunities and challenges stemming from its specific historical circumstances, natural conditions and its geopolitical and geoeconomic position. We are now facing the acute challenge of how to overcome, soon, our state of poverty and underdevelopment, and join the mainstream of progress in the region. The only way is to tap all domestic resources, which, first and foremost, means bringing into full play the dynamism and creativity of every Vietnamese, and at the same time expanding international cooperation in friendship with all countries based on the principle of mutual respect for national independence and sovereignty, and on equality and mutual benefit.

This imperative need impels us to initiate and step up efforts towards renewal in every sphere of social life; at its core, this is focused on a market economy and on perfecting the rule of law in a State that is truly of the people, by the people and for the people.

The process of renewal focuses on the economic field with a view to developing a multisectoral economy operating under the market mechanism, to establishing an economic system that is open both domestically and externally, and to improving the functions and management patterns of the State. Under embargo conditions, and at a point where sources of major assistance from the countries of the

Council for Mutual Economic Assistance (CMEA) are no longer available, the renewal process has helped Viet Nam's economy overcome the most difficult hurdle and end the recession, reduce and maintain control over inflation, achieve average growth in gross domestic product of 7.2 per cent during the past three years, 1991 to 1993, accumulate initially modest levels of domestic savings, and gradually improve the life of the people.

Viet Nam has been attracting increasing foreign direct investment and development assistance. On behalf of the Government and the people of Viet Nam, I should like to express our sincere thanks to various agencies of the United Nations system, such as the United Nations Development Programme, the United Nations Children's Fund, the United Nations Population Fund, the World Food Programme, the Food and Agriculture Organization of the United Nations, the World Health Organization, the United Nations Industrial Development Organization, the Economic and Social Commission for Asia and the Pacific and others, as well as many Governments and non-governmental organizations in the world, for maintaining, resuming and increasing development and humanitarian assistance to Viet Nam.

We highly appreciate the timely support extended by the Governments of France, Japan, Sweden and other countries, together with the international financial institutions, for helping Viet Nam settle arrears with the International Monetary Fund, thereby creating a breakthrough initiation of credit assistance from international monetary and financial institutions; such assistance is absolutely essential for building up socio-economic infrastructures in Viet Nam.

Our appreciation goes also to the many companies, from nearly 50 countries, that have come to Viet Nam for investment and business cooperation at this initial stage of our development.

In our journey towards a dynamic and sound market economy that is well-managed at the macroeconomic level, and achieving healthy, rapid and sustainable growth aimed at achieving the objectives of a prosperous nation, a strong country and a civilized and equitable society, we still face numerous difficulties, weaknesses and challenges. At this juncture, increased assistance from the United Nations, international financial institutions and non-governmental organizations, as well as cooperation and support from various countries, is extremely valuable and meaningful.

On the basis of the fundamental approach of having a socio-economic development strategy up to the year 2000 in which the human person constitutes both the end and the driving force, Viet Nam is simultaneously carrying out economic reforms and a step-by-step renovation of the political system in order to promote the rights of people and citizens' rights, both economic and political, cultural and social. Strenuous efforts have been made to establish the State's rule of law through the promulgation of the amended Constitution of 1992, the election of the new National Assembly Legislature, an enhancement of the power and responsibilities of the elected organs and a stepping up of the law-making process.

In accordance with our nation's tradition of humaneness, we stand for abolishing prejudice and vengeance, and for looking towards the future. Those previously in the ranks of our adversaries have all been freed and given full citizens' rights. All Vietnamese who wish for a prosperous and strong Viet Nam, and who respect the laws, will find a place in the great unity of the nation, even if they are of different political opinions.

The process of renovation and the policy of universal national unity constitute the prime mover for development in the country and at the same time bring into full play the potential of Vietnamese overseas to contribute to the construction of their former homeland.

Viet Nam has concurrently deployed a foreign policy of openness, diversifying and multilateralizing its relations of friendly cooperation with all other countries, thus creating a favourable international environment for our country's renovation and development.

In that spirit, Viet Nam has actively contributed to the peaceful solution of the Cambodian question and has implemented the Paris Agreements and cooperated with the United Nations Transitional Authority in Cambodia. We have established relations of good-neighbourliness with Cambodia in the hope that Cambodia will become a country of peace, independence, neutrality and non-alignment that entertains friendly relations with other countries.

We wish to congratulate the new Government in Cambodia, and stand ready, together with that Government, to settle, jointly, any questions of mutual concern. We express the wish that the Cambodian Government and the United Nations will take effective measures to protect Vietnamese residents living peacefully in Cambodia, and to

ensure their safety and the same rights and benefits as are enjoyed by people from other countries who are resident in Cambodia.

Viet Nam is sparing no effort in building up friendship and cooperation with neighbouring countries and is persevering in its policy of peaceful negotiations to find satisfactory solutions to border and territorial disputes at sea as well as on land. While working for solutions, all concerned parties should refrain from doing anything that further complicates the situation and from the use or threat of use of force to settle disputes.

The fact that relations between the United States and Viet Nam have not yet been normalized 20 years after the end of the war is not normal nor is it in consonance with the trend of our time. With the desire to close the book on the past and to look to the future, Viet Nam wishes and stands ready to normalize relations with the United States on the basis of equality and mutual respect and without preconditions. This would meet the aspirations and interests of the peoples of the two countries, and would serve peace, stability, cooperation and development in the region and throughout the world.

Viet Nam still has tens of thousands of people missing since the war, and their remains have yet to be found; and millions of war victims need help. We are deeply sympathetic towards the sentiments of American families whose loved ones went missing in the Viet Nam war, and have cooperated, are cooperating and will continue to cooperate actively with the American Government and people on the missing-in-action question. We consider this a purely humanitarian issue.

I am confident that the goodwill and conscience of the American and Vietnamese peoples, together with the immediate and long-term interests of the two countries, will soon prevail over the existing obstacles so that relations between the two countries can be normalized.

Allow me to conclude my statement with the hope that the United Nations will rise to the challenge of seizing the opportunities and surmounting the challenges so that it truly becomes an institution to which all Member States entrust their aspirations and in which their views are heard and their actions coordinated. For its part, Viet Nam, in its efforts towards renewal, development and integration with the international community, will always be a positive factor for peace, national independence and social progress, and a sincere and reliable cooperation partner in the region as well as in the world.

Mr. SEY (Gambia): May I at the outset congratulate Ambassador Insanally on his unanimous election as President of the General Assembly at its forty-eighth session. His long and rich experience makes him suitably qualified to preside over this session. I can assure him that he will enjoy the full support and cooperation of my delegation in carrying out his mission.

I should also like to take this opportunity to extend to his predecessor, His Excellency Mr. Stoyan Ganev of Bulgaria, my heartfelt congratulations on the efficient manner in which he presided over the General Assembly at its forty-seventh session.

Let me also take this opportunity to pay a special tribute, once again, to our Secretary-General, His Excellency Mr. Boutros Boutros-Ghali, for the high quality of leadership he is providing to our Organization.

It is encouraging to note the growing membership of the United Nations each year. It is, in the words of the Secretary-General, an explosion in United Nations membership. I should like to extend, on behalf of the Gambia and on my own behalf, sincere congratulations to Eritrea, the Principality of Andorra and the Principality of Monaco on their admission as Members of the United Nations. It is our fervent hope that they will not only be able to realize their national aspirations but also contribute to the positive fulfilment of mankind's hope for a better world.

It was with deep shock and sorrow that we learned of the devastating earthquake in parts of India. In this connection, I should like to convey the heartfelt condolences of the Government of the Gambia to the Government of India and the members of the bereaved families on the occasion of this catastrophe. We also commend the laudable efforts of the Government of India in coping with this massive disaster.

We are meeting this year against the background of renewed hope, following the significant developments in the Middle East and South Africa. Until recently, the Middle East crisis and the situation in South Africa posed a real threat to international peace and security. Today, however, it can be said with a high degree of certainty that in both cases the peace process is irreversible.

The other notable event of major international significance has been the World Conference on Human Rights held in Vienna last June. Coming soon after the end of the cold war and 25 years after the first International Conference on Human Rights, this year's World Conference

on Human Rights reflected the hopes and aspirations of teeming millions of human beings seeking new solutions, readjustments, changes and improvements to their conditions. In many ways, the World Conference on Human Rights symbolized the end of one era and the beginning of a new one with regard to the promotion and consolidation of a strong human-rights culture world-wide.

For us in the Gambia, the convening of the World Conference on Human Rights was a refreshing experience, given our long-established tradition in the protection and promotion of human rights. The Conference enabled us to strengthen our resolve to continue to uphold these much-cherished values.

In reviewing the outcome of the World Conference on Human Rights, my delegation is pleased with the adoption of the Vienna Declaration and Programme of Action, which will serve as a human-rights blueprint for the next century. I would urge the Assembly to consider and approve the document. We regret, however, the failure of the Conference to agree on the setting up of the office of high commissioner for human rights. My Government continues to give its strong support to this proposal, as we are convinced that the office, if created, would facilitate greater coordination of United Nations efforts and provide a more prompt and effective response to critical cases of gross violations.

The issue of human rights, however, needs to be addressed fully in all its composite parts. Political and civil rights go hand in hand with economic, social and cultural rights. Such problems as poverty, hunger, and illiteracy that have characterized developing countries constitute a serious threat to stability and respect for political rights in these countries. As my President, Sir Dawda Jawara stated at the Conference in Vienna in respect of political rights and the right to development,

"We need to remind ourselves of the indivisibility and the interdependence of both rights and the necessity of giving equal attention and urgent consideration to both".

It is saddening to note that at a time when such internationally recognized values as democracy, human rights and rule of law are becoming the order of the day almost everywhere, some seemingly intractable conflicts in other parts of the world threaten to turn back the hands of time.

The situation in Somalia, which appeared to have improved only about a year ago, has suddenly deteriorated, generating cause for serious concern. My delegation is particularly alarmed by the dramatic turn of events resulting in the deaths of some members of the United Nations peace-keeping force and also of some Somalis. To the families of all these fallen servicemen and those of other innocent victims of the Somali conflict, we extend our heartfelt condolences. We very much regret these unfortunate incidents, but they should, no matter how tragic, neither dampen the enthusiasm nor weaken the resolve of the international community to assist the Somalis in their search for lasting peace and stability. Let us not forget now, in the heat of the moment, the very positive achievements of the intervention, which has made it possible to distribute food among a population that was suffering from one of the most horrendous forms of famine.

In the present circumstances the need for general and complete disarmament of all factions cannot be overemphasized, and this must be pursued with renewed vigour. I should like to appeal to the United Nations and, in particular, to the United States of America and all those other countries that have agreed to send troops to Somalia to continue their assistance so that peace and security can return to this troubled land.

We call on all the parties to the conflict to cooperate fully, to respect all the relevant Security Council resolutions and to implement without any further delay the Addis Ababa accord aimed at achieving national reconciliation.

The situation in Bosnia and Herzegovina also constitutes a major preoccupation of the international community. Recent efforts to establish a credible and lasting peace in the country have yet to bear fruit. The failure, so far, to resolve the conflict and the persistent disregard of Security Council resolutions - in particular, resolution 713 (1991) - make the situation even more desperate. The Gambia deplores the continued Serbian aggression against the Republic of Bosnia and Herzegovina. It deplores the acquisition of territory by force, by means of the heinous practice of "ethnic cleansing" and other war crimes. My delegation is firmly of the view that if the international community is unwilling or unable to protect the defenceless Muslim population against Serbian aggression, it must be given the opportunity to defend itself in accordance with Article 51 of the United Nations Charter, which recognizes that peoples must be able to exercise their right of self-defence. We welcome the establishment of an international war crimes tribunal as a fitting response to the atrocities perpetrated in Bosnia and Herzegovina.

In Angola, the fighting continues with unprecedented intensity and ferocity. We condemn the naked and brutal aggression by UNITA against the Government and people of Angola. The people of Angola, through the democratic process - whose principles are the very ones we have been proclaiming in this Hall - have given their verdict. Their decision must be respected, and the international community should provide all necessary support for action against any force that seeks to disregard or overturn it. We therefore welcome the recent decision of the Security Council to impose sanctions on UNITA.

This year - 1993 - has not been one just of conflict, turmoil and bloodshed. Very notable successes have been achieved in mankind's search for peace, and these augur well for the future.

With the conclusion of the Cotonou Peace Accord and the installation of a five-man Council of State to lead Liberia to democratic elections after six months, there is renewed hope of a peaceful and lasting solution to the Liberian conflict. We welcome the contribution of the Government of the United States of America to the United Nations Trust Fund, and we call on all other donor countries to contribute similarly so that additional peace-keeping forces may be speedily deployed in Liberia to ensure full implementation of the Economic Community of West African States (ECOWAS) peace agreement.

With respect to South Africa, there are now clear indications that the peace process is on track and that change is irreversible. My delegation welcomes the agreement reached in the multi-party negotiating forum to set up a Transitional Executive Council, following agreement on the date of the first non-racial, democratic elections.

In this connection, we fully support the recent appeal of the President of the African National Congress (ANC), Mr. Nelson Mandela, that sanctions be lifted. The removal of sanctions would send to all parties a strong, positive signal that the rest of the international community will not be found wanting in support and encouragement for the difficult transition to a non-racial and democratic society. However, we regret the recurrence of violence, which, if it is not addressed satisfactorily, may have serious repercussions for the transitional arrangements. We therefore call on the South African authorities to redouble their efforts to stem the rising tide of political violence.

The recent breakthrough in the Middle East talks, evidenced by the deal between Israel and the Palestine Liberation Organization (PLO) granting limited autonomy to

the Palestinians in Gaza and in the city of Jericho, is a most welcome development. It constitutes a major step in the quest for a just and lasting peace in the Middle East. We extend our heartfelt congratulations to those in the leadership of the two parties for their courage and foresight in making even this limited success possible in a land often characterized by hate, mistrust and destruction. It is true that much remains to be done, but we are optimistic that the momentum generated by the Israeli-PLO agreement will be sustained and expanded to enable all parties to the conflict to strengthen their resolve in the search for a comprehensive and durable solution in accordance with Security Council resolutions 242 (1967) and 338 (1973).

While the recent developments between Israel and its Arab neighbours provide ground for much optimism, the situation between Kuwait and Iraq has failed to register similar progress. I call on the Government of Iraq to comply fully with United Nations resolutions and, in particular, to ensure the early release of Kuwaiti and other prisoners.

We have followed with keen interest the successful conduct by the United Nations of elections in Cambodia. We congratulate the Secretary-General and his staff, as well as all the countries that helped to bring stability back to Cambodia. We hope that the lessons of this exercise will be consolidated and will be applied to other trouble spots that may require the assistance of the United Nations.

The threat to world peace and stability emanates not only from armed conflicts but also from socio-economic factors. The global economic recession has led to worsening economic and social problems. Among the pressing economic difficulties that continue to face the developing countries is the problem of external debt servicing, which is one of the major obstacles to development. In sub-Saharan Africa, the debt stock has increased to \$185 billion - equivalent to 110 per cent of that region's gross domestic product. As of today, one third of Africa's total export earning is paid to the developed countries in the North to service its debts. This situation cannot be allowed to continue. More than ever before, there is a need for a concerted and innovative international effort to find a permanent solution to the problem. It is our view that the international community - particularly the industrialized countries - has not given this problem the level of attention it deserves.

While Africa's indebtedness has continued unabated, its production output, in both agriculture and industry, has continued to decline. The combined negative effect is

aggravated by serious inflation, which has contributed to a steep decline in domestic savings and investment.

The international community's commitment to sustainable development in Africa can best be enhanced by encouraging increased direct foreign investment, as well as an increased international transfer of financial resources to the region. This is crucial to any long-term improvement in Africa's economic situation.

I should add that the removal of unfair trade practices would go a long way towards eliminating the need for aid. This is why we are anxious to see an early conclusion of the Uruguay Round, which we hope will address the thorny issue of market access, as this is of major concern to developing countries.

Finally on this issue we call on the United Nations to provide the necessary support for the successful implementation of the United Nations New Agenda for the Development of Africa in the 1990s and the work of the United Nations Inter-Agency Task Force on African Economic Recovery and Development.

We welcome the initiative of the Japanese Government in convening the Tokyo International Conference on African Development and hope it will contribute to the mobilization of financial and technological resources much needed to ensure Africa's development.

In translating the spirit of Rio de Janeiro into action, the Gambia has already launched its Environmental Action Plan in order to address the serious environmental problems facing the country. Coming from a Sahelian country we remain particularly concerned about the continuous threat posed by drought and human actions to our fragile ecosystem. We welcome the setting up of the Intergovernmental Negotiating Committee and the commencement of the negotiation process for the drawing up of an international convention to combat drought and desertification particularly in Africa. The Gambia will continue to give full support to this Committee.

The success of our efforts to implement Agenda 21 and other programmes approved in Rio and adopted by the General Assembly will depend to a very large extent on the availability of funds and the commitment of our partners to share resources and encourage technology transfer to forge a truly global partnership between developed and developing countries in sustainable development.

In this connection we share the view that the Global Environment Facility (GEF) should be restructured to allow for the increased participation of developing countries in all its activities as well as for inclusion of desertification as one of the areas eligible for GEF funding. It is hoped that in phase II of the GEF there will be an expanded financial base to allow for greater and more rational disbursements.

It has now become established practice to convene summit meetings on issues of major concern to humanity. These summits provide an opportunity to arrive at a collective decision at the highest level on ways and means of resolving these difficulties. It is in this light that we welcome the World Conference on Population and Development and the World Summit for Social Development to be convened in 1995.

As we move closer to the end of this century, so is the United Nations moving closer to its fiftieth anniversary, signalling the maturity of our thoughts and the wisdom of our actions in seeking global peace and security. As the primary role of the United Nations is the maintenance of world peace and security, it becomes imperative in this post-cold-war era to prepare the world body to carry out its mandate as stipulated in its Charter, taking into account the prevailing international political climate.

In this connection my delegation notes with keen interest the restructuring and revitalization of the United Nations. We welcome efforts to streamline and rationalize the work of the General Assembly at the level of both the plenary Assembly and the Main Committees. These efforts, it is hoped, will strengthen the decision-making role of the General Assembly and enhance its effectiveness and efficiency as the largest and most important organ of the United Nations system. Furthermore, the relationship between the General Assembly and the Security Council should be redefined and better coordinated.

As regards the reorganization of the Security Council, efforts should be made to ensure transparency in its work and activities. The Gambia would support any proposals for the reorganization of the Security Council on the basis of equitable geographical representation.

I wish to conclude by again expressing our faith in the capacity of the United Nations, strengthened in its authority and credibility, to face the many challenges that lie ahead.

Mr. GURIRAB (Namibia): On behalf of the Government and people of Namibia, I wish to extend our deepest sympathy and heartfelt condolences to the Government and friendly people of India on the heavy loss of life and destruction of property that resulted from the devastating earthquake. I trust that the international community will give them a full helping hand.

Namibia welcomes all the newest Members of the Organization and assures them of its readiness to interact with them in the spirit of friendship and solidarity.

The President of the Assembly hails from a friendly country, Guyana, which did so much to spearhead the struggle of the Namibian people for self-determination, liberation and democracy. The Government and people of Guyana spared no effort in manifesting, in word and deed, their unswerving support for and solidarity with the Namibian cause in different world forums. I know all this because I have spent many years at the United Nations and during this time I visited Georgetown, his nation's capital, and other parts of Guyana on more than one occasion. The hospitality and camaraderie of his brotherly people always touched me very deeply. In his past and present incarnations in the service of his great country, he and I have collaborated on various issues of common interest. It is against this background of mutual friendship and solidarity, therefore, that I congratulate him most warmly on his brilliant election as President of this challenging session of the Assembly. His sterling stewardship is already so effectively manifest that the successful conclusion of our deliberations is assured.

I also wish to place on record our sincere appreciation to his predecessor, His Excellency Mr. Stoyan Ganev of Bulgaria, for the effective leadership he provided last session.

Our illustrious Secretary-General, Mr. Boutros Boutros-Ghali, has since his appointment been spearheading an effective and innovative global campaign aimed at streamlining and strengthening the role of the United Nations in peace-keeping operations and in economic and humanitarian issues. His "Agenda for Peace" has provided a useful framework for discussing these and other pressing issues relating to the maintenance of world peace and security. Namibia commends the Secretary-General for his tireless efforts.

On the threshold of a new millennium, and as we are about to celebrate the fiftieth anniversary of the United Nations, it is an appropriate time to reflect and take stock.

This is a period of great hope and confidence in the efficacy of the United Nations. New vision and foresight are thus called for; bold and imaginative decisions are required.

At its forty-seventh session the General Assembly, in resolution 47/62, on the "Question of equitable representation on and increase in the membership of the Security Council", recognized that in the changing global situation there was a need to reorganize, revitalize and democratize the Security Council. The end of the cold war has created new expectations that the Security Council will take on larger responsibilities and a greater role in the maintenance of international peace and security. But if the Security Council is to be a credible organ of the United Nations, it must fulfil these expectations of a changing and demanding world. It is with this in mind that the "Question of equitable representation on and increase in the membership of the Security Council" should be addressed. Changes towards a more representative Council would, no doubt, enhance its credibility, legitimacy and authority.

