UNAMIR PROGRESS REPORTS OF THE SECRETARY-GENERAL TO THE SECURITY COUNCIL 16 JUNE 1994 - 9 APR 1995

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

I. INTRODUCTION

1. The present report is submitted in response to Security Council resolution 965 (1994) of 30 November 1994, by which the Council extended the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) for a period of six months, until 9 June 1995. Under that resolution, the Council requested me to report by 9 February and 9 April 1995 on the implementation of UNAMIR's mandate, the safety of populations at risk, the humanitarian situation and progress towards the repatriation of refugees. The present report covers developments since my report of 6 February (S/1995/107).

2. During the reporting period, a mission of Security Council members visited Rwanda on 12 and 13 February 1995 and submitted its findings to the Council in a report of 28 February (S/1995/164). The Mission stressed that, as long as 2 million Rwandese remained in camps in or outside their country, the situation in Rwanda would remain inherently unstable. In this connection, it underlined the interrelated issues facing the Government: repatriation, reconciliation, reconstruction and the need for justice. It called on the Government to intensify its efforts to create favourable conditions and an auspicious climate inside the country to encourage and facilitate repatriation.

II. POLITICAL ASPECTS

3. It has been a year since Rwanda was engulfed in a genocide that left at least 500,000 people dead. In the message I sent to the Government and people of Rwanda on the first anniversary of those horrors, I conveyed my deepest sympathy and stressed that never again should the perpetrators of such crimes be permitted to get away with impunity. I also pledged the continued support of the United Nations to the building of a new Rwandese society based on tolerance, harmony and justice.

4. In the nine months since the new Government of Rwanda assumed office, the overall situation in the country has improved considerably. The private sector has revived in an atmosphere of relative security; markets, shops and small

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businesses have sprung up, agricultural activities have restarted and schools have reopened.

5. Radio UNAMIR commenced broadcasting on 16 February and is on the air seven days a week in three languages, in an effort to present objective information to the Rwandese people at home and in refugee camps abroad. Plans are in hand to increase Radio UNAMIR's broadcast time.

6. In my report of 6 February, I noted that, while Rwanda continued to face problems in regard to repatriation, reconciliation and rebuilding its administrative structures, the overall situation was evolving positively. Over the past two months, however, tensions and frustrations have surfaced and the security situation in the country has deteriorated. The Prefect of Butare was murdered in an ambush on 4 March; armed saboteurs have reportedly entered Rwanda; and more and more people are being detained by the Government.

7. These developments have contributed to a considerable decline in the repatriation of Rwandese refugees from Zaire, the United Republic of Tanzania and Burundi. In addition, over 200,000 internally displaced persons remain in camps because they fear insecure conditions in their home communes or because of intimidation by extremist elements in the camps.

8. There are reports that the armed forces of the former Rwandese Government are training and rearming. Over the past two months, soldiers of the forces of the former Government have reportedly been apprehended in Rwanda, carrying arms, grenades and anti-personnel mines. As a result, the Rwandese Patriotic Army has tightened security and strengthened its border patrols.

9. These measures against possible infiltrators have also led to incidents involving United Nations and international staff. United Nations vehicles and staff have been searched and supplies of goods and equipment have been stopped at Kigali airport. In addition, government authorities at the middle and lower levels are often uncooperative. Last month, Radio Rwanda initiated a propaganda campaign of surprising virulence and broadcast unfounded allegations of misconduct by UNAMIR personnel. After a protest by my Special Representative, however, Radio Rwanda has reverted to a more balanced attitude towards UNAMIR.

10. The relationship between UNAMIR and the Rwandese Patriotic Army has been discussed by my Special Representative with the President of Rwanda, Mr. Pasteur Bizimungu, and with the Vice-President and Minister of Defence, Major-General Paul Kagame. Both the President and the Vice-President reaffirmed their Government's support for UNAMIR and said minor incidents should be cleared up at fortnightly joint staff meetings. The Vice-President added that some of the frustrations, especially at the lower level, were the result of the perception that the Government could not exercise complete sovereign authority in Rwanda as long as there was a large UNAMIR military presence in the country. In this connection, both the President and the Vice-President felt that, at an appropriate time, UNAMIR's mandate and its possible phase-out from Rwanda should be discussed.

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III. LEGAL AND HUMAN RIGHTS ASPECTS

11. In response to the rise in tension in parts of the country, the Human Rights Field Operation in Rwanda strengthened its monitoring activities during the reporting period. As of 1 April 1995, the Field Operation was composed of 113 staff in 11 field offices, including 55 short-term staff; 30 United Nations Volunteers (UNVs); 12 human rights officers from the European Union and 8 experts provided by the Governments of the Netherlands, Norway and Switzerland. It is expected that a further contingent of some 28 human rights officers contributed by the European Union, as well as additional UNVs, will be deployed on 19 April.

12. The human rights officers work directly with the population, as well as with government officials and civic leaders throughout the country. They seek to promote respect for the rights of individual citizens and a sense of confidence and stability.

13. The establishment of an effective judicial system is one of the most pressing problems facing the Government. Although efforts are often made by the Government and its security forces to follow correct procedures, arrests are sometimes arbitrary. Many individuals are held without hope of timely trial proceedings. There are approximately 27,000 people in Rwanda's desperately overcrowded prisons. Kigali prison, for example, built to accommodate 1,500 detainees, currently houses over 7,000. On 16 March, 24 people died in a police detention cell.

14. The Technical Cooperation Unit of the Field Operation recently issued a comprehensive programme addressing the needs of the Government in establishing a civil society based on respect for human rights. This programme, which was developed in close consultation with the relevant government ministries, includes recommendations on measures to facilitate the prosecution of suspects accused of serious human rights violations. It also proposes a strategy for introducing human rights education in Rwandese schools and government institutions.

15. The United Nations High Commissioner for Human Rights, Mr. José Ayala-Lasso, has launched an international appeal with a view to assisting the Government of Rwanda to re-establish the judicial system. He has also appealed for funds to recruit more human rights monitors who, as part of their duties, would work closely with the judiciary. During his visit to Rwanda from 1 to 3 April, the High Commissioner had the opportunity to discuss many of the above issues with government officials.

IV. INTERNATIONAL TRIBUNAL

16. By its resolution 977 (1995) of 22 February 1995, the Security Council decided that the International Tribunal for Rwanda would have its seat at Arusha (United Republic of Tanzania). A team composed of experts from the United Nations Secretariat and the International Tribunal for the Former Yugoslavia will visit the United Republic of Tanzania shortly to secure premises for the

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International Tribunal for Rwanda and to negotiate the necessary agreements with the Tanzanian authorities.

17. On 7 March, I addressed a letter to all States Members of the United Nations, as well as to non-member States maintaining permanent observer missions at United Nations Headquarters, inviting them to nominate judges for the Tribunal. I requested that these nominations be made by 7 April 1995.

18. The Office of the Prosecutor for the International Tribunal was established in Kigali in January 1995 and the Deputy Prosecutor, Mr. Rakotomanana, took office on 20 March. In a statement issued by the Chief Prosecutor, Judge Goldstone, on 5 April, it was announced that the Tribunal was processing about 400 cases and that the first case for trial was expected in the second half of the year. Since January, Tribunal staff have been gathering information and evidence in Rwanda and other countries. In view of the importance and volume of the work involved, more expert personnel are required and efforts to secure the necessary staff are under way. I welcome the voluntary contributions pledged by some Member States to support the activities of the Tribunal and I appeal for more such assistance to enable the Tribunal to carry out its tasks.

V. MILITARY ASPECTS

19. As at 1 April, UNAMIR's force strength stood at 5,529 troops and 297 military observers (see annex). Since my report of 6 February, an Indian signals company has been deployed, the inter-African battalion has been replaced by a Senegalese battalion of 241 all ranks, the Malawi company of 181 and the Australian medical support group of 293 have both been rotated and the Canadian logistics support group of 95 has been fully deployed.

20. UNAMIR has been working under additional pressure as a result of the recent deterioration in security. Instances of harassment and intimidation directed at UNAMIR and other United Nations personnel, property and installations have, as noted earlier, increased during the reporting period.

21. On 15 February, UNAMIR headquarters at Mutura, east of Gisenyi, where the Tunisian battalion is located, was hit by grenades and small arms fire in a deliberate and unprovoked attack against a UNAMIR signals installation. The following day, while investigating the circumstances surrounding the attack, eight members of a UNAMIR patrol were injured by a land-mine probably planted by the attackers. On 5 March, three grenades were thrown at the Nigerian contingent's guardpost at Byumba, injuring two soldiers, one of them seriously.