Namibia supports the view that the membership of the Security Council should be increased and more permanent and non-permanent members added, taking into consideration equitable geographical representation. Africa itself needs an effective presence on the Council, as do Asia and Latin America. The outmoded and undemocratic veto power should be abolished altogether.

Likewise, there is a compelling need for the restructuring of other organs, such as the General Assembly itself and the Economic and Social Council. The member States of the Movement of Non-Aligned Countries, working in close partnership with the Group of 77, should involve themselves fully in the ongoing discussions on the restructuring of these vital organs of the United Nations.

Today we are witnessing a new phenomenon in international relations, characterized by a sense of consensus deriving from shared interests, in which the credibility and centrality of the United Nations in dealing with global conflicts has been greatly enhanced. Indeed, we have witnessed the Organization fulfilling its mandate in the area of the maintenance of international peace and security.

We in Namibia believe that now is the opportune moment to establish a new role and purpose for a conflict-resolution mechanism which is appropriate to the post-cold-war era and to the needs and aspirations of succeeding generations. The renewed commitment towards conflict resolution must be transformed into a realistic programme of action, relating to preventive diplomacy, peacemaking,

peace-keeping and peace-building. Humanity is yearning for a peaceful, just and prosperous world. On this score, Namibia envisages a meaningful partnership and enhanced cooperation between the Secretary-General of the United Nations and the Secretary-General of the Organization of African Unity in the field of conflict resolution and humanitarian relief operations in Africa.

Now more than ever, much is expected of the United Nations in the area of conflict resolution. The Organization has a golden opportunity to ensure that those expectations which "We the peoples" set forth in the Charter, are met by further enhancing its effectiveness.

It is an accepted fact that peace and stability are necessary, albeit not sufficient, conditions for economic development. Therefore, peace-keeping, peacemaking and peace-building should go hand in hand with economic development.

For peace-keeping operations to be effective, Member States should pay promptly their assessed contributions to the regular budget and to peace-keeping operations. In this context, we support the establishment of the reserve fund aimed at improving the start-up financing of peace-keeping operations.

In Cambodia, the United Nations Transitional Authority in Cambodia (UNTAC) accomplished its task satisfactorily. Namibia was happy to have contributed polling officers and a staffed contingent of reinforced vehicles, called wolves, to UNTAC. We did this because it was, after all, in Namibia that a United Nations peace-keeping operation scored its first large-scale victory. Namibia will favourably consider participation in future United Nations peace-keeping operations.

Unfortunately, other peace-keeping operations have not as yet achieved the same positive results. It is our hope that the United Nations will continue to help resolve the conflicts in Somalia, Angola, Rwanda, Liberia, Mozambique, Haiti and Bosnia and Herzegovina, among others.

With regard to Angola, Mr. Savimbi's rejection of last year's election results was a major set-back. It has plunged that sister country further into a most horrible human tragedy. The horrendous carnage there continues to claim about 1,000 innocent lives a day. It is further reported that from 2 million to 3 million innocent Angolans are at risk of dying of either direct or indirect effects of this senseless war.

The international community must exert concerted pressure on Mr. Savimbi to accept the will of the Angolan people without any further delay. What is now expected of Mr. Savimbi is the speedy implementation of the Bicesse Accords, the relevant Security Council resolutions, the Abidjan Protocol and last year's election results, which, taken together, provide the framework for resuming negotiations with the Angolan Government.

It is the view of the Namibian Government that the resumption of negotiations should lead to an early cease-fire, which will allow the delivery of humanitarian assistance to the suffering Angolan people, reconciliation and consolidation of the Government of National Unity.

To this end, and in the face of Mr. Savimbi's persistent intransigence, the Security Council had no other alternative but to impose sanctions against UNITA. Namibia, therefore, supports Security Council resolution 864 (1993) which, *inter alia*, calls for the prohibition of all sale or supply to UNITA of arms and related *materiel* and military assistance, as well as petroleum and petroleum products, and urges all Member States to implement these measures. We believe also that if UNITA continues to flout Security Council resolutions, additional forms of punitive sanctions should be imposed.

Concerning the situation in Somalia, Namibia supports the United Nations peace-keeping operation there. My delegation holds the view that disarming the various factions would allow the people of Somalia to build genuine bridges of reconciliation and bring about the restoration of a civil society.

Under the present circumstances, and in spite of provocations by General Aidid's faction, the United Nations Operation in Somalia should continue to carry out its mandate. Our hearts go out in sympathy to all those countries whose nationals, including innocent Somalis, have made the supreme sacrifice in the service of the United Nations and human brotherhood. Any precipitous withdrawal, however, would be to the detriment of innocent Somali people and is likely to reverse the whole process. This should not be allowed to happen.

In Mozambique, we are encouraged to note that the cease-fire continues to hold and that the process appears to be moving forward. I can hardly overemphasize that it is absolutely imperative for elections to be conducted in an atmosphere of peace, trust and cooperation - and this means that the armed forces must first be confined to base and

demobilized, in accordance with the General Peace Agreement agreed to last year by the two parties.

Namibia welcomes with satisfaction the recent encouraging developments that have taken place in South Africa. For the first time in the history of that neighbouring country, all the people of South Africa will finally participate in a free and democratic election on 27 April next year. We would like, nevertheless, to urge all the people of South Africa to ensure that this process remains on course, and we call upon all the parties to participate in the work of the Transitional Executive Council. In the same vein, we call upon them, with the assistance of the international community, to put an immediate end to the ever-escalating violence. Violence and the ballot box do not go together.

Namibia, along with the other members of the Ad Hoc Committee on Southern Africa of the Organization of African Unity, supports the call made by the President of the African National Congress, Mr. Nelson Mandela, to lift all remaining economic sanctions against South Africa. Namibia further supports the lifting of the oil embargo after the establishment and commencement of the work of the Transitional Executive Council, as well as the establishment or restoration of full diplomatic relations with South Africa, following the installation of an elected Interim Government of National Unity, pursuant to democratic elections next year.

The Middle East, the cradle of some of the world's major religions, has witnessed bloody conflicts for the greater part of this century and has been on the agenda of the United Nations since its inception. Namibia welcomes the historic breakthrough represented by mutual recognition and the declaration of principles signed between Israel and the Palestine Liberation Organization (PLO) on Palestinian self-rule in Gaza and the city of Jericho. Despite their long enmity, the leaders of the State of Israel and the PLO summoned the political courage to embrace peace. We can only hope that the historic handshake between Mr. Rabin, Prime Minister of Israel, and Mr. Arafat, Chairman of the PLO, will usher in a new era in that region.

Granted, this is only a first step, but it constitutes a firm basis for building a comprehensive, just and lasting peace in the Middle East. However, for this undertaking to succeed, the infusion of large-scale and sustained international financial and humanitarian assistance is required.

Encouraged by the historic and momentous breakthrough in the Middle East and the positive developments in South Africa, and also taking into consideration the emerging climate in favour of rapprochement in inter-State relations, we believe that the time has now come for the leaders of the United States of America and the Republic of Cuba to travel the short distance of 90 miles to reconciliation and peaceful coexistence. We are convinced that this can be done in the interest of the children of the two countries, who, like those of South Africa, Israel and Palestine, hope for a peaceful and brighter future.

Peace and stability in the Middle East are critically important not only to that region but also to the world as a whole. In this context, Namibia associates itself with Security Council resolution 833 (1993) of 27 May 1993, dealing with the territorial integrity of Kuwait and inviolability of its borders. We reiterate our full support for the right of the people of Kuwait and its Government to defend their sovereignty and independence. Namibia is a small State, and we understand the predicament of small States.

During the last session, I updated this august Assembly on the progress made in our bilateral negotiations with the Government of South Africa on the issue of the transfer and reintegration of Walvis Bay and the Offshore Islands into Namibia. Today, I am happy to report that the matter has finally been resolved. On 28 February 1994, the transfer and reintegration of Walvis Bay and the Offshore Islands into Namibia will take place. This will, at last, mark the completion of the decolonization of Namibia and the unification of our nation. I take this opportunity to express our deep appreciation to the Member States for their consistent support, over the years, of Security Council resolution 432 (1978) on Walvis Bay. I would also like to thank, in particular, the South African Multi-Party Negotiating Forum for adopting an important resolution which speeded up this process.

The Rio Earth Summit marked an historic turning-point in the long struggle to increase international awareness about the true nature of the global environmental crisis. The Summit effectively moved a long way towards a better understanding of how future economic development is inextricably linked to sound policies aimed at promoting and protecting the environment.

To this end, and in line with the provisions of our Constitution, Namibia has launched a countrywide programme of tree planting to prevent further deforestation and degradation of the environment. Naturally, Namibia, like the other developing countries, is anxious to see generous financing and implementing of Agenda 21.

Let me now turn to the socio-economic problems we are facing today. Despite the promise world leaders made to children at the World Summit for Children here in New York in 1990, education, health, water, shelter and food security remain inaccessible to millions of children in the developing world - and Namibia is no exception.

In Africa, problems of hunger, malnutrition, disease, and so on, continue to thwart the commitment we made last year at Dakar during the International Conference on Assistance for the African Child, to place children first. In furtherance of this commitment, and convinced that the problems of the Namibian children can be addressed only in a comprehensive manner, we have already integrated the National Programme of Action on children into the overall National Development Plan. This National Development Plan constitutes the basis for social and economic development in Namibia. In this context, primary health care, education, provision of water and rural development are among the priorities of our National Development Plan.

The 20/20 Vision programme we adopted at Dakar must be implemented if we are to achieve tangible results by the year 1995, when we shall review progress made since the 1990 World Summit, including in particular the fate and welfare of those children engulfed in war situations.

The recent World Conference on Human Rights in Vienna has further exposed the unmitigated violence and other forms of injustice being perpetrated against women throughout the world. The Namibian Constitution contains specific provisions on protection of the rights of women and promotion of their welfare. Furthermore, Namibia is a party to the Convention on the Elimination of All Forms of Discrimination against Women.

It is against this background that we in Namibia have taken measures to raise women's awareness of their rights by translating this Convention into indigenous languages. In the same vein, we applaud the appointment of the Special Rapporteur to study the issue of violence against women. It is with this in mind that Namibia looks forward to the Fourth World Conference on Women, in anticipation that its decisions will further advance the cause of women in the world, especially in Africa.

These are some of the many concerns on the social agenda of all nations. Thus to us, the appointment of a United Nations commissioner for human rights makes much sense, and we support the idea. At the same time, we would like to urge everyone to ensure that the mandate and status of such a high-level international civil servant should be considered carefully and realistically.

In order to meet the acute shortages of housing, the Government has embarked upon a programme to provide adequate housing to the Namibian people by the year 2000. In recognition of this national effort, Namibia was awarded the Habitat Scroll of Honour for 1993 for our National Housing Programme, called "Build Together". This award was received by my distinguished colleague, the Honourable Mrs. Libertine Amathila, Minister of Local and Regional Government and Housing, two days ago. I would like to echo the words of my colleague by thanking Habitat for this outstanding honour.

In conclusion, I wish to reiterate my Government's belief that the United Nations, as a unique international body, can live up to its lofty ideals of creating a peaceful, secure and just world for us and for generations to come. To this end, Namibia pledges its total commitment.

The PRESIDENT (interpretation from French): We have heard the last speaker in the general debate for this meeting. A number of representatives have asked to speak in exercise of their right of reply, and I shall call on them now.

I remind members that statements made in exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second intervention, and should be made by delegations from their seats.

Mr. GUILLEN (Peru) (interpretation from Spanish): Yesterday, 5 October, the Foreign Minister of our sister Republic of Ecuador, Mr. Diego Paredes Peña, made a statement in which he rightly made extended reference to the cordial relations between our two countries and to recent initiatives by the Governments of Peru and of Ecuador in their shared desire to broaden the ties binding the two countries for the good of the development of our two peoples and to bring them closer together.

My Government fully agrees with the comments made by Foreign Minister Paredes, for we too are motivated by a desire for an improved climate of respect, cooperation and friendship between our two countries. Such a climate should enable us to deal in a unified way with the rich array

of issues and tasks that go to make up the relationship between two peoples bound by history, geography and culture.

My Government wishes also to stress its devotion to peace and to respect for the international legal order, as reflected in its faithful and unflagging adherence to the principles and purposes enshrined in the Charter of the United Nations. For that reason, the Government of Peru cannot but agree completely that any difference or controversy should be resolved by peaceful means as recognized and prescribed in international law.

In that connection, the President of the Republic of Peru, Mr. Alberto Fujimori, made a comprehensive proposal in November 1991 for friendship, cooperation and integration. By developing and implementing these purposes and principles and by conforming to the spirit of fraternal ties inspired by the 1942 Rio de Janeiro Protocol, that proposal aimed at establishing an interesting and beneficial working agenda for Peru and Ecuador with the aim of identifying once and for all the demarcation of the outstanding portions of our common border, of signing a treaty on trade and navigation on the Amazon and its southern tributaries, of achieving a broad agreement on border integration, and of arriving at agreements that would foster mutual trust and security.

In that context of cordial and beneficial relations, Peru has proposed deepened bilateral dialogue and direct talks between the two Governments. It is also prepared to establish machinery for coordination and consultation, which hitherto have been lacking. We are convinced that this diplomatic exercise will provide room for developments that should greatly promote closer communication between our two Governments. The bilateral instruments that link us provide for a system for the settlement of disputes, which several times has proven valid and effective in properly overcoming difficulties that have caused it to be invoked.

In accordance with the instruments, machinery and systems to which I have referred, Peru proposed to Ecuador the viable and appropriate procedure of jointly asking the countries guarantors of the 1942 Rio de Janeiro Protocol to have the Holy See appoint an expert to complete the demarcation of the outstanding segments of our common border.

In that same constructive spirit, which should prevail between two sister countries, Peru has always maintained that cooperation and integration between Peru and Ecuador should prevail in all the geographical areas the two countries

share, from the Pacific and the Andes to the vast Amazon region - areas that give the relationship between Peru and Ecuador its special personality and characteristics. The new challenge of the twenty-first century is without doubt to devise a programme of sustainable development for the Amazon region. It is in implementing that programme that the two nations must find the *raison d'être* for their new ties. This would restore the historic association that existed between our two nations from pre-Columbian times to the birth of our Republics.

Hence, the Government of Peru was particularly pleased by the statement by the Foreign Minister of Ecuador that his country was renewing and reaffirming its determination to renounce the use or threat of use of force in relations with my country. We were pleased also because that statement is in complete accord with Peru's determination in this regard, in recognition of the bilateral and multilateral commitments binding the two countries, to consolidate a climate of *détente* and mutual trust and to develop a level of security that responds to our common desire to strengthen friendship and cooperation between our two nations.

The President of the Republic of Peru, Mr. Alberto Fujimori, took great pleasure in extending a warm invitation to the President of Ecuador, His Excellency Mr. Sixto Durán Ballén, to visit our country whenever the interests of consolidating friendship between Peru and Ecuador would best be served. It was with equal pleasure that we learned of President Fujimori's acceptance of the invitation to visit Peru, whose people and Government will reciprocate the appreciation and support that the noble people of Ecuador demonstrated to the President of the Republic of Peru during his official visit to Quito in January 1992.

Mr. EXARCHOS (Greece): A few days ago, the representative of Albania, exercising his right of reply in response to the statement of the Foreign Minister of Greece before the General Assembly, tried to dismiss our legitimate concern regarding the unsatisfactory situation of the large Greek minority in Albania, attributing our understandable concern to "extreme nationalism for electoral purposes". (A/48/PV.13, p. 173)

But the unacceptable treatment of the Greek minority has been highlighted in many reports of international bodies, very recently by the European Parliament, which, in a resolution adopted on 14 July 1993, called upon the Albanian Government to respect the cultural and religious rights of the Greek minority in Albania.

It is indeed regrettable that certain practices inspired and implemented by the previous communist regime continue to be applied by the present government, such as, for instance, the arbitrarily designated minority zones.

For its part, Greece, which scrupulously applies the norms and provisions of the basic documents of the Conference on Security and Cooperation in Europe (CSCE) on minorities, expects Albania to act in the same respectful manner, specifically with regard to educational and religious freedom.

Furthermore, the Permanent Mission of Albania circulated a press release, dated 4 October 1993, misrepresenting the content of a letter addressed by the CSCE High Commissioner on National Minorities, Mr. van der Stoep, to the Minister for Foreign Affairs of Albania. Indeed, an inappropriate effort was made to present the views of the Albanian authorities regarding the treatment of the Greek minority as the conclusions and recommendations of the High Commissioner himself.

Greece, which from the beginning of the new era supported Albania in its first steps towards democratization and reconstruction, accepts the expression of Albania's gratitude in this respect and intends to be a friendly and supportive neighbour in the future.

At this point, I should like to mention that my country's humanitarian and economic assistance was not limited to the southern part of Albania only, but covered the central and northern part of it as well. May I add that the attitude and behaviour of the Albanian authorities towards

the Greek minority will be a determining factor in our relations.

The Greek delegation took note of the commitment made before the Assembly by the Albanian Minister for Foreign Affairs that his Government

"is determined to build a modern State and a civilized society, based on respect for the human rights of all strata of the population without exception or discrimination ... so that persons belonging to national minorities can assert their own national identity". (A/48/PV.5, p. 154)

We are looking forward to seeing those words followed by deeds.

Mr. KIM Jae Hon (Democratic People's Republic of Korea): The delegation of the Democratic People's Republic of Korea wishes to express its regret at the fact that the Foreign Minister of Singapore, in his statement this morning, used impolite and immoral terms when referring to my country, terms improper to his official position.

My delegation strongly believes that such behaviour should not reoccur in this Hall.

Mr. HOXHA (Albania): The delegation of Albania will avail itself of the opportunity to respond to the statement made by the representative of Greece at a later stage in the general debate.

The meeting rose at 6.30 p.m.



Président : M. INSANALLY
(Guyana)

La séance est ouverte à 15 h 35.

Point 127 de l'ordre du jour (suite)

Barème des quotes-parts pour la répartition des dépenses de l'Organisation des Nations Unies (Article 19 de la Charte) (A/48/414/Add.5)

Le Président (interprétation de l'anglais) :

Je voudrais attirer l'attention de l'Assemblée générale sur le document A/48/414/Add.5, qui contient le texte d'une lettre que m'a adressée le Secrétaire général par laquelle il m'informe que, comme suite à ses lettres datées des 21, 24, 27 et 29 septembre et du 4 octobre 1993, la Gambie a effectué le versement nécessaire pour ramener le montant de ses arriérés en deçà du seuil visé à l'Article 19 de la Charte.

Puis-je considérer que l'Assemblée générale prend note de cette information?

Il en est ainsi décidé.

Allocution du général de division Juvénal Habyarimana, Président de la République rwandaise

Le Président :

L'Assemblée va d'abord entendre une allocution du Président de la République rwandaise.

Le général de division Juvénal Habyarimana, Président de la République rwandaise, est escorté dans la salle de l'Assemblée générale.

Le Président :

Au nom de l'Assemblée générale, j'ai l'honneur de souhaiter la bienvenue à l'Organisation des Nations Unies au Président de la République rwandaise, S. E. le général de division Juvénal Habyarimana, et de l'inviter à prendre la parole devant l'Assemblée générale.

Le Président Habyarimana :

Je ressens à la fois ce sentiment d'un honneur insigne et d'un plaisir réel, mais aussi d'une émotion profonde, en ce moment où, au nom de mon pays, le Rwanda, je prends la parole devant cette prestigieuse Assemblée des Nations Unies, qui chaque année se penche sur le sort de notre monde.

Mais avant tout, je voudrais, Monsieur le Président, m'associer aux éminents orateurs qui m'ont précédé sur cette tribune pour vous adresser, au nom de la délégation que je conduis, nos chaleureuses félicitations pour votre élection à la présidence de la quarante-huitième session ordinaire de l'Assemblée générale des Nations Unies. Nous sommes assurés que vos qualités personnelles, ainsi que votre longue expérience des questions internationales, vous aideront à vous acquitter au mieux de cette lourde responsabilité. Vos qualités et votre expérience constituent le meilleur atout pour le succès des travaux de la présente session. Nos félicitations s'adressent également à tous les autres membres du Bureau, qui, nous en sommes convaincus, feront tout pour vous aider à vous acquitter avec succès de la lourde tâche qui vous a été confiée. La délégation de la République rwandaise ne ménagera aucun effort pour participer activement et efficacement au bon aboutissement des points inscrits à l'ordre du jour de cette session.

Par ailleurs, un hommage mérité est à rendre à votre prédécesseur, M. Stoyan Ganev, qui a toujours été animé par

Le présent procès-verbal est sujet à rectifications. Celles-ci doivent porter la signature d'un membre de la délégation intéressée et être adressées, dans un délai d'une semaine à compter de la date de publication, au Chef de la Section de rédaction des procès-verbaux de séance, bureau C-178A, et également être portées sur un exemplaire du procès-verbal. Les rectifications seront publiées après la clôture de la session, dans un rectificatif récapitulatif.

Distr. GENERALE

A/48/PV.19
28 octobre 1993

FRANCAIS

le même souci d'efficacité, au service de la paix, de la justice et de la sécurité internationale. Il mérite notre profonde gratitude pour avoir dirigé, avec sagesse et compétence les travaux de la quarante-septième session de l'Assemblée de notre organisation.

Nous saisissons également cette agréable occasion pour saluer chaleureusement la présence parmi nous des nouveaux Etats Membres, dont l'admission marque une étape importante vers l'universalité de notre organisation.

Cette quarante-huitième session de l'Assemblée générale des Nations Unies s'ouvre au moment où le monde nous offre un camaïeu peu reluisant : ici et là, quelques îlots de paix et de prospérité. Ils sont peu nombreux. Ailleurs, en plusieurs points du globe, des conflits armés, des tensions politiques prêtes à éclater en crises ouvertes, des délabrements économiques et sociaux. Dans un grand nombre de pays, la misère, des bouillonnements dus à la recherche de sociétés plus équilibrées. Et partout, l'angoisse face à tant de défis qui se dressent devant la conscience de l'homme et qui engendrent la peur pour l'avenir.

Heureusement, quelques bonnes volontés s'organisent et se mobilisent au niveau des Etats, des organisations non gouvernementales, des organisations régionales et internationales, au premier rang desquelles se trouve l'Organisation des Nations Unies, pour réveiller la conscience universelle, éteindre les brasiers, accompagner les changements politiques, soulager la misère et redonner espoir et goût de vivre à ceux pour qui les horizons semblent fermés et sombres.

C'est le lieu et le moment de rendre un vibrant hommage à notre organisation mondiale et à son inlassable Secrétaire général, M. Boutros Boutros-Ghali, pour toutes les actions entreprises et conduites avec doigté en vue de ramener la paix dans les régions et les pays ravagés par la guerre, de prévenir d'autres conflits, d'assister les peuples démunis ou éprouvés par des catastrophes de toutes sortes. Les moyens sont limités, certes, mais cette organisation n'est-elle pas le dernier espoir des peuples?

Et des succès stimulent cet espoir. Ainsi, nous saluons avec enthousiasme la fin de la guerre civile au Cambodge et le rétablissement des institutions étatiques dans ce pays.

Le Rwanda se félicite des progrès réalisés en vue du règlement du conflit au Mozambique et suit avec une attention toute particulière l'évolution politique en Afrique du Sud. Si le système d'apartheid n'est pas encore totalement enrayé en Afrique du Sud, les développements récents y augurent d'une évolution positive rapide.

Le Rwanda se réjouit au plus haut point de l'évolution très positive des négociations de paix au Moyen-Orient, qui viennent de franchir une étape très importante grâce à la reconnaissance mutuelle entre Israël et l'Organisation de libération de la Palestine (OLP) et à la signature, le 13 septembre 1993, à Washington, d'un accord sur l'autonomie palestinienne à Gaza et à Jéricho. Nous espérons que cet accord historique, qui a jeté les bases d'une réconciliation entre Israéliens et Palestiniens, va ouvrir la voie à une solution durable de toutes les questions liées au problème du Moyen-Orient et vers l'installation définitive de la paix et de la tranquillité dans cette partie du monde.

C'est à cette fin que nous sollicitons de la communauté internationale qu'elle redouble d'efforts pour qu'aboutissent à des résultats heureux les tentatives en cours en vue du règlement des conflits en Bosnie-Herzégovine, au Libéria, en Angola, en Somalie et partout ailleurs où les peuples sont meurtris, divisés et plongés dans la misère par les égoïsmes et les ambitions individuels ou tribaux, ou menacés dans leur souveraineté par l'appétit démesuré d'autres Etats.

Au niveau des relations économiques internationales, il reste déplorable de constater que les trois quarts de l'humanité demeurent en marge du progrès économique et social, dans la mesure où de nombreux déséquilibres structurels continuent de handicaper les pays du Sud dans leurs efforts d'autodéveloppement et de coopération internationale. En effet, malgré les efforts de concertation et d'intégration, malgré les ajustements internes opérés toujours au prix d'énormes sacrifices, malgré les bonnes volontés exprimées dans le partenariat international, la dette extérieure continue à s'alourdir et l'écart entre les économies du Nord et du Sud ne cesse de s'élargir.

La délégation rwandaise est convaincue que pour améliorer le sort de l'humanité, la communauté internationale doit envisager des mesures appropriées de nature à favoriser l'émergence d'un nouvel ordre économique mondial plus équitable et plus équilibré. A cet égard, seule la volonté politique commune de tous les Membres de notre organisation pourrait faciliter la correction des déséquilibres structurels de l'économie mondiale et ouvrir la voie à un nouveau partenariat où l'interdépendance signifiera, avant tout, un destin commun de l'humanité, et où la coopération internationale sera davantage synonyme de succès gratifiant pour tous les partenaires, le sceau de la fraternité et la promesse d'une solidarité vécue intimement.

Le Rwanda a toujours estimé que la coopération internationale, pour être plus efficace, doit être davantage le fait d'une concertation intense, transparente, cohérente et concise avec nos partenaires, engagés dans ce qui devrait être

un jour considéré comme un véritable contrat de solidarité. Le Rwanda a toujours estimé qu'une coopération bien conçue implique la notion de cogestion, de coresponsabilité, ce qui signifie donc responsabilité partagée, dialogue permanent, transparence des engagements et acceptation du droit à l'erreur, de part et d'autre. Pour que, plus que par le passé, la coopération puisse répondre à l'enjeu prospectif, pour qu'elle devienne davantage encore coopération, la communauté internationale doit chercher une solution efficace à tous ces défis qui nous entraînent dans un surendettement institutionnalisé.

De plus, la coopération internationale ne pourra renforcer son envergure et son impact que par une véritable intégration des actions, des programmes, dans un contexte stratégique national, dans une vision globale d'autodéveloppement authentique. Le Rwanda a toujours accordé une importance spéciale à la coopération internationale, à laquelle il doit tant de son progrès, tant de son développement, et tant de ses acquis.

S'agissant de la situation politique du Rwanda, mon pays, vous le savez, sort d'une guerre injuste, insensée et imméritée, à lui imposée voilà trois ans, depuis le 1er octobre 1990. Avant de vous brosser à grands traits la situation dans laquelle cette guerre a plongé la population rwandaise et l'économie du pays, permettez-moi de souligner encore une fois le rôle de la communauté internationale dans le dénouement des crises conflictuelles, car la fin de cette guerre dans mon pays est le résultat d'un miracle de la solidarité internationale.

Certes, il a fallu la bonne volonté des deux parties. La sagesse a prévalu sur les ambitions. La haine a cédé à la nécessité de la survie de la nation. Mais la volonté des deux parties, pour une convergence de leurs efforts, fut appuyée, fortement, par les pays voisins du Rwanda, parmi lesquels elles ont choisi, de commun accord, un médiateur, la République du Zaïre, et un facilitateur, la République-Unie de Tanzanie.

Les deux belligérants ont également bénéficié de l'assistance avisée du Président Abdou Diouf du Sénégal, alors Président en exercice de l'Organisation de l'unité africaine, et de certains pays amis, la France, la Belgique, la République fédérale d'Allemagne et les Etats-Unis d'Amérique, sans oublier le concours combien précieux de l'Organisation de l'unité africaine et de l'Organisation des Nations Unies. Tous ces pays et organisations internationales ont en effet envoyé à Arusha, en Tanzanie, des représentants aux négociations de paix, entamées au Zaïre depuis le déclenchement des hostilités et qui se sont poursuivies en Tanzanie une année durant en leur présence et ont été clôturées par un accord de paix.

Je saisis l'occasion pour réexprimer à tous ces pays et organisations les sincères remerciements du Gouvernement et du peuple rwandais pour leur apport combien appréciable à l'aboutissement heureux des négociations, qui ont été éprouvantes pour toutes les parties et qui, plus d'une fois, ont frôlé la rupture, n'eussent été la ténacité et la ferme volonté des deux parties, mais aussi les conseils combien judicieux et fermes de tous les amis présents.

Cette guerre absurde qui a frappé le Rwanda est en train de s'éteindre, grâce à l'Accord de paix signé à Arusha le 4 août dernier. Elle fut meurtrière et destructive. Nous déplorons plusieurs dizaines de milliers de victimes. La guerre a détruit un nombre considérable d'infrastructures, d'équipements et d'ouvrages socio-économiques et administratifs et laissé dans le dénuement le plus total plus de 900 000 personnes déplacées, dont les biens sont partis en fumée.

Elle nous laisse, cette guerre, des orphelins et des mutilés de tous âges, des veuves et des vieillards sans secours, et des centaines de milliers de sinistrés économiques. Dans les régions affectées par la guerre, c'est la misère et la désolation. La scolarité est gravement compromise et les séquelles psychiques sur les tranches d'âges les plus vulnérables sont sans doute incalculables.

Cette guerre a brisé l'équilibre alimentaire déjà fragile et favorisé la famine qui touche tout le pays, pour avoir éclaté dans les régions les plus fertiles du pays, qui ne sont plus cultivées depuis trois ans. Les délégués des organismes internationaux et des organisations non gouvernementales qui ont pu visiter les camps des déplacés, ne peuvent oublier le spectacle de désolation de ces abris de fortune, où des centaines de milliers d'êtres humains continuent de mener, entassés dans des conditions d'extrême insalubrité, une vie à la limite du tolérable. Ces délégués ne peuvent oublier ces files d'affamés sur les routes, en quête d'une aide que la communauté internationale leur destinait et qu'elle arrivait difficilement à leur faire parvenir pour leur permettre de survivre.

Et que dire de l'économie en général? Déjà fort perturbée, elle est aujourd'hui encore plus délabrée en raison des énormes dépenses inhérentes à la guerre et aux destructions qu'elle a entraînées.

Ainsi, après la signature de l'Accord d'Arusha, l'heure est aujourd'hui au travail, immense et de longue haleine, de reconstruction nationale, dans la paix et la sérénité retrouvées, sans oublier l'autre objectif non moins important qu'est la réalisation de la réconciliation nationale et la poursuite du renforcement du processus de démocratisation dans la gestion du pays. Il y a lieu de se féliciter déjà de

l'instauration du multipartisme par la révision constitutionnelle du 10 juin 1991, grâce à laquelle 17 partis politiques ont été agréés à ce jour, dont cinq forment actuellement le gouvernement de transition, qui sera bientôt élargi au Front patriotique rwandais, pour une nouvelle transition devant déboucher sur des élections pluralistes, libres et démocratiques.

Sur le plan économique, le Rwanda connaît une crise depuis les années 80, crise qui a eu des répercussions négatives sur l'exécution budgétaire et qui a été exacerbée non seulement par la guerre, mais aussi par le caractère non prévisible des chocs exogènes, notamment l'effondrement du prix international du café, notre principal produit d'exportation.

Comme la croissance des dépenses publiques et celle du déséquilibre fondamental de la balance commerciale conjuguée à un appareil productif caractérisé par une structure très fragile ne pouvaient plus être maîtrisées, mon pays a mis en oeuvre, dès novembre 1990, un programme de redressement ayant pour objectifs primordiaux : la relance de l'économie; la recherche des équilibres financiers internes et externes; la promotion de l'épargne intérieure; l'encouragement de l'activité du secteur privé et l'amélioration de la gestion du secteur public.

Le Programme d'ajustement structurel du Rwanda a été massivement soutenu par l'ensemble des bailleurs de fonds, techniquement et financièrement, et en tête, les institutions de Bretton Woods. Malheureusement, le démarrage de ce programme, que le Gouvernement aurait apparemment pu exécuter sans trop de dérapages, a coïncidé justement avec l'attaque d'octobre 1990.

Du haut de cette tribune, je remercie très solennellement la communauté internationale qui a appuyé le Rwanda tant au niveau de l'aide à la balance des paiements qu'au niveau des projets de développement. Nos remerciements sont encore plus profonds pour la priorité donnée par la communauté internationale au secours aux déplacés de guerre, en réponse à l'appel consolidé lancé par le Département des affaires humanitaires des Nations Unies, dont le dévouement se trouve au-dessus de tout éloge.

Suite à la guerre et à la nouvelle détérioration des termes de l'échange enregistrée par l'économie rwandaise, la colonne vertébrale de notre Programme d'ajustement structurel est menacée. Je veux parler de la libéralisation des échanges extérieurs et intérieurs, qui nécessite une situation confortable des réserves de change.

Le Gouvernement rwandais vient de décider des éléments saillants de sa politique économique à court et

moyen terme - pour la période 1993-1996 - dans le contexte de l'après-guerre, éléments que nous venons de soumettre à la communauté internationale. Cette politique traduit l'engagement du Gouvernement de tout mettre en oeuvre pour stabiliser les grands équilibres financiers et lancer le processus de reprise économique, en s'appuyant sur la stratégie de base du Programme d'ajustement structurel, qui accorde un rôle clef aux forces du marché. En somme, il s'agit de capitaliser les résultats positifs des mesures mises en place depuis novembre 1990 et d'envisager de nouvelles mesures dictées par la détérioration des perspectives économiques à court et moyen terme liée à la guerre.

En somme, conformément au contenu de l'Accord de paix, les priorités qui seront celles du gouvernement de transition à base élargie sont de poursuivre les efforts de redressement économique et de s'atteler aux quatre programmes de développement économique spécifique d'après guerre, à savoir : l'aide d'urgence aux déplacés de guerre et l'aide à leur installation dans leurs biens; l'assistance à la réinstallation des réfugiés rwandais; l'assistance à la reconstruction; l'assistance à la réinsertion sociale et économique des militaires démobilisés.

Pour le rapatriement des réfugiés rwandais, conformément à la Déclaration de Dar es-Salaam du 19 février 1991, une réunion des bailleurs de fonds sera organisée à l'initiative du Gouvernement, de l'Organisation de l'unité africaine (OUA) et du Haut Commissariat des Nations Unies pour le réfugiés (HCR). Avec la guerre, on a noté des destructions de tout genre, et surtout la dégradation et la destruction de plusieurs milliers d'hectares boisés, ce qui va aggraver encore plus le déficit en bois. Avec la fin de la guerre, le pays devra dégager les frais de démobilisation de plus de 31 000 militaires, et pour ces derniers, il faudra identifier au niveau de tout le pays des activités rémunératrices et de formation qui puissent faciliter leur réintégration sociale et économique.

C'est dans le cadre de la préparation des programmes de reconstruction et de réinsertion socio-économique des militaires démobilisés que j'ai personnellement adressé une requête au Secrétaire général de l'Organisation des Nations Unies, en date du 2 janvier 1993, et qu'une mission interagences du système des Nations Unies est, avec celle du PNUD, actuellement occupée à épauler le Gouvernement rwandais dans la préparation du document à présenter aux bailleurs de fonds lors d'une table ronde d'urgence humanitaire.

Le Rwanda essaie de gérer ses maigres ressources dans un contexte extrêmement difficile. Mais il reste engagé pour une stratégie de développement économique, contenue dans son Programme d'ajustement structurel lancé en

novembre 1990, avec comme pilier le processus de libéralisation économique déjà amorcé et donnant au secteur privé un rôle plus accru dans la prise de décisions.

En signant l'Accord de paix, le Gouvernement rwandais s'est fermement engagé à renforcer les bases d'un Etat de droit dans lequel seront garantis les libertés publiques, les droits politiques, la justice et l'équité. Dans cet accord, les deux parties ont convenu qu'il sera mis sur pied une Commission nationale des droits de l'homme indépendante qui sera chargée d'examiner les violations des droits de l'homme commises par qui que ce soit sur le territoire rwandais, particulièrement par des organes de l'Etat et par des individus sous le couvert de l'Etat ou d'organisations diverses. Parallèlement, le Gouvernement s'efforcera d'améliorer le fonctionnement du système judiciaire et du régime carcéral, en bannissant notamment et en punissant sévèrement en la personne de leurs auteurs les arrestations arbitraires et abusives ainsi que les traitements dégradants infligés aux prévenus.

Les moyens humains, matériels et financiers du pays étant fort limités, il est fait appel à l'assistance financière et technique extérieure, notamment dans le domaine de la formation des magistrats, des officiers du ministère public et des auxiliaires de la justice.

Le Gouvernement rwandais a également réaffirmé dans l'Accord de paix sa volonté de résoudre définitivement le problème des réfugiés ainsi qu'il s'y était engagé dans la Déclaration de Dar es-Salaam du 19 février 1991, lors du sommet régional qui a examiné le problème des réfugiés rwandais.

La tâche sera donc ainsi ardue pour le gouvernement de transition à base élargie prévu par l'Accord, dans le cadre du Protocole sur le partage du pouvoir entre les forces politiques intérieures et le Front patriotique rwandais. Ce gouvernement sera mis en place dans les prochains jours, dès que les conditions préalables seront réunies. La tâche sera ardue aussi pour tout le peuple rwandais, qui est finalement l'auteur principal et le bénéficiaire du progrès et du bien-être recherché.

En dépit de la volonté et de la détermination du peuple rwandais et de son gouvernement, force nous est de reconnaître que les moyens internes disponibles sont grandement insuffisants face au travail à abattre. Aussi attendons-nous de la communauté internationale le support et le complément à nos propres efforts.

La première contribution attendue de la communauté internationale est la mise en place, le plus rapidement possible, d'une force internationale neutre également prévue dans l'Accord d'Arusha. Au nom du peuple rwandais, il me

plaît de présenter à l'Organisation des Nations Unies en général et aux membres du Conseil de sécurité en particulier nos sentiments de gratitude pour la décision historique que notre organisation a prise hier, par l'adoption de la résolution qui a institué la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR) tant attendue pour la mise en oeuvre de l'Accord de paix d'Arusha.

L'Accord assigne à cette force une mission générale de contribuer à la mise en oeuvre de l'Accord de paix, plus particulièrement en supervisant la mise en oeuvre du Protocole sur l'intégration des forces armées des deux parties et en fournissant toute forme d'assistance aux autorités et aux organes compétents. De façon plus spécifique, l'Accord lui assigne, entre autres, des missions de sécurité, dont notamment celles de garantir la sécurité générale du pays et de vérifier en particulier comment les autorités et les organes compétents assurent le maintien de l'ordre public, de contribuer à assurer la sécurité de la population civile, d'effectuer les opérations de déminage, de contribuer à la recherche des caches d'armes et à la neutralisation des bandes armées à travers tout le pays, de contrôler le respect par les deux parties des modalités de cessation définitive des hostilités telles que contenues dans l'Accord de paix.

Enfin, l'Accord d'Arusha confie à la force internationale neutre des missions de supervision du processus de formation de l'armée nationale, dont je ne mentionnerai que la supervision de l'opération de désengagement des forces, la supervision de l'opération de démobilisation des militaires et gendarmes et la participation au programme de formation des membres des nouvelles forces armées.

C'est dire combien la mise en place de cette force internationale neutre est nécessaire et urgente pour permettre la formation du gouvernement de transition à base élargie, la réinstallation des déplacés de guerre, le rapatriement des réfugiés et, d'une manière générale, la reconstruction nationale dans des conditions de sécurité maximale.

Une autre contribution, non moins vitale, attendue de la communauté internationale, plus spécialement du système des Nations Unies, et, sur le plan bilatéral, des pays amis et de diverses organisations non gouvernementales, consistera dans le financement des programmes prioritaires que j'ai évoqués il y a un instant.

Aujourd'hui plus que jamais, le Rwanda a besoin de l'attention, de la sollicitude et de la bienveillance de la communauté internationale. Il compte sur la générosité de cette communauté pour se redresser, pour se relever des affres de la guerre. Puisse cet espoir se réaliser très prochainement.

Fort du soutien de la communauté internationale, le peuple rwandais espère ainsi traverser, sans trop de heurts, la période de transition qui, malgré les balises posées par l'Accord de paix, pourrait se révéler éprouvante. Mais les Rwandais comptent sur le patriotisme et le sens de responsabilité qui doivent caractériser leurs autorités politiques et les leaders des partis participant au Gouvernement et à l'Assemblée nationale de transition, pour consolider les acquis démocratiques et asseoir à jamais les bases de la paix et de la concorde nationale. Une fois exorcisés les démons de la division, il n'y a pas de doute que le peuple rwandais bâtira une nouvelle nation et connaîtra à nouveau, un progrès continu.

Au cours de la présente session auront lieu des élections pour un certain nombre de sièges au Conseil de sécurité. Le Rwanda a officiellement posé sa candidature à un siège non permanent au sein de cette instance chargée de veiller à la paix et à la sécurité internationales. Sa candidature a été appuyée par le dernier Sommet de l'Organisation de l'unité africaine qui s'est tenu au Caire à la fin de juin de cette année. Je sollicite, en ma qualité de chef de l'Etat, la confiance de votre auguste assemblée pour mon pays, le Rwanda n'ayant jamais siégé au Conseil de sécurité. En tant qu'Etat soucieux de remplir ses responsabilités, y compris sur le plan international, le Rwanda estime qu'il peut, aujourd'hui plus qu'hier, apporter sa modeste contribution au maintien de la paix dans le monde et à la restauration de celle-ci dans les régions et les pays troublés.