22. These are the first incidents since the end of the civil war in which United Nations troops appear to have been deliberately targeted. My Special Representative and the Force Commander have informed the authorities of their serious concern and members of the Government have expressed regret for these attacks, indicating that they were isolated acts. Investigations are under way to determine the circumstances and the identities of those involved.

23. Mechanisms have been put in place to enable UNAMIR and the Rwandese Patriotic Army to liaise and exchange views at both the command and the staff

officer levels. These arrangements facilitate the resolution of complaints and enhance cooperation and coordination. However, the worsening security situation has strained relations between UNAMIR and the Rwandese Patriotic Army. Indeed, the Rwandese Patriotic Army has frequently restricted the movement of UNAMIR personnel and denied it access to certain areas. This has affected UNAMIR's ability to discharge its mandated tasks fully and effectively.

24. Difficulties have also been encountered on the occasion of troop rotations, when UNAMIR personnel have been held up or denied entry at Kigali airport. It should be recalled, in this connection, that the Model Status of Forces Agreement (A/45/594), which reflects the customary principles and practices of United Nations peace-keeping operations, contains provisions regulating the entry, residence and departure of personnel of peace-keeping operations. The agreement on the status of UNAMIR and its personnel, concluded on 5 November 1993, contains identical provisions. Following the modification of UNAMIR's mandate under Security Council resolution 918 (1994) of 17 May 1994 and the installation of the present Government in July 1994, an exchange of letters to constitute an agreement between the United Nations and the Government of Rwanda was initiated. The purpose of this was not to reaffirm the applicability of the agreement concluded on 5 November 1993, which in accordance with well-established principles of international law is not in doubt, but to supplement it by reflecting the changes in UNAMIR's mandate. However, despite several reminders, the Government has not yet replied. It is my hope that this matter will be promptly resolved and that the Government will agree to honour its obligations under the agreement.

25. There is a pressing need for a comprehensive mine-clearance programme. However, the Government of Rwanda has not yet responded to the offers of the United Nations for assistance in mine clearance and minefield survey and marking. Such a programme would, among other things, open up many areas to returnees, including agricultural fields. A team of mine experts from the United States Department of Defense recently visited Rwanda and held discussions with UNAMIR concerning a possible plan of action in this area. In the meantime, UNAMIR explosives demolition teams continue to carry out limited mine-clearing operations, especially in urban areas.

VI. CIVILIAN POLICE

26. In my report of 6 February, I noted that UNAMIR was pursuing its efforts to assist the Government of Rwanda in training a new integrated national police force. The training of 300 gendarmes and 20 instructors, which started on 19 December 1994, is expected to conclude by the end of April. The Government has requested that UNAMIR train an additional 400 gendarmes before beginning the training programme for 100 instructors, which was scheduled to commence in June.

27. Following a request from the Government, a UNAMIR civilian police observer has been assigned to assist the Chief of Staff of the National Gendarmerie in determining operational requirements to ensure that, upon completion of their training, gendarmes are ready and properly equipped for deployment.

28. Owing to financial and material constraints, the training programme for communal police, which was scheduled to begin in February, has been delayed. The Government has informed UNAMIR that it is intensifying its efforts to obtain the necessary resources to permit training to begin at the earliest opportunity. Once funding is secured, UNAMIR will begin a training programme for approximately 1,500 communal police.

29. As part of its monitoring and investigatory activities, the UNAMIR civilian police component has teams of 3 to 4 observers in each of the 11 prefectures in the country. These observers work in close cooperation with local authorities, United Nations agencies and non-governmental organizations, and assist human rights monitors and UNAMIR personnel in the performance of their respective duties.

30. UNAMIR continues to face an acute shortage of civilian police personnel, a situation which seriously impairs the discharge of its expanded tasks. While, in accordance with resolution 965 (1994), the strength of UNAMIR's civilian police component was increased to 120 police observers, only 58 are currently deployed. These observers are from Djibouti (7), Germany (9), Ghana (10), Guinea-Bissau (8), Mali (10), Nigeria (10) and Zambia (4).