Sortant lui-même d'une guerre qui l'a tant éprouvé, le Rwanda connaît mieux le prix de la paix, cette paix qu'il vient de recouvrer grâce notamment aux efforts de la communauté internationale.

Voilà les raisons qui ont motivé le Rwanda à poser sa candidature à un siège non permanent au Conseil de sécurité : pour aider les autres nations en guerre à retrouver la paix, mais aussi pour travailler, de concert avec les autres membres du Conseil, à la consolidation de la paix à l'intérieur de ses propres frontières. Le Rwanda espère être investi de votre confiance.

Pays anciennement sous la tutelle des Nations Unies tout au long de la période ayant précédé son accession à l'indépendance nationale, mon pays, le Rwanda, fraîchement sorti des affres d'une guerre sans nom et soucieux de se reconstruire en tirant les leçons du passé, a toutes les raisons de s'estimer adulte et de vous assurer de sa détermination sans faille d'œuvrer à l'avènement de la paix dans le monde et à la compréhension entre les nations. En son nom, je renouvelle à l'Organisation des Nations Unies, nos vœux profonds de succès et de rayonnement, pour le bonheur de l'humanité entière.

Le Président :

Au nom de l'Assemblée générale, je tiens à remercier le Président de la République rwandaise de la déclaration qu'il vient de faire.

Le général de division Juvénal Habyarimana, Président de la République rwandaise, est escorté hors de la salle de l'Assemblée générale.

Point 9 de l'ordre du jour (suite)

Débat général

Le Prince Mohamed Bolkiah (Brunéi Darussalam) *(interprétation de l'anglais) :*

Avant de faire ma déclaration, je voudrais saisir cette occasion pour exprimer les plus profondes condoléances de mon pays au Gouvernement et au peuple de l'Inde au moment où ils pleurent la perte de milliers de vies à la suite du tremblement de terre de la semaine dernière.

Je souhaite vous féliciter, Monsieur le Président, de votre élection, remercier le Président sortant de sa contribution aux travaux des Nations Unies et souhaiter la bienvenue à tous les nouveaux Membres de notre organisation.

On a beaucoup attendu de l'Organisation des Nations Unies au cours de l'année écoulée. Elle a pour priorité de veiller à ce que les profonds changements politiques et économiques ne puissent aboutir à un conflit mondial. Cela a parfois voulu dire qu'il fallait coordonner les efforts internationaux. En d'autres occasions, l'ONU a dû être le chef de file de ces opérations. En même temps, elle a continué à relever les défis qui sont posés par les nombreux problèmes sociaux, humanitaires et écologiques d'aujourd'hui, lesquels sont d'une portée considérable. Ils se sont avérés de plus en plus difficiles à contenir à l'intérieur des frontières nationales et même régionales.

L'ONU a souvent assumé ses responsabilités dans les conditions les plus défavorables. Je suis donc heureux que notre Secrétaire général et les pays composant l'Organisation des Nations Unies aient toujours répondu de façon positive aux situations auxquelles ils étaient confrontés. J'espère qu'ils continueront de le faire, même après des événements aussi inquiétants que ceux qui se sont produits en Somalie cette semaine.

Je dis cela parce que l'année écoulée a été marquée par tant de réalisations remarquables. Le succès de l'Autorité provisoire des Nations Unies au Cambodge a montré ce qui peut être fait grâce à des efforts régionaux et à des activités multilatérales patientes. En Afrique du Sud, les efforts déployés aux niveaux national, régional et international à

l'appui des résolutions des Nations Unies nous ont apporté un nouvel espoir. Au Moyen-Orient, l'Organisation des Nations Unies a exercé une influence positive dans la réduction des tensions après la guerre du Golfe.

Nous nous sommes également félicités de l'accord entre l'Organisation de libération de la Palestine et Israël. Il s'agit du premier pas vers un règlement pacifique de la question de Palestine.

Plusieurs initiatives ont également été prises en vue d'améliorer l'économie mondiale et d'élaborer de meilleurs arrangements commerciaux dans les régions. En même temps, l'ONU a continué d'accorder une assistance essentielle aux peuples dans les pays en développement. Elle a également maintenu des opérations de maintien de la paix dans un certain nombre de régions problématiques. L'ONU a également organisé d'importantes conférences internationales au cours desquelles les nations ont pu échanger leurs vues sur de nombreuses questions d'intérêt international. Cela représente une contribution considérable à la diplomatie préventive et à la consolidation de la paix. Dans chaque cas, j'espère que ces acquis pourront être consolidés par les autorités nationales et régionales.

Au Cambodge, nous souhaitons au nouveau gouvernement beaucoup de succès alors qu'il s'engage sur la voie de ramener une stabilité durable dans le pays. Comme tous les pays de notre région, nous nous réjouissons à la perspective de voir le peuple cambodgien jouir à nouveau de la paix et de la prospérité.

En Afrique du Sud, je crois que des conditions existent maintenant pour que les dirigeants nationaux encouragent la retenue et recherchent le consensus.

Les pays de la région du Golfe sont également en mesure d'oeuvrer en vue d'apporter des solutions pacifiques aux problèmes qui n'ont pas encore été résolus.

Au Moyen-Orient, les derniers événements devraient permettre de lancer un processus visant le rétablissement de tous les droits légitimes palestiniens et conduisant à un règlement complet dans la région.

En ce qui concerne l'économie mondiale, les objectifs ont été fixés. Ce que nous espérons voir maintenant, ce sont des progrès tout aussi clairs dans le renforcement des liens entre le Nord et le Sud et dans la création de conditions permettant d'encourager la coopération et la croissance durable. Pour ce faire, nous devons améliorer les mécanismes existants pour empêcher que des désaccords économiques ne se transforment en conflit ouvert. Chaque pays a la responsabilité de promouvoir des accords de commerce équitables dans le monde entier.

La conjoncture actuelle présente de nombreux défis. J'estime que nous pouvons continuer à les relever pour les transformer en événements positifs si nous notons avec soin les situations dans lesquelles l'Organisation des Nations Unies semble connaître ses plus importants succès. Ceux-ci interviennent lorsque les responsabilités particulières des gouvernements nationaux, des organisations non gouvernementales et des associations régionales sont reconnues et convenues avant que l'organe mondial soit prié d'agir.

Lorsque ces responsabilités sont conflictuelles, l'efficacité des opérations des Nations Unies est entravée. Cela est clairement reflété en Somalie et en Bosnie. Dans ces pays, l'Organisation des Nations Unies, au départ, a agi pour garantir une assistance humanitaire sûre et efficace. Des succès considérables ont été réalisés dans ces opérations, et je remercie pour leur travail humanitaire ceux qui en sont responsables.

Ces efforts et le fait que le conflit n'a pas débordé des frontières des régions concernées ne devraient toutefois pas détourner notre attention des importantes questions de principe en jeu.

Voilà pourquoi nous tenons à exprimer notre appui au Gouvernement de la Bosnie-Herzégovine. Nous estimons que les principes de la Charte des Nations Unies seraient sérieusement compromis si notre organisation devenait partie à tout accord qui obligerait une nation souveraine et un Membre de l'Organisation des Nations Unies à se soumettre à l'agression. Non seulement ce serait fermer les yeux sur le terrorisme, mais ce serait le récompenser.

Pour faire en sorte que l'ONU ne devienne pas simplement un autre facteur dans une équation politique locale, un certain nombre de propositions de réformes sont offertes. Ces propositions visent à assurer les Membres que les décisions de l'ONU reflètent l'opinion mondiale la plus large possible. Si elles contribuent aussi à régler les sérieux problèmes financiers de l'Organisation, je crois qu'elles méritent d'être examinées d'un oeil favorable.

Nous avons tous notre vision personnelle de la façon dont l'Organisation des Nations Unies devrait opérer. Mais quel que soit notre point de vue, j'espère que nous déploierons tous les efforts possibles pour encourager le soutien de nos associations régionales et sous-régionales. Dans l'absolu, chaque région appliquerait son propre agenda pour la paix et le développement en complément des travaux de l'organisation mondiale. Plus cette procédure sera répandue, plus l'ONU pourra s'en tenir à son rôle le plus efficace : celui d'autorité de dernier recours. J'estime ainsi que des progrès considérables pourront être réalisés en vue

d'établir ce que le Secrétaire général a décrit comme un système international viable.

M. Niasse (Sénégal) :

La réunion annuelle, à New York, de l'Assemblée générale de l'Organisation des Nations Unies est un événement mondial qui exprime, chaque fois, l'espoir des nations et des peuples de se retrouver, par le dialogue et la concertation, pour vivre ensemble leur destin commun. Dans un monde qui se diversifie de jour en jour et où des contradictions multiples agitent la conscience des peuples, n'est-ce pas ici et maintenant, dans l'amitié et dans le dialogue fraternel, que l'humanité, dotée de capacités intellectuelles et morales illimitées, doit se retrouver avec elle-même, se réconcilier avec la conscience universelle qui est aussi le fondement de la vocation des hommes de vivre unis et solidaires?

C'est dans cette conviction que la délégation sénégalaise, qui a pris part à votre élection, connaissant votre brillant itinéraire politique et le rôle éminent que votre pays joue sur la scène internationale, vous adresse par ma voix, Monsieur le Président, les chaleureuses félicitations de mon pays, de notre peuple, de ses dirigeants. Nous n'avons aucun doute sur votre maîtrise de la pratique internationale, car votre vaste expérience d'homme d'Etat vous permettra, nous le savons, de conduire avec efficacité, intelligence et perspicacité les travaux de la présente Assemblée générale des Nations Unies. Mes vœux accompagnent donc votre élection et, en même temps, la mission que vous êtes appelé à accomplir, du haut de cette tribune si chargée d'histoire et de générosité, jusqu'au mois de septembre de l'année 1994.

Votre prédécesseur, M. Stoyan Ganev, ancien Ministre des affaires étrangères de la Bulgarie, a conduit les travaux de la quarante-septième session de notre assemblée avec une compétence et une efficacité qui méritent appréciation et reconnaissance. Qu'il en soit, ici, chaleureusement félicité.

A notre Secrétaire général, M. Boutros Boutros-Ghali, je voudrais rendre un hommage particulier pour la somme d'énergie qu'il déploie avec tant de clairvoyance et de courage afin d'assurer l'application des principes et la réalisation des objectifs inscrits dans la Charte de notre organisation. L'amitié qui me lie personnellement à cet éminent citoyen du monde depuis près de 25 années m'autorise à lui redire mon estime et mon admiration de toujours.

Je tiens enfin à exprimer les félicitations de mon pays à tous les nouveaux Etats Membres de notre organisation : la République tchèque et la Slovaquie, l'ex-République yougoslave de Macédoine, les Principautés de Monaco et d'Andorre et l'Etat d'Erythrée, Etats auxquels je souhaite la bienvenue dans la famille des Nations Unies.

Il y a une quinzaine d'années, lorsqu'au mois de septembre 1978 j'eus l'honneur, pour la première fois, en ma qualité alors de nouveau Ministre des affaires étrangères du Sénégal, de m'adresser à cette auguste Assemblée, j'évoquais, ici-même, jeune chef de la diplomatie d'un pays africain, les nombreux problèmes que la communauté internationale rencontrait à ce moment-là et qui tournaient autour de deux axes fondamentaux.

Le premier axe était celui de l'accession à la souveraineté politique de peuples qui ne connaissaient pas encore la liberté et à qui était refusée la pleine jouissance de droits inaliénables et imprescriptibles nés avec l'avènement de l'homme sur terre. Ces droits, d'autres hommes, d'autres peuples, d'autres Etats, d'autres nations les leur refusaient au nom d'un système qui leur était ainsi imposé et auquel ils étaient soumis, sans autre moyen de défense que leur espoir dans l'homme.

L'autre axe était celui d'une grave inégalité dans les conditions qui déterminaient le développement économique, social, humain et culturel des nations. Certaines de ces nations disposaient d'une maîtrise quasi totale des normes scientifiques, de la technologie industrielle, des transports et des communications, des moyens de diffusion culturelle, des circuits du commerce mondial, jusqu'au contrôle des matières premières qui étaient produites, en grande partie, dans les zones sous-développées.

Mme Fréchette (Canada), Vice-Présidente, assume la présidence.

Dans le même temps, alors que les prix de ces matières premières connaissaient, année après année, une déflation vertigineuse, d'autres nations se voyaient dans l'obligation d'acheter, au prix fort et avec des moyens réduits, des biens de consommation produits dans les pays industrialisés. Ces nations consacraient l'intégralité de leurs recettes d'exportation à ces transactions, incapables, de ce fait, d'investir pour assurer leur propre développement. Condamnées ainsi à s'endetter, elles perdaient une partie significative de leur propre souveraineté, alors qu'elles faisaient, à ce moment-là, leurs premiers pas, timidement, sur la scène internationale.

Nous voici, aujourd'hui, 15 années plus tard, de nouveau réunis, pour évaluer, ensemble, dans un sursaut de solidarité, le chemin parcouru.

C'est que le monde a changé - oui, le monde a changé -, et les mutations profondes qui marquent le XXe siècle finissant sont d'une ampleur telle que la communauté internationale, dans son ensemble, sent la nécessité de procéder à une réforme profonde du

fonctionnement de l'ONU, en ce qui concerne notamment la composition du Conseil de sécurité, la gestion financière de notre organisation et la gestion de la coopération pour le développement, pour ne citer que ces exigences qui se posent aujourd'hui avec acuité.

Le monde a changé. S'agissant du continent africain, pour prendre cet exemple en guise de référence, la plupart des peuples naguère sous domination étrangère, ont en effet accédé à l'indépendance.

Des Etats se sont créés, les structures d'une économie se sont établies, des dirigeants politiques et économiques ont été formés et mis en activité pour conduire ces peuples dans l'accomplissement de leurs destinées.

Mais les inégalités sont demeurées, même si une crise mondiale sans précédent frappe aujourd'hui les économies de tous les pays, y compris celles des nations les plus industrialisées.

L'économie mondiale semble s'être disloquée. Cette économie s'est déséquilibrée et de nouvelles règles ont été établies et élaborées chaque jour dans la recherche de nouveaux équilibres et de nouvelles solutions, tout cela face à une situation qui, de plus en plus, menace la paix internationale. Cette situation risque de conduire, en effet, si nous n'y prenons garde, à l'impatience, à l'intolérance, à l'énervement, à l'absence de dialogue; en un mot, à d'inévitables affrontements. Une telle menace est inacceptable et nous ne devons pas l'accepter.

C'est pourquoi, en même temps que mes collègues, chefs de délégation, je voudrais joindre la voix de mon pays, un pays africain, sahélien et en développement, à toutes celles d'autres délégations, pour redire aux nations ici réunies que, malgré tout cela, nous n'avons pas le droit de désespérer.

Car la preuve est aujourd'hui faite que le salut de l'humanité réside dans la solidarité, que le salut de l'humanité réside dans l'amitié et que le salut de l'humanité réside dans la coopération entre les hommes. Et la logique fondamentale, qui doit être la source d'inspiration dans les rapports entre les peuples, repose plus que jamais sur le dialogue et la concertation, autour précisément d'un langage ferme qui exprime à la fois nos pensées autour de l'être et de la vie.

Il est encore heureux, aujourd'hui, qu'un pays comme la France, que je suis heureux de citer à côté d'autres pays industrialisés qui soutiennent l'Afrique, que cette France ait réaffirmé par la voix de M. Alain Juppé, Ministre des affaires étrangères, il y a seulement quelques jours à Paris, que l'Occident, en général, et les pays européens, en

particulier, doivent prendre conscience de ce que si la majorité des populations du monde restent affamées, démunies, et supportent le poids des distorsions de l'économie internationale et voient en plus leurs efforts pour une démocratie politique et sociale anéantis par des difficultés de toutes sortes, alors la menace existera de risques de déstabilisation de la paix internationale.

Les pays industrialisés doivent aller dans cette direction, ils doivent comprendre que la solidarité internationale ne peut s'exprimer qu'à travers le soutien mutuel que les nations se porteront les unes aux autres.

Dans ce domaine, l'Afrique, notre continent, et plusieurs pays d'Asie doivent recevoir ce soutien dans le respect mutuel.

C'est dire que le projet de "Programme pour le développement", initié par la délégation du Brésil avec l'appui du Groupe des 77, pour accompagner l'"Agenda pour la paix" de notre Secrétaire général, M. Boutros Boutros-Ghali, c'est dire que ce projet mérite de retenir l'attention de la communauté internationale. Cette importante mesure rejoint les préoccupations du chef de l'Etat sénégalais, M. le Président Abdou Diouf qui, s'adressant à cette Assemblée l'année dernière à la même date, lançait l'idée d'un "general agreement on solidarity" comme soubassement d'une coopération économique internationale à la fois féconde et moteur d'une solidarité Nord-Sud renouvelée.

La vieille sagesse africaine, la vieille sagesse de notre continent, enseigne que l'homme, qui est le seul être capable de modifier et d'améliorer son environnement propre, que l'homme est doté de prodigieuses ressources intellectuelles et morales, celles-ci étant fondées sur l'intelligence, sur l'imagination et sur la capacité de s'élever à un niveau qui lui permette de s'assumer et d'assumer son destin.

Nous devons rester unis et solidaires, nous soutenant mutuellement.

Sous ce regard, la délégation sénégalaise tient à saluer, solennellement, les efforts de la communauté internationale qui ont permis la signature à Washington, le 13 septembre 1993, de l'accord intervenu entre l'Etat d'Israël et l'Organisation de libération de la Palestine. Cet événement historique a mis fin à plusieurs dizaines d'années d'hostilité et de rancœur de toutes sortes, qui ont occasionné des milliers de morts et de blessés, qui ont laissé seuls des orphelins et seules des veuves au nom d'une incompréhension, ayant conduit elle-même à la destruction des conditions du développement de l'ensemble des pays du Moyen-Orient. Sans compter la flambée des prix des produits pétroliers à partir d'octobre 1973, flambée qui a été

à l'origine des courbes inflationnistes qui ont marqué, depuis et partout dans le monde, les tendances de l'économie mondiale.

Il s'agit, maintenant, pour la communauté internationale, d'oeuvrer à la consolidation de ce pas important franchi en direction d'une paix juste et globale au Moyen-Orient. Dans une telle entreprise, la famille des Nations Unies pourra compter, comme par le passé, sur le soutien constant et agissant de mon pays, afin que sur cette terre bénie, Israéliens et Palestiniens réconcilient l'humanité avec ses valeurs profondes de concorde, de tolérance et de sagesse.

C'est sous le même éclairage que nous apprécions les efforts déployés pour la résolution de conflits qui semblaient pourtant échapper à toute solution humaine.

Je pense notamment au Cambodge, où le plan de règlement conçu par l'ONU a abouti à l'organisation, au mois de mai 1993, d'élections générales, régulières et démocratiques à l'issue desquelles un gouvernement légitime a été constitué; je pense à El Salvador où, après plusieurs années de guerre civile, les négociations menées sous les auspices de l'Organisation des Nations Unies se sont soldées par la signature, au début de l'année dernière, de l'Accord de Mexico, accord qui a ouvert une période de transition vers des élections générales qui sont prévues pour le début de 1994; je pense aussi au Libéria, où les initiatives répétées et persévérantes des pays de la Communauté économique des Etats de l'Afrique de l'Ouest (CEDEAO), soutenues par l'Organisation des Nations Unies et par l'Organisation de l'unité africaine (OUA), ont permis la conclusion, en juillet 1993, d'un nouvel accord de paix qui doit pouvoir déboucher sur un règlement définitif de ce conflit fratricide. Nous le souhaitons intensément. Je pense aussi au Mozambique et au Rwanda, où des accords similaires ont été conclus et où l'ONU s'est salutairement investie dans leur application pratique et définitive; je pense à l'Afrique du Sud, où des progrès importants viennent d'être réalisés dans la voie de l'élimination d'un système que le monde entier a réprouvé et condamné et où les peuples, unis dans une féconde diversité, sont appelés à travailler, ensemble, à l'émergence d'une société humaine qui soit marquée par la justice et l'égalité. Le Sénégal répondra à l'appel lancé ici même, il y a seulement quelques jours, par le Président Nelson Mandela, invitant, du haut de cette tribune, la communauté internationale à une nouvelle démarche conforme à l'évolution de la situation dans ce pays.

Ces exemples montrent à suffisance que les temps nouveaux sont porteurs de nouvelles espérances, même s'il nous reste encore des raisons de nourrir de légitimes inquiétudes.

C'est qu'en réalité, malgré les victoires à inscrire à l'actif de la liberté, la paix n'est pas toujours la fille de la libération des peuples.

En effet, l'héritage légué par l'ordre qui s'effondre est, bien souvent, lourd et difficile à gérer. Sur les ruines d'une oppression trop longtemps entretenue, il s'agit toujours de bâtir un nouveau monde, un nouveau monde de liberté et de paix, un nouveau monde de justice et de progrès.

Or dans cette période de transition incertaine, les conflits de frontières, les problèmes de voisinage, les tensions religieuses provoquent le retour aux conflits d'une époque que l'on croyait à jamais révolue : retour à la guerre civile, au génocide, aux rivalités entre membres d'une même communauté nationale. Yougoslavie, Somalie, Angola : les exemples sont nombreux qui montrent que la paix universelle, cet objectif premier de l'Organisation des Nations Unies, demeure encore parfois, malheureusement, à l'état d'ambition.

Le défi est dès lors pour nous-mêmes de tout mettre en oeuvre pour qu'aux quatre coins du monde, les libertés reconquises ouvrent les chemins de la paix.

Mon pays, le Sénégal, qui a toujours été partie prenante à tout ce qui touche au renforcement de la paix et à la promotion de la sécurité, pense que travailler à réaliser cet objectif, c'est d'abord affirmer avec force la primauté du droit dans les relations internationales. La paix et la sécurité ne peuvent en effet être durablement garanties que si toutes les nations du monde se plient aux règles de droit dans leurs rapports avec les autres nations. Ce droit-là doit être le même pour tous pour permettre à la justice de prévaloir.

Dans cet ordre d'idées, évoquant la tragédie du peuple koweïtien frère, je suis heureux de saluer les conclusions positives auxquelles la Commission de démarcation de la frontière entre le Koweït et l'Iraq est parvenue aujourd'hui. La communauté internationale doit continuer de protéger tous les Etats de toute menace extérieure à leur indépendance et à leur souveraineté.

Je pense aussi à la Bosnie-Herzégovine; je pense à cet Etat martyr; je pense à cet Etat qui est Membre de l'Organisation des Nations Unies; je pense que la communauté internationale s'est engagée, à toutes les étapes de l'évolution de la situation dans l'ex-Yougoslavie, à garantir l'intégrité territoriale et la souveraineté de la Bosnie-Herzégovine. Et la communauté internationale s'est engagée à faire respecter aussi et surtout les droits du peuple bosniaque, qui est aujourd'hui incontestablement victime d'un véritable génocide. Cet engagement doit être respecté, car il y va de la crédibilité même de notre organisation.

C'est en tout cas pour faire respecter cet engagement que mon pays, dont le chef d'Etat est le Président du sixième Sommet de l'Organisation de la Conférence islamique, entend poursuivre les efforts qu'il a commencé d'entreprendre pour participer à la promotion de la paix en Bosnie-Herzégovine, en étroite coopération avec tous les pays épris des mêmes idéaux de paix et de justice.

Je pense aussi, enfin, à la douloureuse situation qui prévaut en Angola. En effet, les Accords de Bicesse, pourtant librement conclus par les parties au conflit, semblent aujourd'hui s'être effondrés. Pour avoir remis en cause la régularité du scrutin organisé, il y a un an en vertu de ces mêmes Accords de Bicesse, l'UNITA a de nouveau plongé l'Angola dans une atmosphère lourde de menaces et d'incertitudes. L'ampleur des destructions et des souffrances qu'engendre cette situation justifie l'urgence des efforts à entreprendre pour arriver à un cessez-le-feu définitif et à la reprise des négociations. Le cadre existe déjà : il s'agit des Accords de Bicesse, cautionnés par les Nations Unies. Les principes sur lesquels doit être basée toute solution au conflit sont également très clairs : il s'agit de la sauvegarde de l'intégrité territoriale et de l'unité nationale de l'Angola; il s'agit aussi et surtout du respect de la volonté que le peuple angolais a librement exprimée lors des élections organisées il y a un an.

Sur ces bases, mon pays voudrait lancer ici un appel à tous nos frères angolais, et tout particulièrement à nos frères de l'UNITA, qui doivent comprendre enfin que l'intérêt du peuple angolais ne se trouve pas dans la poursuite des combats. Cet intérêt se trouve exclusivement dans le sursaut national que tous doivent effectuer pour ramener la paix et la concorde en Angola. Nous restons, quant à nous, Sénégalais, partisans de tout effort destiné à les y aider activement.

Mais il y a aussi la Somalie, où il reste encore beaucoup à faire pour rétablir la paix et pour réorganiser un Etat viable. Là-bas, les Nations Unies sont sur la bonne voie, elles qui y mènent actuellement l'opération la plus ambitieuse et la plus vaste qu'elles aient jamais organisée en Afrique. Le Sénégal voudrait se féliciter à nouveau de la mise en oeuvre de cette opération dans un pays qui, aujourd'hui, vit une situation tragique et complexe à la fois. L'infrastructure y est en effet dévastée; l'Etat s'y est effondré et les luttes intestines y ont engendré des déplacements massifs de populations.

Face à cette situation tragique, et s'appuyant sur l'Accord d'Addis-Abeba qui a couronné, le 28 mars dernier, la Conférence de réconciliation nationale en Somalie, la communauté internationale, à travers l'Organisation des Nations Unies, a donné à l'ONUSOM II mandat pour poursuivre le désarmement et pour oeuvrer à la

réconciliation nationale, et en même temps - et surtout - au renforcement des institutions politiques.

Il est heureux de constater qu'aujourd'hui, malgré les perturbations sporadiques intervenues ces derniers mois, l'ONUSOM II a commencé à aider le peuple somali à rétablir la souveraineté et l'intégrité de l'Etat.

Il est dans l'intérêt et de la Somalie et de la communauté internationale que cette mission se poursuive et qu'elle aboutisse aux résultats souhaités.

Je voudrais terminer malgré tout mon intervention sur une note d'espoir.

Tout le monde, aujourd'hui, est conscient du fait qu'il existe une communauté planétaire indissociable, qui repose sur une unité naturelle, laquelle est elle-même fondée sur les découvertes scientifiques et médicales, sur la rapidité des moyens de communication, mais qui aussi - malgré ces progrès, et peut-être même à cause de ces progrès - prévaut une certaine fragilité dans l'équilibre du monde.

Notre vocation d'êtres humains doués de raison nous impose, en conséquence, de demeurer solidaires et d'assurer ensemble, la main dans la main, la survie de l'humanité. Notre devoir est de faire en sorte que nos populations vivent longtemps et en bonne santé, de faire en sorte que les générations futures tirent le plus grand bénéfice des expériences que nous avons connues, des expériences que nous menons à présent, pour que, demain, nous leur laissions un monde non détruit, une nature généreuse, une terre unie, sur le socle solide de l'amitié, de la fraternité, de l'amour, et de la paix.

M. Phan Van Khai (Viet Nam) (*parle en vietnamien; interprétation à partir d'un texte anglais fourni par la délégation*) :

Au nom de la délégation de la République socialiste du Viet Nam, je tiens à présenter à l'Ambassadeur Insanally toutes nos félicitations à l'occasion de son élection à la présidence de la quarante-huitième session de l'Assemblée générale.

Nous respectons beaucoup les grands efforts et les réalisations positives à l'actif du Secrétaire général, M. Boutros Boutros-Ghali, dans l'accomplissement de sa tâche lourde de responsabilités en faveur de la paix et de la sécurité internationales, du développement et de la coopération entre nations. En avril de cette année, c'est avec beaucoup de chaleur, beaucoup d'estime, et mus par le désir de renforcer la coopération du Viet Nam avec les Nations Unies, que notre gouvernement et notre peuple ont accueilli le Secrétaire général dans notre pays.

Nous souhaitons également féliciter les nouveaux Membres de la famille des Nations Unies.

Pendant l'année qui s'est écoulée depuis l'ouverture de la session précédente de l'Assemblée générale, le monde nous a offert une fresque d'occasions entremêlées de défis, d'espoirs mêlés d'angoisses. La menace d'une guerre mondiale d'annihilation continue de s'atténuer, et nous constatons une tendance croissante au dialogue et à la coopération, sous de nouvelles apparences et par de nouveaux mécanismes, dans différentes régions comme à l'échelle du monde. Les progrès réalisés dans le rétablissement de la paix dans un certain nombre d'endroits, en particulier au Royaume du Cambodge et au Moyen-Orient, apportent des courants de satisfaction au monde entier et démontrent que, de nos jours, il est encore possible, par des négociations pacifiques, de régler des conflits jadis féroces et prolongés.

Cependant, la conscience et la raison de l'humanité restent profondément troublées par les conflits sanglants qui infligent mort et souffrance aux peuples et qui engendrent une instabilité sur le plan international, comme aussi par les tendances potentiellement explosives à l'accumulation d'armements dans certaines parties du monde, par le fossé qui s'élargit entre le monde développé et le monde en développement, et par d'autres problèmes importants et urgents sur le plan mondial, comme l'explosion démographique, la dégradation de l'environnement, les maladies dangereuses, les crimes transnationaux, et ainsi de suite.

Dans un monde instable dont l'évolution se heurte à bien des difficultés, l'ONU, tout en tenant compte de la responsabilité directe des pays concernés, doit faire face à de nombreux défis dans l'exécution de sa principale responsabilité : le rétablissement et la préservation de la paix et de la stabilité. Jamais auparavant l'ONU n'avait été présente et active dans autant de situations de crise, d'un continent à l'autre. Dans son rapport intitulé "Agenda pour la paix" (A/47/277), le Secrétaire général nous offre à cet égard une approche globale du problème.

Le peuple du Viet Nam souhaite ardemment que la paix ainsi que la souveraineté et l'indépendance nationales auxquelles elle est étroitement liée soient les principaux composants du nouvel ordre mondial. Nous souscrivons à l'opinion exprimée dans le rapport du Secrétaire général sur l'activité de l'Organisation, selon laquelle :

"Les Etats et leur souveraineté ... sont maintenant considérés de plus en plus comme les pièces maîtresses de l'ordre international et du dispositif dont nous nous sommes dotés pour résoudre les problèmes qui se posent à l'échelon planétaire." (A/48/1, par. 13)

Le respect de l'identité, de la souveraineté et de l'indépendance nationales de chaque pays, le renforcement de la coopération internationale et le règlement des différends au moyen de négociations pacifiques et d'arrangements mutuels dans lesquels la paix, la stabilité et la coopération sont considérées comme étant fondamentales et tenant compte des intérêts à long terme de tous les Etats et de la communauté internationale : voilà les principes directeurs des relations interétatiques que doivent respecter l'ONU et ses Etats Membres. Le Conseil de sécurité est responsable au premier chef des activités de l'ONU en matière de rétablissement et de préservation de la paix. Cette mission n'est cependant pas dévolue au seul Conseil de sécurité mais à tous les pays. Les Etats Membres doivent donc avoir leur mot à dire dans la définition des objectifs et des principes directeurs s'agissant des décisions et des activités entreprises par le Conseil de sécurité au sujet de la paix et de la sécurité internationales. Ce n'est qu'ainsi que l'ONU deviendra véritablement une organisation universelle et un instrument commun pour la communauté des Etats-nations. Les principes de respect de la souveraineté et de l'intégrité territoriale des Etats, de non-coercition et de non-ingérence dans les affaires intérieures des Etats, d'obtention du consentement des parties intéressées et de persévérance dans le règlement des différends par des négociations pacifiques sont les principes qui doivent guider les décisions du Conseil de sécurité.

Aujourd'hui, le monde est témoin de progrès miraculeux dans le domaine de la science et de la technologie. Mais il y a aussi dans le monde une centaine de pays où vivent des milliards d'êtres humains qui risquent de rester à la traîne du progrès accompli par l'ensemble de l'humanité, alors que la richesse et la propriété du monde sont concentrées dans les mains de quelques pays développés. L'écart entre les niveaux de développement s'accroît constamment. Ce phénomène, joint au fardeau cumulé de la dette extérieure, maintient les pays en développement dans une position désavantageuse en ce qui concerne les relations économiques et commerciales Nord-Sud. Cette réalité risque de mettre à l'épreuve la sécurité et la stabilité régionales aussi bien qu'internationales. Il importe donc plus que jamais de bien comprendre la corrélation entre la paix, la sécurité et le développement.

Nous appuyons la proposition tendant à ce que l'ONU élabore un "agenda pour le développement" global et efficace, dont la mise en oeuvre, grâce à un accroissement des ressources, nous semble être un élément fondamental pour l'établissement d'un nouvel ordre mondial solide et équitable. Les programmes de développement de l'ONU et l'aide fournie par les pays hautement développés aux pays en développement, notamment les pays pauvres, constituent des démarches qui ne profitent pas qu'à une seule partie. Au

contraire, ils sont nécessaires à la stabilité et au développement d'ensemble du monde, des diverses régions et de chaque Etat. Nous pensons que le fait d'assortir l'aide et la coopération en faveur du développement de conditions politiques est contraire au principe d'égalité et d'avantage mutuel inhérent à des relations internationales saines.

D'autre part, les pays pauvres espèrent que la hausse rapide des coûts des opérations de maintien de la paix n'affectera pas les capacités de l'ONU en matière de coopération pour le développement, et ils souhaitent que l'ONU accorde autant d'attention à l'Agenda pour la paix qu'à l'agenda pour le développement.

Une orientation importante des activités de l'ONU qui reflètent l'attention croissante que la communauté internationale accorde à ce sujet est la promotion de la démocratie et des droits de l'homme. La Conférence mondiale sur les droits de l'homme qui s'est tenue à Vienne en juin dernier a clairement mis en relief les liens étroits existant entre la démocratie et les droits de l'homme. A notre avis, il faut accorder une importance égale à la démocratie au sein de chaque pays et à la démocratie dans les relations entre Etats et les promouvoir simultanément. Le respect des droits de l'homme doit aller de pair avec le respect de l'égalité entre les Etats ainsi qu'entre l'ONU et les Etats Membres. L'ONU elle-même doit réformer son organisation et son mode de fonctionnement afin d'assurer la démocratie, la justice et l'égalité pour tous les Etats Membres.

Un élargissement de la composition du Conseil de sécurité de manière à le rendre plus représentatif, la promotion d'une plus grande transparence dans les travaux de cet organe d'autorité au sein du système des Nations Unies, le renforcement de l'efficacité de l'Assemblée générale, l'amélioration des relations entre les organes de l'ONU, joints au perfectionnement des dispositifs et à la rationalisation des mécanismes de façon à accroître l'efficacité des activités de l'ONU sont autant de nécessités urgentes auxquelles nous devons faire face alors que nous approchons du cinquantième anniversaire de l'Organisation. A l'instar de nombreux autres pays - particulièrement les Etats membres du Mouvement des pays non alignés - le Viet Nam considère que les droits de l'homme relèvent avant tout des préoccupations et des intérêts de chaque pays, et que la quête de la démocratie et des droits de l'homme dans un pays est, d'abord et surtout, la responsabilité de chaque pays. En même temps, les Etats peuvent coopérer entre eux pour la promotion de la démocratie et des droits de l'homme sur la base du respect de la souveraineté et de l'indépendance nationales, le droit à l'autodétermination, le droit d'un pays à choisir sa propre voie de développement, conformément aux objectifs et aux principes consacrés dans la Charte des Nations Unies, la Déclaration universelle des droits de

l'homme et les deux Pactes internationaux fondamentaux relatifs aux droits de l'homme. Nous estimons que le recours à des normes imposées en matière de droits de l'homme et de démocratie en tant que préalables à la coopération entre Etats est une manifestation d'inégalité et d'absence de démocratie dans les relations internationales.

La Conférence de Vienne a identifié certains domaines d'accord tout en révélant des différences marquées entre les opinions relatives aux droits de l'homme. Nous espérons que, à partir de l'engagement envers la cause commune de la protection et de la promotion des droits de l'homme et de la reconnaissance de l'universalité comme de la spécificité des droits de l'homme, les pays entameront le dialogue dans un esprit de respect mutuel afin de décider d'un objectif commun en matière de droits de l'homme, objectif qui sera recherché de diverses façons. La Conférence de Vienne a aussi avancé des recommandations visant la consolidation et le renforcement du rôle et de l'efficacité de l'ONU en matière de droits de l'homme. Pour atteindre cet objectif, nous sommes d'avis qu'il faut utiliser pleinement les procédures et les mécanismes pertinents en vigueur à l'ONU et en accroître l'efficacité. Compte tenu de la nécessité de rationaliser ses mécanismes, l'ONU doit examiner et évaluer minutieusement toute initiative en faveur de la création de nouveaux mécanismes.

Le Viet Nam est un pays qui a vécu des guerres prolongées et dévastatrices au cours desquelles ont été utilisés des millions de tonnes de bombes, de munitions et de produits chimiques toxiques qui ont provoqué la destruction de l'environnement, des souffrances, des pertes humaines et dont les conséquences seront très lourdes pendant plusieurs générations. Il a entrepris un processus de renouveau, surmontant de nombreuses difficultés et des problèmes pour parvenir à la stabilité, au développement et à la réinsertion dans la communauté internationale.

Situé dans la région la plus dynamique du monde pour le développement, le Viet Nam a des atouts et des difficultés, des possibilités et des problèmes découlant de ses circonstances historiques particulières, de ses conditions naturelles et de sa position géopolitique et géoéconomique. Aujourd'hui, nous nous trouvons devant la difficulté de savoir comment surmonter très vite notre pauvreté et notre sous-développement, et de nous joindre au mouvement vers le progrès qui domine dans la région. Le seul moyen est d'exploiter toutes les ressources nationales, ce qui veut dire que, d'abord et avant tout, il faut exploiter pleinement le dynamisme et la créativité de tous les Vietnamiens et, en même temps, élargir la coopération internationale et l'amitié avec tous les pays en nous fondant sur le principe du respect mutuel de l'indépendance et de la souveraineté nationales, et sur l'égalité et les avantages mutuels.

Cette nécessité impérieuse nous force à entreprendre et à accélérer les efforts pour reconstituer tous les secteurs de la vie sociale; nous devons nous concentrer sur une économie de marché et perfectionner la primauté du droit dans un Etat qui soit réellement un Etat du peuple, par le peuple et pour le peuple.

Le processus du renouveau se concentre sur le domaine économique en vue de développer une économie multisectorielle, qui fonctionne conformément au mécanisme du marché, en vue de créer un système économique ouvert au plan intérieur et extérieur et d'améliorer les fonctions et l'appareil administratif de l'Etat. Dans des conditions d'embargo, et à un moment où des sources importantes d'assistance venant des pays du Conseil d'assistance économique mutuelle (CAEM) n'existent plus, le processus du renouveau a aidé l'économie du Viet Nam à surmonter l'obstacle le plus difficile et à mettre fin à la récession, à réduire et à contrôler l'inflation, à obtenir une croissance moyenne du produit intérieur brut de 7,2 % pendant trois ans, de 1991 à 1993, à augmenter les niveaux d'épargne nationale relativement modestes au début, et à améliorer progressivement la vie de la population.

Le Viet Nam attire de plus en plus d'investissements directs et d'assistance au développement. Au nom du Gouvernement et du peuple vietnamiens, je souhaite manifester notre sincère reconnaissance aux différentes institutions du système de l'Organisation des Nations Unies, telles que le Programme des Nations Unies pour le développement, le Fonds des Nations Unies pour l'enfance, le Fonds des Nations Unies pour la population, le Programme alimentaire mondial, l'Organisation des Nations Unies pour l'alimentation et l'agriculture, l'Organisation mondiale de la santé, l'Organisation des Nations Unies pour le développement industriel, la Commission économique et sociale pour l'Asie et le Pacifique, et d'autres, ainsi que de nombreux gouvernements et organisations non gouvernementales du monde pour le maintien, la reprise et l'augmentation de leur assistance au développement et humanitaire au Viet Nam.

Nous apprécions beaucoup le soutien opportun que nous ont fourni les Gouvernements de la France, du Japon, de la Suède et d'autres pays, ainsi que les institutions financières internationales pour aider le Viet Nam à régler les arriérés qu'il devait au Fonds monétaire international, ce qui a permis d'initier une assistance sous forme de crédit de la part des institutions monétaires et financières internationales; cette assistance est absolument essentielle pour la construction des infrastructures socio-économiques du Viet Nam.

Notre reconnaissance s'adresse également aux nombreuses sociétés, de près de 50 pays, qui sont venues au

Viet Nam pour investir et coopérer au niveau des affaires à ce stade initial de notre développement.

Dans notre voyage vers une économie de marché dynamique et saine, bien gérée au niveau macro-économique et vers une croissance saine, rapide et durable qui cherche à atteindre les objectifs d'une nation prospère, d'un pays fort et d'une société civilisée et équitable, nous nous trouvons encore face à de nombreuses difficultés, des faiblesses et des problèmes. A ce stade, l'assistance accrue de l'Organisation des Nations Unies, des institutions financières internationales et des organisations non gouvernementales, ainsi que la coopération et le soutien de différents pays, sont extrêmement précieux et importants.

Sur la base de l'approche fondamentale de la stratégie de développement socio-économique d'ici à l'an 2000 où la personne humaine représente l'objet et la force motrice, le Viet Nam procède simultanément à des réformes économiques et à une remise à neuf progressive du système politique afin de promouvoir les droits des peuples et des citoyens, tant économique et politique que culturel et social. Des efforts énergiques ont été faits pour créer la primauté du droit de l'Etat par la promulgation de la Constitution amendée de 1992, l'élection de la nouvelle législature de l'Assemblée nationale, un renforcement du pouvoir et des responsabilités des organes élus et une accélération du processus d'établissement des lois.