31. As stressed in previous reports, there is a particularly urgent need for additional French-speaking civilian police observers. In this connection, on 22 February, I again approached Member States, including 13 French-speaking countries, to ascertain their interest in providing additional civilian police observers. I have not, so far, received any positive responses.

VII. HUMANITARIAN ASPECTS

32. At the United Nations Development Programme (UNDP) round-table conference, held at Geneva on 18 and 19 January 1995, the international donor community pledged some $587 million to support the Government's rehabilitation and reconstruction programme. The slow process of turning donor pledges into actual support, however, has led to problems and growing frustration on the ground.

33. The humanitarian programme in Rwanda maintains its emphasis on the provision of emergency relief to the affected population, as well as on activities aimed at enabling the Government to function effectively. Progress in these areas, however, has been affected by the paucity of resources available. To date, a relatively small portion of the contributions pledged at the UNDP round-table conference has been converted into actual disbursements. This is also true of the response to the 1995 consolidated inter-agency humanitarian assistance appeal launched in January 1995. The Trust Fund for Rwanda totalled $4,710,857 as at 1 April, most of it being disbursed to support the national judicial system.

34. There are substantial food shortages within the country and the subregion. The recent Food and Agriculture Organization of the United Nations (FAO)/World Food Programme (WFP) crop assessment indicates that the January 1995 harvest was significantly smaller than in previous years. If the threat of starvation and malnutrition is to be averted for some 3 million refugees and internally

displaced persons from Rwanda and Burundi, rapid and substantial food aid from the international community is required. In the meantime, United Nations non-governmental organizations are distributing seeds and tools to the affected population. There is also a programme of seed and livestock protection for the benefit of vulnerable groups. The WFP food-for-work programmes seek to promote the rehabilitation of infrastructure and the strengthening of food security.

35. Problems affecting children continue to receive special attention. United Nations and non-governmental organizations are registering unaccompanied minors and attempting to reunite families. So far, approximately 3,000 children have been reunited with their families and psychosocial counselling and trauma recovery programmes are expected to be enlarged in the near future. Agreement has been reached with the Ministry of Justice to permit 400 children between the ages of 11 and 17, imprisoned for alleged involvement in the genocide, to be moved to a separate location for children only. As a result of consultations with the Ministry of Defence, some 4,000 "child soldiers" are expected to be demobilized shortly.

36. There have been some improvements in the health sector. Nearly half of the 280 vaccination centres which were operational before April 1994 have reopened and a programme to equip them has begun. Some 26 nutritional centres for unaccompanied children have reopened and receive supplementary food aid. It is planned to have 100 nutritional centres operational during 1995. Projects relating to family planning, maternal care and the human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) are being promoted vigorously.

37. The humanitarian agencies have intensified their efforts to ensure wider access to education. This has included the distribution of basic classroom resources and supplies and an emergency curriculum for over 140,000 primary schoolchildren. Teacher emergency packages have been distributed to over 7,000 teachers serving about 600,000 children in Rwanda. Moves are under way to adapt the packages for young people in prisons and for literacy and basic skill-training programmes, especially for youth and women. A pilot project for implementing teacher emergency packages in refugee camps was launched in February.

38. Activities are taking place, within the context of Opération Retour, to expedite the voluntary return of internally displaced persons. Six camps for internally displaced persons have been closed and some 40,000 people have been resettled in their home communities, where agencies are implementing rehabilitation projects. The remaining camps hold more than 200,000 displaced people. In certain quarters in Rwanda, these camps are viewed as breeding grounds for destabilization activities and the Government is anxious to close them as soon as possible.

39. The recent deterioration in the security situation, together with the lack of resources, has had a negative impact on the resettlement of returnees. The increased screening of them by the Rwandese authorities has also inhibited progress towards a faster rate of refugee repatriation. Recent arrangements made by the Office of the United Nations High Commissioner for Refugees with the Governments of the United Republic of Tanzania and Zaire, aimed at assuring

security in Rwandese refugee camps in those countries, were expected to help reduce intimidation and thus permit a higher rate of repatriation. However, most of the estimated 60,000 refugees who returned to Rwanda during the first two months of the year were from the 1959 case-load. Most of the more recent refugees who have returned so far are women and children. United Nations organizations are facilitating their repatriation through reception and transport facilities.