Conformément à la tradition d'humanité de notre pays, nous sommes pour l'abolition des préjugés et de la vengeance et pour une orientation vers l'avenir. Ceux qui se trouvaient auparavant dans les rangs de nos adversaires ont tous été libérés et se sont vu accorder tous les droits dont jouissent les citoyens. Tous les Vietnamiens qui souhaitent un Viet Nam fort et prospère, et qui respectent les lois, trouveront une place dans la grande famille de la nation, même si leurs opinions politiques sont différentes.

Le processus du renouveau et la politique de l'unité nationale universelle représentent le moteur principal pour le développement du pays et, en même temps, ils font entrer pleinement en jeu le potentiel des Vietnamiens d'outre-mer qui peuvent contribuer à la construction de leur ancienne patrie.

Le Viet Nam a en même temps mis en place une politique étrangère d'ouverture, en diversifiant et en multilatéralisant ses relations de coopération amicale avec tous les autres pays et en créant ainsi un environnement international favorable pour le renouveau et le développement de notre pays.

Dans cet esprit, le Viet Nam a contribué activement à la recherche d'une solution pacifique de la question du

Cambodge, a mis en oeuvre les Accords de Paris et coopéré avec l'Autorité provisoire des Nations Unies au Cambodge. Nous avons engagé des relations de bon voisinage avec le Cambodge en espérant que le Cambodge deviendra un pays de paix, d'indépendance, de neutralité et de non-alignement qui cultive des relations amicales avec d'autres pays.

Nous souhaitons féliciter le nouveau Gouvernement du Cambodge et sommes prêts à régler avec lui toutes questions d'intérêt mutuel. Nous espérons que le Gouvernement du Cambodge et l'Organisation des Nations Unies prendront des mesures efficaces pour protéger les résidents vietnamiens qui vivent pacifiquement au Cambodge, et pour assurer leur sécurité et les mêmes droits et prestations dont jouissent les peuples des autres pays qui résident au Cambodge.

Le Viet Nam n'épargne aucun effort pour établir des liens d'amitié et de coopération avec les pays voisins et il persévère dans sa politique de négociations pacifiques pour trouver des solutions satisfaisantes aux différends frontaliers et territoriaux, tant en mer que sur terre. Tout en oeuvrant afin de trouver des solutions, toutes les parties intéressées devraient s'abstenir d'agir d'une façon qui puisse encore compliquer la situation et de recourir à la menace ou à l'emploi de la force pour régler les différends.

Le fait que les relations entre les Etats-Unis et le Viet Nam n'ont pas encore été normalisées 20 ans après la fin de la guerre n'est pas normal et ne correspond pas à la tendance de notre époque. Avec le désir de tourner le dos au passé et de regarder vers l'avenir, le Viet Nam souhaite normaliser ses relations avec les Etats-Unis et il se tient prêt à le faire sur la base de l'égalité, du respect mutuel et sans conditions préalables. Cela répondrait aux aspirations et aux intérêts des peuples des deux pays et servirait la cause de la paix, de la stabilité, de la coopération et du développement dans la région et dans le monde entier.

Il y a encore au Viet Nam des dizaines de milliers de personnes portées disparues depuis la guerre et leurs dépouilles n'ont pas encore été retrouvées; il y a aussi des millions de victimes de la guerre qui ont besoin qu'on les aide. Nous compatissons sincèrement aux sentiments des familles américaines dont les êtres chers ont été portés disparus à la suite de la guerre du Viet Nam, et nous ne manquerons pas de continuer à coopérer activement avec le Gouvernement et le peuple américains sur la question des soldats américains portés disparus au Viet Nam. Nous pensons qu'il s'agit là d'une question purement humanitaire.

Je suis certain que la bonne volonté et la conscience des peuples américain et vietnamien, avec les intérêts immédiats et à long terme des deux pays, l'emporteront bientôt sur les obstacles existants pour que les relations entre les deux pays puissent être normalisées.

Qu'il me soit permis de terminer ma déclaration en exprimant l'espoir que l'Organisation des Nations Unies saura saisir les occasions qui se présentent et surmonter les problèmes afin de devenir véritablement une institution où toutes les aspirations des Etats Membres sont investies, leurs points de vue sont entendus et leurs actions coordonnées. Le Viet Nam, quant à lui, dans ses efforts de renouveau, de développement et d'insertion dans la communauté européenne, sera toujours un facteur positif pour la paix, l'indépendance nationale et le progrès social et un partenaire sincère et fiable pour la coopération dans la région aussi bien que dans le monde entier.

M. Sey (Gambie) (*interprétation de l'anglais*) :

Je tiens tout d'abord à féliciter l'Ambassadeur Insanally de son élection unanime aux fonctions de Président de l'Assemblée générale, à sa quarante-huitième session. Du fait de sa riche et longue expérience, il est éminemment qualifié pour présider cette session. Je puis l'assurer qu'il bénéficiera pleinement de l'appui et de la coopération de ma délégation dans l'accomplissement de sa mission.

Je tiens également à saisir cette occasion pour adresser à son prédécesseur, S. E. M. Stoyan Ganev, de la Bulgarie, mes sincères félicitations pour la façon efficace dont il a présidé l'Assemblée à sa quarante-septième session.

Je saisis encore cette occasion pour rendre une fois de plus un hommage tout particulier à notre Secrétaire général, M. Boutros Boutros-Ghali, pour la façon remarquable dont il conduit notre organisation.

Il est encourageant de constater que l'Organisation des Nations Unies compte chaque année davantage de Membres. Comme l'a dit le Secrétaire général, la composition de l'Organisation connaît une croissance explosive. Je souhaite adresser, au nom de la Gambie et en mon nom propre, nos sincères félicitations à l'Erythrée, à la Principauté d'Andorre et à la Principauté de Monaco pour leur admission à l'Organisation des Nations Unies. Nous espérons vivement que non seulement elles pourront réaliser leurs aspirations nationales, mais qu'elles contribueront en outre, à la réalisation positive de l'espoir d'un monde meilleur que nourrit l'humanité.

Nous avons été choqués et attristés en apprenant la nouvelle du tremblement de terre dévastateur qui a frappé certaines régions de l'Inde. A cet égard, je tiens à adresser les sincères condoléances du Gouvernement gambien au Gouvernement indien et aux membres des familles endeuillées à la suite de cette catastrophe. Nous rendons en outre hommage au Gouvernement indien pour les efforts louables qu'il a déployés pour faire face à cet énorme désastre.

Nous nous réunissons cette année dans un climat d'espoir renouvelé, à la suite des importants événements survenus au Moyen-Orient et en Afrique du Sud. Tout récemment encore, la crise au Moyen-Orient et la situation en Afrique du Sud posaient une menace réelle à la paix et à la sécurité internationales. Aujourd'hui, l'on peut en revanche affirmer avec beaucoup de certitude que le processus de paix est irréversible.

L'autre événement notable de grande importance sur le plan international a été la Conférence mondiale sur les droits de l'homme tenue à Vienne en juin dernier. Venant peu après la fin de la guerre froide et 25 ans après la première Conférence internationale sur les droits de l'homme, la Conférence mondiale sur les droits de l'homme de cette année reflétait les espoirs et aspirations de millions d'êtres humains à la recherche de solutions nouvelles, de réajustements et de changements et d'améliorations à leur sort. A beaucoup d'égards, cette Conférence mondiale sur les droits de l'homme symbolise la fin d'une époque et le début d'une nouvelle ère de promotion et de consolidation d'une puissante culture des droits de l'homme à l'échelon mondial.

En Gambie, la convocation de la Conférence mondiale sur les droits de l'homme a été une expérience réconfortante, étant donné notre longue tradition de protection et de promotion des droits de l'homme. La Conférence nous a permis de nous conforter dans notre volonté de poursuivre la défense de ces valeurs auxquelles nous tenons tant.

En passant en revue les résultats de la Conférence mondiale sur les droits de l'homme, ma délégation se félicite de l'adoption de la Déclaration de Vienne et du Programme d'action, qui serviront de schéma directeur pour les droits de l'homme au XXI^e siècle. J'exhorte l'Assemblée à examiner et à approuver ce document. Nous regrettons toutefois que la Conférence n'ait pu parvenir à un accord sur la création d'un haut commissariat pour les droits de l'homme. Mon gouvernement continue d'appuyer fermement cette proposition, car il est convaincu que la création d'un haut commissariat faciliterait une meilleure coordination des activités des Nations Unies et qu'il offrirait le moyen de réagir plus rapidement et plus efficacement lorsque se présenteraient des cas critiques de violations flagrantes.

Il faut toutefois aborder tous les éléments de la question des droits de l'homme. Les droits politiques et civiques vont de pair avec les droits économiques, sociaux et culturels. Des problèmes tels que la pauvreté, la famine et l'analphabétisme qui caractérisent les pays en développement posent une grave menace à la stabilité et au respect des droits politiques dans ces pays. Comme l'a dit le Président de mon pays, Sir Dawda Jawara, à la Conférence de Vienne au sujet des droits politiques et le droit au développement,

"Nous ne devons pas oublier que l'interdépendance de ces droits est indivisible et qu'il est nécessaire de leur accorder la même attention et de les examiner d'urgence."

Il est regrettable de constater qu'au moment même où des valeurs internationalement reconnues, telles que la démocratie, les droits de l'homme et la primauté du droit, sont presque partout de plus en plus à l'ordre du jour, certains conflits apparemment insolubles dans d'autres régions du monde risquent de nous faire reculer.

La situation en Somalie, qui semblait s'être améliorée il y a un an seulement, s'est soudain détériorée, suscitant des préoccupations graves. Ma délégation est particulièrement alarmée par les événements tragiques qui ont entraîné la mort de plusieurs membres des forces de maintien de la paix des Nations Unies et de plusieurs Somalis. Nous adressons nos sincères condoléances aux familles de tous ces militaires tués et à celles des autres victimes innocentes du conflit somali. Nous regrettons profondément ces incidents fâcheux mais, aussi tragiques soient-ils, ils ne devraient ni réduire l'enthousiasme ni affaiblir la détermination de la communauté internationale à aider les Somalis dans leur recherche d'une paix et d'une stabilité durables. N'oublions pas, sous le choc du moment, les réalisations très positives de cette intervention qui a permis de faire parvenir des vivres à une population qui souffrait d'une des formes de famine les plus horribles.

Dans les circonstances actuelles, l'on ne saurait trop insister sur la nécessité d'un désarmement général et complet de toutes les factions, et il doit être poursuivi avec une nouvelle vigueur. J'en appelle à l'Organisation des Nations Unies et, en particulier, aux Etats-Unis d'Amérique et à tous les autres pays qui ont accepté d'envoyer des troupes en Somalie, pour qu'ils poursuivent leur aide afin d'assurer le rétablissement de la paix et de la sécurité dans ce pays agité.

Nous invitons toutes les parties au conflit à coopérer pleinement, à respecter toutes les résolutions pertinentes du Conseil de sécurité et à mettre en oeuvre sans retard l'Accord d'Addis-Abeba visant la réconciliation nationale.

De même, la situation en Bosnie-Herzégovine préoccupe gravement la communauté internationale. Les efforts récents visant à instaurer une paix crédible et durable dans le pays n'ont pas encore rapporté grand-chose. Le fait de n'avoir pu régler jusqu'à présent le conflit, et le mépris persistant affiché à l'égard des résolutions du Conseil de sécurité, notamment de la résolution 713 (1991), rendent la situation encore plus désespérée. La Gambie déplore l'agression serbe qui se poursuit contre la République de Bosnie-Herzégovine. Elle déplore l'acquisition de territoires par la force

conformément à la pratique odieuse du "nettoyage ethnique" et par le recours à d'autres crimes de guerre. Ma délégation est fermement convaincue que si la communauté internationale ne veut pas protéger la population musulmane sans défense contre l'agression serbe, ou n'est pas capable de le faire, elle doit lui donner la possibilité de se défendre elle-même, conformément à l'Article 51 de la Charte des Nations Unies, qui reconnaît aux peuples le droit à leur légitime défense. Nous nous félicitons de la création du Tribunal international pour juger les personnes responsables de crimes de guerre, réponse appropriée aux atrocités qui ont été commises en Bosnie-Herzégovine.

En Angola, les combats se poursuivent avec une intensité et une férocité sans précédent. Nous condamnons l'agression flagrante et brutale de l'UNITA contre le Gouvernement et le peuple d'Angola. Celui-ci s'est prononcé, par la voie d'un processus démocratique dont les principes sont les principes mêmes que nous proclamons en cette salle. Sa décision doit être respectée, et la communauté internationale doit donner tout l'appui voulu pour mener des activités contre toute force qui cherche à bafouer ou à renverser cette décision. Nous nous félicitons donc de la récente décision du Conseil de sécurité d'imposer des sanctions contre l'UNITA.

Cette année 1993 n'a pas seulement été une année de conflit, de troubles et d'effusions de sang. Des succès très notables ont été réalisés par l'humanité dans la recherche de la paix, et ils augurent bien de l'avenir.

Avec la conclusion de l'Accord de paix de Cotonou et l'installation d'un Conseil d'Etat de cinq membres pour diriger le Libéria vers des élections démocratiques après six mois, il y a un nouvel espoir d'une solution pacifique et durable au conflit dans ce pays. Nous saluons la contribution du Gouvernement des Etats-Unis au Fonds d'affectation spéciale des Nations Unies, et nous invitons les autres pays donateurs à contribuer de même, afin que des forces supplémentaires de maintien de la paix puissent être rapidement déployées au Libéria pour garantir l'application intégrale de l'Accord de paix de la Communauté économique des Etats de l'Afrique de l'Ouest.

S'agissant de l'Afrique du Sud, des signes clairs indiquent maintenant que le processus de paix est sur la bonne voie et que le changement est irréversible. Ma délégation salue l'accord auquel est parvenu le forum de négociations multipartites et portant création d'un conseil exécutif transitoire, après s'être entendu sur la date des premières élections démocratiques non raciales.

A cet égard, nous appuyons pleinement l'appel que le Président de l'African National Congress (ANC), M. Nelson Mandela, a récemment lancé, demandant la levée des

sanctions. Celle-ci enverra à toutes les parties un signal fort et positif indiquant que le reste de la communauté internationale ne manquera pas d'appuyer et d'encourager la difficile transition vers une société démocratique et non raciale. Nous regrettons toutefois les actes répétés de violence qui, si nous n'y faisons pas face de façon satisfaisante, peuvent avoir de graves répercussions sur les accords de transition. Nous demandons donc aux autorités sud-africaines de redoubler d'efforts pour mettre un terme à cette vague croissante de violence politique.

La récente percée des entretiens au Moyen-Orient, reflétée par l'accord auquel sont parvenus Israël et l'Organisation de libération de la Palestine (OLP) sur l'octroi d'une autonomie limitée aux Palestiniens à Gaza et dans la ville de Jéricho, est un événement encourageant. Il représente un pas important dans la recherche d'une paix juste et durable au Moyen-Orient. Nous félicitons chaleureusement les dirigeants des deux parties, qui, par leur courage et leur perspicacité, ont pu réaliser ce succès même limité sur une terre souvent marquée par la haine, la méfiance et la destruction. Il est vrai qu'il reste beaucoup à faire, mais nous sommes optimistes, car nous pensons que l'élan créé par l'accord entre Israël et l'OLP sera soutenu et élargi pour permettre à toutes les parties au conflit de renforcer leur volonté de rechercher une solution complète et durable conformément aux résolutions 242 (1967) et 338 (1973) du Conseil de sécurité.

Tandis que les récents événements entre Israël et ses voisins arabes sont une source d'optimisme, la situation entre le Koweït et l'Iraq n'a pas connu des progrès semblables. Je lance un appel au Gouvernement de l'Iraq lui demandant de respecter intégralement les résolutions des Nations Unies, et en particulier de garantir la libération rapide des prisonniers koweïtiens et autres.

Nous avons suivi avec un vif intérêt la façon dont l'Organisation des Nations Unies a dirigé avec succès les élections au Cambodge. Nous félicitons le Secrétaire général et son personnel, ainsi que tous les pays qui ont contribué à ramener la stabilité au Cambodge. Nous espérons que l'expérience tirée de cet exercice sera consolidée et pourra servir en d'autres endroits troublés où l'assistance des Nations Unies deviendrait nécessaire.

La menace à la paix et à la stabilité mondiales ne provient pas seulement des conflits armés, mais également de facteurs socio-économiques. La récession économique mondiale a entraîné une détérioration des problèmes économiques et sociaux. Parmi les difficultés économiques pressantes que les pays en développement continuent de connaître se trouve le problème du service de la dette extérieure, qui est l'un des principaux obstacles au développement. En Afrique subsaharienne, le volume de la

dette est passé à 185 milliards de dollars, ce qui représente 110 % de son produit intérieur brut. Aujourd'hui, un tiers des recettes d'exportation de l'Afrique est versé aux pays développés du Nord pour assurer le service de sa dette. Cette situation ne peut pas continuer. Plus que jamais auparavant, il faut que la communauté internationale entreprenne un effort concerté et novateur pour trouver une solution permanente au problème. Nous estimons que la communauté internationale, particulièrement les pays industrialisés, n'a pas accordé à ce problème le niveau d'attention qu'il mérite.

L'endettement de l'Afrique se poursuit sans cesse tandis que sa production, tant agricole qu'industrielle, continue de diminuer. Les effets négatifs combinés sont aggravés par une inflation importante, qui a contribué à une chute radicale des économies et des investissements sur le plan national.

La communauté internationale peut renforcer son engagement en faveur du développement durable en Afrique en encourageant des investissements étrangers directs accrus, ainsi qu'un transfert international accru de ressources financières vers la région. Cela est essentiel si nous voulons apporter une amélioration à long terme à la situation économique en Afrique.

Je me permettrai d'ajouter que la suppression de pratiques commerciales injustes contribuerait dans une large mesure à l'élimination de la nécessité de cette aide. Voilà pourquoi nous attendons avec intérêt la conclusion rapide des négociations de l'Uruguay Round, car nous espérons qu'elles attaqueront la question épineuse de l'accès au marché, qui est une source de préoccupation importante pour les pays en développement.

Enfin, nous appelons à ce propos les Nations Unies à fournir l'appui nécessaire à la mise en oeuvre du nouvel Ordre du jour des Nations Unies pour le développement de l'Afrique dans les années 90 et au travail de l'équipe spéciale interagences des Nations Unies pour le redressement économique et le développement de l'Afrique.

Nous nous félicitons que le Gouvernement japonais ait pris l'initiative de convoquer à Tokyo la Conférence internationale sur le développement de l'Afrique, qui, nous l'espérons, contribuera à mobiliser les ressources financières et techniques tellement nécessaires pour assurer le développement de l'Afrique.

Soucieuse de mettre en pratique l'esprit de Rio de Janeiro, la Gambie a d'ores et déjà lancé son Plan d'action écologique pour remédier aux graves problèmes écologiques qui assaillent le pays. En Gambie, qui est un pays du Sahel, nous restons particulièrement préoccupés par la menace que la sécheresse et les activités humaines

continuent de faire peser sur notre écosystème fragile. Nous nous félicitons de la création du Comité intergouvernemental de négociation et de l'ouverture du processus de négociation visant l'élaboration d'une convention internationale sur la lutte contre la sécheresse et la désertification, en Afrique notamment. La Gambie continuera d'accorder son plein appui au Comité.

Le succès de nos efforts visant la mise en oeuvre d'Action 21 et des autres programmes approuvés à Rio et adoptés par l'Assemblée générale dépendra en grande partie des fonds disponibles et de la volonté de nos partenaires de partager les ressources et d'encourager le transfert des techniques pour que s'établisse entre pays développés et pays en développement un partenariat mondial véritable aux fins de développement durable.

A cet égard, nous sommes d'avis nous aussi que le Fonds pour l'environnement mondial (FEM) devrait être restructuré pour permettre une participation accrue des pays en développement à toutes ses activités, ainsi que l'inclusion de la désertification comme l'un des domaines pouvant bénéficier du financement du FEM. Nous espérons que la deuxième phase du Fonds pour l'environnement mondial disposera d'une base financière plus large afin de lui permettre des décaissements plus importants et plus rationnels.

Il est maintenant devenu de règle de convoquer des réunions au sommet sur des questions jugées très préoccupantes par l'humanité. Ces sommets donnent l'occasion d'arriver à des décisions collectives au plus haut niveau sur les moyens de surmonter ces difficultés. C'est en cela que nous nous félicitons de la Conférence mondiale sur la population et le développement et du Sommet mondial sur le développement social, qui sont prévus pour 1995.

En même temps que nous approchons de la fin du siècle, les Nations Unies s'appêtent à fêter leur cinquantième anniversaire, ce qui est la marque de notre maturité d'esprit et de la sagesse de nos décisions à la recherche de la paix et de la sécurité mondiales. Les Nations Unies ayant pour rôle primordial le maintien de la paix et de la sécurité internationales, il devient impérieux en cette période de l'après-guerre froide de préparer l'organisation mondiale à s'acquitter du mandat que lui confère la Charte compte tenu du climat politique qui règne dans le monde.

A cet égard, ma délégation prend acte avec un vif intérêt de la restructuration et de la revitalisation des Nations Unies. Nous nous félicitons des efforts pour rationaliser les travaux de l'Assemblée générale, tant au niveau de la plénière que des grandes commissions. Ces efforts, nous l'espérons, permettront de renforcer le rôle de

décideur de l'Assemblée générale et d'améliorer son efficacité en tant que premier organe, par la taille et par l'importance, du système des Nations Unies. En outre, les rapports entre l'Assemblée générale et le Conseil de sécurité doivent être redéfinis et mieux coordonnés.

En ce qui concerne la réorganisation du Conseil de sécurité, on doit s'efforcer d'assurer une plus grande transparence à ses travaux et à ses activités. La Gambie appuierait toute proposition tendant à une réorganisation du Conseil de sécurité sur la base d'une répartition géographique équitable.

Je voudrais, pour conclure, exprimer une fois encore notre confiance en la capacité des Nations Unies, renforcées dans leur autorité et dans leur crédibilité, de faire face aux nombreux problèmes qui nous attendent.

M. Gurirab (Namibie) (interprétation de l'anglais) :
Au nom du Gouvernement et du peuple namibiens, je voudrais exprimer toute notre sympathie et nos sincères condoléances au Gouvernement et au peuple ami de l'Inde pour les lourdes pertes humaines et matérielles qu'a provoquées le tremblement de terre dévastateur. Je suis certain que la communauté internationale leur tendra une main secourable.

La Namibie souhaite la bienvenue à tous les nouveaux Membres de l'Organisation et les assure qu'elle est prête à dialoguer avec eux dans un esprit d'amitié et de solidarité.

Le Président de l'Assemblée vient du Guyana, pays ami qui a tant fait à l'avant-garde de la lutte du peuple namibien pour l'autodétermination, la liberté et la démocratie. Dans les instances internationales, le Gouvernement et le peuple du Guyana n'ont ménagé aucun effort pour manifester, par leurs paroles et par leurs actes, leur appui indéfectible pour la cause namibienne et leur solidarité avec celle-ci. Je le sais parce que pendant les nombreuses années que j'ai passées aux Nations Unies, je me suis rendu à plusieurs reprises à Georgetown, la capitale de son pays, et dans d'autres parties du Guyana. L'hospitalité et la camaraderie de ce peuple frère m'ont toujours profondément touché.

Dans ses missions passées et présentes au service de son grand pays, lui et moi avons collaboré sur diverses questions d'intérêt commun. C'est au nom de cette amitié mutuelle et de cette solidarité que je lui adresse mes plus chaleureuses félicitations pour sa brillante élection à la présidence de cette session particulièrement importante de l'Assemblée générale. La maestria et l'efficacité, si évidentes déjà, avec lesquelles il s'acquitte de ses fonctions nous garantissent le succès de nos délibérations.

Je tiens aussi à exprimer notre sincère reconnaissance à son prédécesseur, M. Stoyan Ganev, de la Bulgarie, pour la façon efficace dont il a dirigé les travaux de la précédente session.

Notre illustre Secrétaire général, M. Boutros Boutros-Ghali, a, depuis sa nomination, mené une campagne globale efficace et novatrice pour alléger et renforcer le rôle de l'ONU dans les opérations de maintien de la paix et en ce qui concerne les questions économiques et humanitaires. Son "Agenda pour la paix" représente un cadre utile pour débattre ces questions ainsi que d'autres problèmes pressants liés au maintien de la paix et de la sécurité mondiales. La Namibie félicite le Secrétaire général de ses efforts infatigables.

Au seuil d'un nouveau millénaire, et alors que nous nous préparons à fêter le cinquantième anniversaire de l'Organisation des Nations Unies, le moment est bien choisi pour réfléchir et faire le point. La période actuelle en est une de grands espoirs et de confiance dans l'efficacité de l'ONU. Il faudra adopter une nouvelle vision et faire preuve de clairvoyance; des décisions audacieuses et empreintes d'imagination s'imposent.

A sa quarante-septième session, l'Assemblée générale a reconnu, en adoptant la résolution 47/62 portant sur la "Question de la représentation équitable au Conseil de sécurité et de l'augmentation du nombre de ses membres", qu'étant donné l'évolution de la situation mondiale, il fallait réorganiser, revitaliser et démocratiser le Conseil de sécurité. La fin de la guerre froide a donné lieu à de nouvelles attentes quant à l'accroissement des responsabilités et du rôle du Conseil de sécurité dans le maintien de la paix et de la sécurité internationales. Mais pour que le Conseil de sécurité conserve sa crédibilité en tant qu'organe de l'Organisation des Nations Unies, il doit répondre aux attentes de ce monde exigeant et changeant. C'est dans cet esprit que la "Question de la représentation équitable au Conseil de sécurité et de l'augmentation du nombre de ses membres" devrait être examinée. Tout changement tendant vers une meilleure représentativité du Conseil augmenterait sans aucun doute sa crédibilité, sa légitimité et son autorité.

La Namibie soutient l'idée d'une augmentation du nombre de membres, permanents et non permanents, du Conseil de sécurité en assurant une représentation géographique équitable. L'Afrique doit jouir d'une présence efficace au sein du Conseil, tout comme l'Asie et l'Amérique latine. Le droit de veto désuet et antidémocratique devrait être aboli, purement et simplement.

De même, la restructuration d'autres organes s'impose, dont celle l'Assemblée générale elle-même et du Conseil

économique et social. Les Etats membres du Mouvement des pays non alignés, qui travaillent en étroite collaboration avec le Groupe des 77, devraient participer pleinement aux discussions en cours sur la restructuration de ces organes vitaux de l'Organisation des Nations Unies.

Nous assistons aujourd'hui à un phénomène nouveau dans les relations internationales, phénomène caractérisé par un consensus issu d'intérêts communs, dans lequel la crédibilité et le rôle essentiel de l'ONU dans les conflits mondiaux ont été grandement renforcés. En effet, l'Organisation a respecté son mandat dans le domaine du maintien de la paix et de la sécurité internationales.

Nous, en Namibie, croyons que le moment est venu d'adopter un nouveau rôle et de nouveaux objectifs pour arriver à un mécanisme de résolution adapté à l'ère d'après la guerre froide et aux besoins et aux aspirations des générations futures. L'engagement renouvelé à l'égard du règlement des conflits doit se traduire par un programme d'action réaliste lié à la diplomatie préventive, au rétablissement de la paix, au maintien de la paix et à la consolidation de la paix. L'humanité aspire à un monde pacifique, juste et prospère. A cet égard, la Namibie envisage une association significative et une plus grande coopération entre le Secrétaire général de l'Organisation des Nations Unies et le Secrétaire général de l'Organisation de l'unité africaine dans le domaine du règlement des conflits et dans celui des opérations d'aide humanitaire en Afrique.

Aujourd'hui plus que jamais, on attend beaucoup de l'ONU en ce qui concerne le règlement des conflits. C'est l'occasion rêvée, pour l'Organisation, de faire en sorte que les attentes que le "Nous, peuples" inscrit dans la Charte a réveillées soient réalisées en renforçant encore son efficacité.

Il est reconnu que la paix et la stabilité sont des conditions nécessaires, quoique insuffisantes, au développement économique. Par conséquent, le maintien de la paix, le rétablissement de la paix et la consolidation de la paix devraient être étroitement liés au développement économique.

Pour que les opérations de maintien de la paix soient efficaces, les Etats Membres doivent payer promptement leurs contributions au budget régulier et à celui des opérations de maintien de la paix. Dans ce contexte, nous appuyons la création d'un fonds de réserve visant à améliorer le financement initial des opérations de maintien de la paix.

Au Cambodge, l'Autorité provisoire des Nations Unies au Cambodge (APRONUC) a mené sa tâche à bien de façon satisfaisante. La Namibie a été heureuse de contribuer aux

efforts de l'APRONUC en envoyant des scrutateurs et un contingent de véhicules blindés avec son personnel, les "loups" comme on les appelle. Nous l'avons fait parce que, après tout, c'est en Namibie que l'ONU a enregistré sa première victoire sur une grande échelle dans le domaine des opérations de maintien de la paix. La Namibie verra de façon positive sa participation à de futures opérations de maintien de la paix de l'ONU.

Malheureusement, d'autres opérations de maintien de la paix n'ont pas, jusqu'à maintenant, connu les mêmes résultats positifs. Nous espérons que l'ONU continuera d'aider au règlement des conflits en Somalie, en Angola, au Rwanda, au Libéria, au Mozambique, en Haïti et en Bosnie-Herzégovine, pour ne nommer que ceux-là.

En ce qui concerne l'Angola, le rejet des résultats de l'élection de l'année dernière par M. Savimbi constitue un sérieux revers. Il a plongé encore plus profondément ce pays frère dans une horrible tragédie humaine. Ce carnage affreux continue de faire environ 1 000 victimes innocentes par jour. On rapporte en outre qu'entre 2 et 3 millions d'Angolais innocents risquent de mourir des effets directs ou indirects de cette guerre insensée.

La communauté internationale doit exercer une pression concertée sur M. Savimbi pour qu'il se soumette au plus vite à la volonté du peuple angolais. Ce que nous attendons aujourd'hui de M. Savimbi c'est d'appliquer promptement les Accords de Bicesse, les résolutions pertinentes du Conseil de sécurité, le Protocole d'Abidjan et de respecter les résultats des élections qui ont eu lieu l'année dernière, car, pris ensemble, ces aspects fournissent le cadre nécessaire à la reprise des négociations avec le Gouvernement angolais.

Le Gouvernement namibien estime que la reprise des négociations devrait rapidement aboutir à un cessez-le-feu, qui permettrait l'acheminement de l'assistance humanitaire au peuple angolais affligé, la réconciliation et la consolidation du gouvernement d'unité nationale.

A cette fin, et compte tenu de l'intransigeance permanente de M. Savimbi, le Conseil de sécurité n'a eu d'autre choix que d'imposer des sanctions contre l'UNITA. C'est pourquoi la Namibie appuie la résolution 864 (1993) dans laquelle le Conseil de sécurité, entre autres choses, demande l'interdiction de la vente ou la fourniture à l'UNITA d'armements et de matériel connexe, ou d'une assistance militaire, ainsi que de pétrole et de produits pétroliers, et prie instamment tous les Etats Membres d'appliquer ces mesures. Nous croyons également que si l'UNITA continue de bafouer les résolutions du Conseil de sécurité, il conviendra d'envisager l'imposition de nouveaux types de sanctions.

En ce qui concerne la situation en Somalie, la Namibie appuie l'opération de maintien de la paix des Nations Unies dans ce pays. Ma délégation estime que le désarmement des différentes factions permettrait au peuple somali de se réconcilier et de restaurer la société civile.

Dans les circonstances actuelles, et malgré les actes de provocation de la faction du général Aïdid, l'Opération des Nations Unies en Somalie doit continuer de s'acquitter de son mandat. Nous sommes solidaires de tous les pays dont les nationaux, y compris les Somalis sans défense, ont fait le sacrifice de leur vie au service de l'ONU et de la fraternité humaine. Cependant, tout retrait précipité se ferait au détriment du peuple somali sans défense et risquerait d'inverser tout le processus. Nous devons donc faire en sorte que cela ne se produise pas.

Au Mozambique, nous sommes encouragés de constater que le cessez-le-feu continue d'être respecté et que le processus semble progresser. Je ne saurais trop souligner qu'il est absolument nécessaire que les élections se déroulent dans un climat de paix, de confiance et de coopération - en d'autres termes, que les forces armées soient d'abord forcées de rester sur leur base, puis démobilisées, conformément à l'Accord général de paix conclu l'année dernière entre les deux parties.

La Namibie salue la récente évolution positive intervenue en Afrique du Sud. Pour la première fois dans l'histoire de ce pays voisin, l'ensemble de la population sud-africaine pourra enfin participer librement et démocratiquement aux élections qui se dérouleront le 27 avril prochain. Néanmoins, nous demandons instamment à toute la population sud-africaine de faire en sorte que ce processus se poursuive et engageons toutes les parties à s'associer aux travaux du Conseil exécutif de transition. Dans le même esprit, nous leur demandons, avec l'aide de la communauté internationale, de mettre immédiatement fin à l'escalade de la violence. La violence et les urnes ne sauraient aller de pair.

La Namibie, avec les autres membres du Comité spécial de l'Organisation de l'unité africaine sur l'Afrique australe, appuie l'appel lancé par le Président de l'African National Congress, M. Nelson Mandela, en faveur de la levée de toutes les sanctions économiques toujours en vigueur contre l'Afrique du Sud. La Namibie appuie également la levée de l'embargo pétrolier après la création du Conseil exécutif de transition et le début de ses travaux, ainsi que l'instauration ou le rétablissement de relations diplomatiques complètes avec l'Afrique du Sud, une fois qu'aura été mis en place un gouvernement intérimaire d'unité nationale élu, conformément aux élections démocratiques qui se dérouleront l'année prochaine.

Le Moyen-Orient, berceau de quelques-unes des grandes religions du monde, a été le théâtre de conflits sanglants pendant la majeure partie de ce siècle et figure à l'ordre du jour de l'ONU depuis sa création. La Namibie se félicite de la percée historique que constitue la reconnaissance mutuelle et la déclaration de principe signée entre Israël et l'Organisation de libération de la Palestine (OLP) concernant l'autonomie palestinienne à Gaza et la ville de Jéricho. Malgré une inimitié de longue date, les dirigeants de l'Etat d'Israël et de l'OLP ont eu le grand courage politique de choisir la paix. Il ne nous reste plus qu'à souhaiter que la poignée de main historique entre M. Rabin, Premier Ministre israélien, et M. Arafat, Président de l'OLP, inaugure une ère nouvelle dans cette région.

Certes, il ne s'agit que d'un premier pas, mais qui constitue une base solide pour l'édification d'une paix d'ensemble, juste et durable au Moyen-Orient. Cependant, pour que cette entreprise soit couronnée de succès, une assistance financière et humanitaire à grande échelle et durable s'impose.

Encouragés par la percée historique et prometteuse au Moyen-Orient et l'évolution positive de la situation en Afrique du Sud, et compte tenu du nouveau climat propice au rapprochement des relations entre Etats, nous pensons que le moment est venu pour les dirigeants des Etats-Unis d'Amérique et de la République de Cuba de parcourir la courte distance de 145 kilomètres qui les sépare de la réconciliation et de la coexistence pacifique. Cela irait - nous en sommes convaincus - dans l'intérêt des enfants de ces deux pays, qui, comme ceux d'Afrique du Sud, d'Israël et de Palestine, aspirent à un avenir pacifique et plus radieux.

Si la paix et la stabilité au Moyen-Orient sont d'une importance critique pour cette région elles le sont aussi pour le monde entier. Dans ce contexte, la Namibie s'associe à la résolution 833 (1993) du Conseil de sécurité du 27 mai 1993, concernant l'intégrité territoriale du Koweït et sur l'inviolabilité de ses frontières. Nous réitérons notre plein appui au droit du peuple du Koweït et de son gouvernement de défendre leur souveraineté et leur indépendance. La Namibie est un petit Etat; c'est pourquoi nous comprenons la situation difficile des petits Etats.

Pendant la dernière session, j'ai mis l'Assemblée au courant des progrès réalisés dans nos négociations bilatérales avec le Gouvernement d'Afrique du Sud sur la question du transfert et de la réintégration à la Namibie de Walvis Bay et des îles côtières. Aujourd'hui, je suis heureux de l'informer que la question a finalement été réglée. Le 28 février 1994 s'effectueront le transfert et la réintégration à la Namibie de Walvis Bay et des îles côtières. Ainsi, la

décolonisation de la Namibie et l'unification de notre pays seront enfin achevées. Je saisis cette occasion pour exprimer notre profonde reconnaissance aux Etats Membres des Nations Unies, qui n'ont cessé, au fil des ans, de fournir leur appui à la résolution 432 (1978) du Conseil de sécurité relative à Walvis Bay. Je voudrais également remercier particulièrement le Forum sud-africain de négociation multipartite d'avoir adopté une résolution importante, qui a accéléré le processus.

Le Sommet planète Terre de Rio a marqué un tournant historique dans la longue lutte pour sensibiliser davantage la communauté internationale à la vraie nature de la crise écologique mondiale. Le Sommet représente effectivement un progrès significatif vers une meilleure compréhension de la façon dont le développement économique sera, à l'avenir, inextricablement lié à des politiques saines destinées à promouvoir et à protéger l'environnement.

A cette fin, et conformément aux dispositions de sa Constitution, la Namibie a lancé un programme national de plantation d'arbres pour empêcher une nouvelle déforestation et une nouvelle détérioration de l'environnement. Naturellement, la Namibie, comme tous les autres pays en développement, espère vivement que le programme Action 21 sera financé généreusement et mis en oeuvre.

En ce qui concerne les problèmes socio-économiques actuels, malgré la promesse faite aux enfants par les dirigeants mondiaux lors du Sommet mondial pour les enfants qui a eu lieu à New York en 1990, les services d'éducation, de santé, d'approvisionnement en eau, d'habitation et d'alimentation assurée restent inaccessibles pour des millions d'enfants du monde en développement - y compris en Namibie.

En Afrique, les problèmes de la faim, de la malnutrition, de la maladie et ainsi de suite continuent de contrecarrer l'engagement que nous avons pris l'année dernière à Dakar lors de la Conférence internationale sur l'assistance à l'enfant africain de donner la priorité aux enfants. Suite à cet engagement, et convaincus que les problèmes des enfants namibiens ne peuvent être abordés que globalement, nous avons déjà intégré le Programme national d'action sur les enfants au Plan national de développement. Ce Plan national de développement constitue la base du développement économique et social en Namibie. Dans ce contexte, les soins de santé primaires, l'éducation, l'approvisionnement en eau et le développement rural comptent parmi les priorités de notre Plan national de développement.

Le programme Vision 20/20 que nous avons adopté à Dakar doit être mis en oeuvre si nous voulons obtenir des

résultats tangibles d'ici à 1995, lorsque nous examinerons les progrès réalisés depuis le Sommet mondial de 1990, y compris en particulier le sort et le bien-être des enfants plongés dans des situations de guerre.

La récente Conférence mondiale sur les droits de l'homme de Vienne a exposé plus encore la violence totale et les autres formes d'injustices perpétrées contre les femmes dans le monde entier. La Constitution namibienne contient des dispositions précises sur la protection des droits des femmes et la promotion de leur bien-être. De plus, la Namibie est partie à la Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes.

C'est sur cette toile de fond que nous avons pris, en Namibie, des mesures pour sensibiliser davantage les femmes à leurs droits en traduisant cette convention dans les langues vernaculaires. Dans le même ordre d'idées, nous nous félicitons de la nomination d'un Rapporteur spécial chargé d'examiner la question de la violence à l'égard des femmes. C'est dans cet esprit que la Namibie attend avec intérêt la tenue de la quatrième Conférence mondiale sur les femmes, dans l'espoir que ses décisions feront encore progresser la cause des femmes dans le monde, en particulier en Afrique.

Telles sont certaines des nombreuses préoccupations du programme social de tous les pays. C'est pourquoi la nomination d'un commissaire des Nations Unies aux droits de l'homme nous semble tout à fait logique, et nous appuyons l'idée. En même temps, nous prions instamment tous les pays de veiller à ce que le mandat et le statut d'un fonctionnaire international de haut niveau soient examinés avec soin et réalisme.

Pour répondre à la grave pénurie de logements, le Gouvernement namibien a lancé un programme visant à fournir des logements adéquats aux Namibiens d'ici à l'an 2000. En reconnaissance de cet effort national, la Namibie s'est vu décerner en 1993, par Habitat, le prix d'honneur pour son Programme national de logement intitulé "Construisons ensemble". Ce prix a été remis, il y a deux jours, à ma distinguée collègue, l'Honorable Mme Libertine Amathila, Ministre du gouvernement local et régional et du logement. Je voudrais me faire l'écho de ma collègue en remerciant encore une fois Habitat de cet honneur exceptionnel.

Je voudrais redire, pour terminer, que mon gouvernement est convaincu que l'ONU, en sa qualité d'organe international unique, est capable d'être à la hauteur des nobles idéaux de création d'un monde pacifique, sûr et juste pour nous et pour les générations à venir. A cette fin, elle peut compter sur l'engagement total de la Namibie.

La Présidente :

Nous avons entendu le dernier orateur inscrit dans le cadre du débat général pour cette séance. Cependant, plusieurs représentants ont demandé à exercer leur droit de réponse.

Je rappellerai aux membres que les déclarations faites dans l'exercice du droit de réponse sont limitées à 10 minutes pour la première intervention et à cinq minutes pour la seconde intervention, et que les délégations doivent prendre la parole de leur place.

M. Guillen (Pérou) (interprétation de l'espagnol) :

Hier, le 5 octobre, le Ministre des affaires extérieures de la République soeur de l'Equateur, M. Diego Paredes Peña, dans son discours prononcé devant l'Assemblée générale, a bien voulu s'étendre longuement sur les relations cordiales qui existent entre nos deux pays ainsi que sur les initiatives concrètes qui ont récemment été prises par les Gouvernements du Pérou et de l'Equateur, avec l'objectif commun de raffermir les liens qui les unissent et de favoriser le développement et le rapprochement de leurs peuples.

Mon gouvernement partage pleinement les propositions faites par le Ministre Diego Paredes, car nous sommes nous aussi animés par le désir d'instaurer le meilleur climat possible de respect, de coopération et d'amitié entre nos deux pays, ce qui permettra un traitement global de la vaste gamme de questions et de tâches qui caractérisent les relations entre deux peuples unis par l'histoire, la géographie et la culture.

Mon gouvernement souhaite également souligner sa vocation pour la paix et le respect de l'ordre juridique international, ainsi que le démontre son adhésion fidèle et permanente aux principes et objectifs qui inspirent la Charte des Nations Unies. C'est pourquoi le Gouvernement péruvien convient pleinement - et il ne saurait en être autrement - du fait que tout différend ou litige doit être résolu par les moyens pacifiques que reconnaît et consacre le droit international.

Dans ce sens, le Président de la République du Pérou, M. Alberto Fujimori, a formulé en novembre 1991 une proposition globale d'amitié, de coopération et d'intégration qui, en application de ces principes et objectifs et conformément à l'esprit des liens fraternels qui inspire le Protocole de Rio de Janeiro de 1942, vise à définir un programme de travail intéressant et avantageux pour le Pérou et l'Equateur afin d'établir définitivement la démarcation des parties de la frontière commune encore en suspens, de signer un traité de commerce et de navigation sur l'Amazone et ses affluents septentrionaux et un large accord d'intégration frontalière, ainsi que d'élaborer des accords pour susciter la confiance et la sécurité mutuelles.

Dans ce contexte de relations cordiales et fructueuses, le Pérou a favorisé l'approfondissement du dialogue bilatéral et la tenue de pourparlers directs entre les deux gouvernements. En outre, il est disposé à créer des mécanismes de coordination et de consultations entre les deux pays, ce qui est encore inédit, et il est convaincu que cet exercice diplomatique offrira un ample terrain pour une évolution favorable, ce qui aura d'importantes conséquences bénéfiques pour le resserrement de la communication entre les deux gouvernements. De la même manière, les instruments bilatéraux qui unissent ces derniers prévoient un système de règlement des différends qui, en diverses occasions, a fait la preuve de sa validité et de son efficacité pour surmonter avec habileté les problèmes rendant sa mise en oeuvre nécessaire.

Conformément aux instruments, aux mécanismes et au système mentionnés précédemment, le Pérou a proposé à l'Equateur, en tant que mécanisme viable et adéquat, de demander conjointement aux pays garants du Protocole de Rio de Janeiro de 1942 de désigner un expert, qui pourrait être nommé par le Vatican, pour que soit achevée la démarcation des parties de la frontière commune encore en suspens.

Dans cet esprit constructif, qui doit prévaloir entre nos deux pays frères, le Pérou affirme depuis longtemps que la coopération et l'intégration péruviano-équatorienne doivent se concrétiser dans tous les secteurs géographiques que partagent les deux pays, depuis l'océan Pacifique et le Massif andin jusqu'à l'immense espace amazonien, qui sont autant de régions donnant une personnalité et des caractéristiques particulières aux relations entre le Pérou et l'Equateur. Le nouveau défi du XXIe siècle se situe sans aucun doute dans la tâche commune consistant à définir un programme de développement durable pour l'Amazonie. Les deux pays devront trouver dans la mise en oeuvre de ce programme la raison d'être de leurs relations renouvelées, restituant ainsi l'association historique ayant existé entre nos deux pays depuis l'époque précolombienne jusqu'à la naissance de nos républiques.

Pour ces raisons, le Gouvernement de la République du Pérou se réjouit énormément des déclarations du Ministre des affaires extérieures de l'Equateur selon lesquelles son pays renouvelle et réaffirme sa volonté de renoncer à l'emploi ou à la menace de la force dans ses relations avec mon pays. Il est aussi très satisfait de constater que cela coïncide pleinement avec la volonté qui anime le Pérou en ce sens, conformément aux engagements bilatéraux et multilatéraux qui lient les deux pays pour la consolidation du climat de détente, de la confiance réciproque et de niveaux de sécurité qui correspondent à l'intérêt commun pour le renforcement de l'amitié et de la coopération entre nos pays.

C'est avec grand plaisir que le Président de la République du Pérou, M. Alberto Fujimori, a lancé une invitation chaleureuse au président de la République de l'Equateur, M. Sixto Durán Ballén, pour que, au moment et dans les circonstances correspondant au mieux à l'intérêt supérieur de la consolidation de l'amitié péruviano-équatorienne, il veuille bien se rendre dans notre pays. C'est donc avec une grande satisfaction que nous avons appris qu'il acceptait de venir au Pérou, dont le peuple et le Gouvernement ne manqueront pas de lui manifester les mêmes marques de reconnaissance et d'appui que le noble peuple équatorien a manifestées à l'égard du Président de la République du Pérou lors de sa visite officielle à Quito, en janvier 1992.

M. Exarchos (Grèce) (interprétation de l'anglais) :
Il y a quelques jours, le représentant de l'Albanie, dans l'exercice de son droit de réponse à la suite de la déclaration prononcée devant l'Assemblée générale par le Ministre des affaires extérieures de la Grèce, a tenté de rejeter nos préoccupations légitimes au sujet de la situation bien peu satisfaisante dans laquelle vit la forte minorité grecque en Albanie, en les attribuant à un "nationalisme extrême à des fins électorales". (*Documents officiels de l'Assemblée générale, quarante-huitième session, séances plénières, 13e séance, p. 50*)

Or le traitement inacceptable imposé à la minorité grecque a été mis en relief dans de nombreux rapports d'organismes internationaux, et très récemment encore par le Parlement européen, qui, dans une résolution adoptée le 14 juillet 1993, invitait le Gouvernement albanais à respecter les droits culturels et religieux de la minorité grecque en Albanie.

Il est vraiment regrettable que certaines pratiques inspirées et mises en oeuvre par le régime communiste antérieur continuent d'être suivies par le gouvernement actuel, les zones arbitrairement désignées pour les minorités en étant un exemple.

Quant à elle, la Grèce, qui applique scrupuleusement les normes et les dispositions des documents fondamentaux de la Conférence sur la sécurité et la coopération en Europe (CSCE) relatifs aux minorités, attend de l'Albanie qu'elle agisse de la même manière respectueuse, notamment en ce qui concerne les libertés religieuses et en matière d'enseignement.

De plus, la Mission permanente de l'Albanie a publié un communiqué de presse, daté du 4 octobre 1993, qui déforme la teneur d'une lettre adressée au Ministre des affaires extérieures de l'Albanie par le Haut Commissaire de la CSCE pour les minorités nationales, M. van der Stoep. En fait, un effort inopportun a été déployé afin de donner

l'impression que les vues des autorités albanaises au sujet du traitement accordé à la minorité grecque étaient identiques aux conclusions et aux recommandations du Haut Commissaire lui-même.

La Grèce, qui dès le début de l'ère nouvelle a appuyé l'Albanie dans les premiers pas qu'elle a faits vers la démocratisation et la reconstruction, accepte l'expression de reconnaissance de l'Albanie à cet égard et a l'intention de se montrer un voisin amical et disposé à l'aider à l'avenir.

A ce stade, je voudrais dire que l'assistance humanitaire et économique apportée par mon pays ne s'est pas limitée à la seule partie méridionale de l'Albanie, mais a porté aussi sur les régions du centre et du nord. J'ajouterai que l'attitude et le comportement des autorités albanaises à l'égard de la minorité grecque sera un facteur déterminant dans nos relations.

La délégation grecque a noté l'engagement pris par le Ministre albanais des affaires étrangères devant l'Assemblée, qui a dit que son gouvernement :

"est déterminé à édifier un Etat moderne et une société civilisée fondés sur le respect des droits de l'homme de tous les secteurs de la population, sans exception ni discrimination ... afin que les personnes appartenant aux minorités nationales puissent affirmer leur propre identité nationale." (*Ibid., 5e séance, p. 47*)

Nous espérons que ces paroles se traduiront par des actes.

M. Kim Jae Hon (République populaire démocratique de Corée) (interprétation de l'anglais) :

La délégation de la République populaire démocratique de Corée regrette que le Ministre des affaires étrangères de Singapour, dans la déclaration qu'il a faite ce matin, ait utilisé des expressions immorales et discourtoises à l'encontre de mon pays, qui ne sont pas dignes de sa position officielle.

Ma délégation croit fermement que ce comportement ne devrait plus se reproduire dans cette instance.

M. Hoxha (Albanie) (interprétation de l'anglais) :
La délégation albanaise se permettra de répondre plus tard au cours du débat général à la déclaration faite par le représentant de la Grèce.

La séance est levée à 18 h 30.

General Assembly: 48th session (cont.)

Draft Decisions:

A/C.5/48/L.30

Decisions:

A/DEC/48/---

Adopted at the 87th plenary meeting, 23 Dec. 1993

Resolutions:

Assessment of Member States' Contributions:

UNITED NATIONS OBSERVER MISSION UGANDA-RWANDA (UNOMUR)

June 1993 -

UNITED NATIONS ASSISTANCE MISSION FOR RWANDA (UNAMIR)

Oct. 1993 -

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(D:\BIB\RWANDA)

Agreements:

S/25363, Annex I	N'sele Cease-fire Agreement between the Government of the Rwandese Republic and the Rwandese Patriotic Front, as amended at Gbadolite, 16 Sept. 1991, and at Arusha, 12 July 1992 (4 Mar. 1993)
S/25363, Annex II	Declaration of cease-fire, issued by the Rwandese Patriotic Front, Byumba, 21 Feb. 1993 (4 Mar. 1993)
S/25363, Annex III	Declaration on the restoration of the cease-fire, issued by the Government of Rwanda, Kigali, 22 Feb. 1993 (4 Mar. 1993)
S/25385	Joint communiqué issued at the end of the high-level meeting between the Government of the Rwandese Republic and the Rwandese Patriotic Front, Dar-es-Salaam, 5-7 Mar. 1993 (9 Mar. 1993)
UNST/DHA(02)/R8	United Nations Consolidated Inter-Agency Appeal for Rwanda, Apr.-Dec. 1993 (Apr. 1993)

Special Representative for Rwanda:

S/26730	Letter from the Secretary-General dated 8 Nov. 1993 stating that he has decided to appoint Jacques-Roger <u>Booh-Booh</u> (Cameroon) as his Special Representative for Rwanda [pursuant to S/RES/872 (1993), para. 10] (12 Nov. 1993) <u>SC response: S/26731</u> (12 Nov. 1993)
SG/A/560-BIO/2826	Press release transmitting the biography of Jacques-Roger <u>Booh-Booh</u> (Cameroon), appointed as Special Representative for Rwanda (12 Nov. 1993)

UNOMUR

Request for the Establishment of UNOMUR:

- | | |
|---------|--|
| S/25356 | Letter from Uganda dated 22 Feb. 1993 requesting the establishment of a United Nations Observer/Monitor Force to be stationed on the Uganda side of the border with Rwanda (3 Mar. 1993) |
| S/25355 | Letter from Rwanda dated 22 Feb. 1993 requesting the deployment of a team of United Nations military observers on the international frontier separating Rwanda and Uganda (3 Mar. 1993) |
| S/25797 | Letter from Uganda dated 18 May 1993 concerning the deployment of a United Nations monitoring team on the Uganda side of the border (19 May 1993) |
| S/25951 | Letter from Rwanda dated 14 June 1993 transmitting the joint request by the Rwandese Government and the Rwandese Patriotic Front concerning the stationing of a neutral international force in Rwanda (15 June 1993) |

Establishment of UNOMUR:

- | | |
|--------------------|---|
| S/25810 + Add.1 | Interim report of the Secretary-General on Rwanda recommending the establishment of a United Nations Observer Mission Uganda-Rwanda (UNOMUR) (20 May + 2 June 1993) |
| ✓ S/RES/846 (1993) | Adopted at the 3244th meeting, 22 June 1993
(decides to establish the United Nations Observer Mission Uganda-Rwanda (UNOMUR) which will be deployed on the Ugandan side of the border for an initial period of six months) |

UNOMUR

Mandate of UNOMUR:

S/RES/846 (1993)

Adopted at the 3244th meeting, 22 June 1993
[mandate contained in paragraph 2]

Extension of UNOMUR Mandate:

S/26878

[2nd] report of the Secretary-General on the United Nations Observer Mission Uganda-Rwanda recommending that the mandate of UNOMUR be extended for a period of six months [includes map] (15 Dec. 1993)

S/RES/891 (1993)

Adopted at the 3324th meeting, 20 Dec. 1993
(decides to extend the mandate of UNOMUR for a period of six months; notes that the integration of UNOMUR within UNAMIR is purely administrative and that it will in no way affect the mandate of UNOMUR as set out in resolution 846)

UNAMIR

Establishment of UNAMIR:

✓ S/RES/872 (1993)

Adopted at the 3288th meeting, 5 Oct. 1993
(decides to establish the United Nations Assistance Mission for Rwanda (UNAMIR) for a period of six months and approves the Secretary-General's proposal that UNOMUR should be integrated within UNAMIR)

Mandate of UNAMIR:

✓ S/RES/872 (1993)

Adopted at the 3288th meeting, 5 Oct. 1993
[mandate contained in paragraphs 3(a)-(h)]

UNOMUR

Chief Military Observer of UNOMUR:

S/26019 Letter from the Secretary-General dated 29 June 1993 proposing to appoint Brigadier-General Romeo A. Dallaire (Canada) as Chief Military Observer of UNOMUR (30 June 1993)
SC response: S/26020 (30 June 1993)

Composition of UNOMUR:

S/26019 Letter from the Secretary-General dated 29 June 1993 proposing that UNOMUR be composed of military observers from the following countries: Bangladesh, Botswana, Brazil, Canada, Fiji, Hungary, Netherlands, Senegal, Slovakia and Zimbabwe (30 June 1993)
SC response: S/26020 (30 June 1993)

UNAMIR

Force Commander of UNAMIR:

S/26593 Letter from the Secretary-General dated 12 Oct. 1993 proposing to appoint Brigadier-General Romeo A. Dallaire (Canada) as Force Commander of UNAMIR [General Dallaire is currently serving as Chief Military Observer of UNOMUR] (18 Oct. 1993)
SC response: S/26594 (18 Oct. 1993)

Composition of UNAMIR:

S/26699 Letter from the Secretary-General dated 1 Nov. 1993 proposing that the military elements of UNAMIR be composed of personnel from the following countries: Bangladesh, Belgium, Canada, Ecuador, Egypt, Fiji, Ghana, Malawi, Senegal, Togo, Tunisia, United Republic of Tanzania and Uruguay (5 Nov. 1993)
SC response: S/26700 (5 Nov. 1993)

S/26850 Letter from the Secretary-General dated 3 Dec. 1993 proposing that the following countries be added to the list of troop-contributing countries: Argentina, Austria, Congo, Mali, Nigeria, Pakistan, the Russian Federation and Zimbabwe (7 Dec. 1993)
SC response: S/26851 (7 Dec. 1993)

S/1994/9 Letter from the Secretary-General dated 29 Dec. 1993 proposing that Romania be added to the list of troop-contributing countries (5 Jan. 1994)
SC response: S/1994/10 (5 Jan. 1994)

Reports:

- S/25561 Letter from the Secretary-General dated 8 Apr. 1993 proposing to strengthen the goodwill mission to the area by the addition of three military advisers (8 Apr. 1993)
SC response: S/25592 (13 Apr. 1993)
- S/25810 + Add.1 Interim report of the Secretary-General on Rwanda recommending the establishment of a United Nations Observer Mission Uganda-Rwanda (UNOMUR) (20 May + 2 June 1993)
- S/26350 Further report of the Secretary-General on Rwanda (24 Aug. 1993)
- S/26488 + Add.1 Report of the Secretary-General on Rwanda recommending the establishment of a United Nations Assistance Mission in Rwanda (UNAMIR) (24 + 29 Sept. 1993)
Annex I: Map
- S/26618 [1st] report of the Secretary-General on the United Nations Observer Mission Uganda-Rwanda (UNOMUR) (22 Oct. 1993)
- S/26878 [2nd] report of the Secretary-General on the United Nations Observer Mission Uganda-Rwanda recommending that the mandate of UNOMUR be extended for a period of six months [includes map] (15 Dec. 1993)
- S/26927 Report of the Secretary-General on the United Nations Assistance Mission for Rwanda recommending that UNAMIR continue to implement the mandate entrusted to it under resolution 872 (1993) [includes map] (30 Dec. 1993)
SC response: S/1994/14 (7 Jan. 1994)

Meetings:

S/PV.3183	Adopted S/RES/812 (1993) ✓	12 Mar. 1993
S/PV.3244	Adopted S/RES/846 (1993) ✓	22 June 1993
S/PV.3273	Statement: S/26425 (RE: Arusha Agreements)	10 Sept. 1993
S/PV.3288	Adopted S/RES/872 (1993) ✓	5 Oct. 1993
S/PV.3324	Adopted S/RES/891 (1993) ✓	20 Dec. 1993
S/PV.3326	Adopted S/RES/893 (1994) ✓	6 Jan. 1994

Draft Resolutions:

S/25400 Adopted as S/RES/812 (1993)
S/25981 Adopted as S/RES/846 (1993)
S/26519 Adopted as S/RES/872 (1993)
S/26888 Adopted as S/RES/891 (1993)

S/1994/11 Adopted as S/RES/893 (1994)

yes
yes
yes
yes
yes

A/C.4/45/L.27 (1993)

PR.
✓ SC/5656 22 June 1993 / yes
✓ SC/5713 6 Oct. 1993 / yes

Resolutions:

- | | |
|------------------|--|
| S/RES/812 (1993) | Adopted at the 3183rd meeting, 12 Mar. 1993
(calls upon the Government of Rwanda and the Rwandese Patriotic Front (RPF) to respect the cease-fire which took effect on 9 March 1993, to allow the delivery of humanitarian supplies and the return of displaced persons, to fulfil the obligations they have accepted in the agreements they have signed and to implement the commitments they have undertaken) |
| S/RES/846 (1993) | Adopted at the 3244th meeting, 22 June 1993
(decides to establish the United Nations Observer Mission Uganda-Rwanda (UNOMUR) which will be deployed on the Ugandan side of the border for an initial period of six months) |
| S/RES/872 (1993) | Adopted at the 3288th meeting, 5 Oct. 1993
(decides to establish the United Nations Assistance Mission for Rwanda (UNAMIR) for a period of six months and approves the Secretary-General's proposal that UNOMUR should be integrated within UNAMIR) |
| S/RES/891 (1993) | Adopted at the 3324th meeting, 20 Dec. 1993
(decides to extend the mandate of UNOMUR for a period of six months; notes that the integration of UNOMUR within UNAMIR is purely administrative and that it will in no way affect the mandate of UNOMUR as set out in resolution 846) |
| S/RES/893 (1994) | Adopted at the 3326th meeting, 6 Jan. 1994
(reaffirms its approval of the Secretary-General's proposal concerning the deployment of UNAMIR [S/26488], including the early deployment of the second battalion to the demilitarized zone; strongly urges the parties to cooperate fully in furthering the peace process) |

General Assembly: 48th session (cont.)

Decisions:

A/DEC/48/---

Adopted at the 87th plenary meeting, 23 Dec. 1993

Resolutions:

Assessment of Member States' Contributions:

UNITED NATIONS OBSERVER MISSION IN UGANDA-RWANDA (UNOMUR)

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Financing

General Assembly: 48th session

Reports:

A/48/636	Report of the Secretary-General on the financing of UNOMUR (24 Nov. 1993)
A/C.5/48/40, p. 35	Report of the Secretary-General on the financing of UNOMUR (9 Dec. 1993)
A/48/782	Report of the Advisory Committee on Administrative and Budgetary Questions concerning the financing of UNOMUR (17 Dec. 1993)
A/48/825	Report of the 5th Committee on the financing of UNOMUR (23 Dec. 1993)

Meetings:

A/C.5/48/SR.44	19 Dec. 1993
A/C.5/48/SR.46	22 Dec. 1993
A/48/PV.87	23 Dec. 1993

Draft Decisions:

A/C.5/48/L.27

UNITED NATIONS ASSISTANCE MISSION FOR RWANDA (UNAMIR)

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Financing

General Assembly: 48th session

Reports:

A/C.5/48/40, p. 43	Report of the Secretary-General on the financing of UNAMIR (9 Dec. 1993)
A/48/785	Report of the Advisory Committee on Administrative and Budgetary Questions concerning the financing of UNAMIR (17 Dec. 1993)
A/48/828	Report of the 5th Committee on the financing of UNAMIR (23 Dec. 1993)
A/48/837	Report of the Secretary-General on the financing of UNAMIR (3 Jan. 1994)

Meetings:

A/C.5/48/SR.44	19 Dec. 1993
A/C.5/48/SR.46	22 Dec. 1993
A/48/PV.87	23 Dec. 1993