40. Returnees from the 1959 case-load are currently estimated at over 600,000. Their resettlement has become a major problem for the authorities, since many of them have illegally occupied the homes and land of recently departed refugees, some of whom have also begun to return home. The Government urgently needs resources to accommodate both groups of returnees in a manner that ensures justice and promotes reconciliation. To facilitate their reintegration, returnees will have to be provided with assistance in education, housing and job training. A grave concern associated with the returnees from the 1959 case-load is the large number of cattle (estimated at 500,000) that they have brought with them. Lack of adequate grazing areas and water for these herds, combined with livestock diseases, threaten an ecological disaster.

41. Solutions to the humanitarian challenges faced by Rwanda are a vital element in international efforts to contribute to national reconciliation and economic recovery. Continued assistance is indispensable if progress is to be achieved, particularly in view of the disastrous consequences of the war and the continuing lack of resources available to the Government.

VIII. ADMINISTRATIVE AND FINANCIAL ASPECTS

42. The General Assembly, by its resolution 49/20 of 29 November 1994, authorized me to enter into commitments for a four-month period from 10 December 1994 to 9 April 1995, at a monthly rate not to exceed $15 million gross, in connection with the maintenance of UNAMIR. This amount was based on the then authorized strength of 320 military observers, 5,500 troops, 90 civilian police and 398 civilian personnel. Subsequently, the Security Council authorized an increase in the strength of the civilian police component from 90 to 120 police observers. My report on the financing of UNAMIR for the period from 10 December 1994 to 9 June 1995 and for the maintenance of the mission on a monthly basis after 9 June 1995 (A/49/375/Add.2) has been submitted to the General Assembly for consideration at its current session.

43. As at March 1995, unpaid assessments to the UNAMIR Special Account amounted to $46.5 million, and the total amount of outstanding assessed contributions for all peace-keeping operations was $1,662.8 million.

IX. OBSERVATIONS

44. The progress achieved in Rwanda over the past nine months is threatened by renewed tensions. It is incumbent on the Government and the international community to take the steps necessary to put Rwanda back on the road to stability, national reconciliation and reconstruction.

45. These goals are likely to remain elusive, however, as long as 2 million Rwandese remain in camps outside their country. The indignation and deep sense of injustice felt by many Rwandese after the genocide is certainly understandable, but it cannot be allowed to frustrate the healing process that must take place if Rwanda is to be restored to peace and harmony. The Government is therefore urged to make more determined efforts to foster a climate of trust and confidence and to create conditions that will encourage refugees and displaced persons not suspected of involvement in the genocide to believe that they can return to their homes in safety. At the same time, steps must be taken to bring to trial, at the earliest opportunity, those who are guilty of genocide.

46. I therefore welcome the adoption by the Security Council on 27 February of resolution 978 (1995), in which it called on Member States to arrest persons against whom sufficient evidence existed of criminal responsibility for genocide. It is my hope that Member States will take the necessary follow-up action and help ensure that the International Tribunal for Rwanda becomes operational as soon as possible. The need for such steps is underlined by the recent disturbing reports of military training and an arms build-up by elements of the armed forces of the former Government of Rwanda in neighbouring countries. The Governments on whose territory such activities may be taking place must ensure that their countries do not become bases for incursions into Rwanda.

47. Rwanda's needs with regard to the rehabilitation of its administrative structures and social and economic reconstruction are great. It is clear that limited resources mean that the Government cannot by itself address all the problems facing the country. It needs the assistance and cooperation of its neighbours and the international community. I therefore urge donors to do all they can to accelerate the flow of aid to Rwanda. In this connection, Member States may wish to consider channelling funds through the Trust Fund for Rwanda, which can disburse assistance quickly and effectively.

48. The increasing harassment of United Nations and international staff serving in Rwanda is another source of serious concern. UNAMIR remains an essential confidence-building mechanism and its presence adds an important dimension to the Government's efforts to promote a climate of stability, trust and security. UNAMIR's presence also helps to create conditions conducive to the resettlement of refugees and displaced persons and to the provision of reconstruction assistance. I therefore urge the Government to extend to UNAMIR the necessary cooperation without which the Mission will not be able to carry out its mandate and the international community will find it more difficult to respond to Rwanda's rehabilitation needs. I should also like to remind the Government of its responsibility for the safety and security of all UNAMIR personnel, as well as for ensuring that their freedom of movement and access throughout the country is respected.

49. UNAMIR's present mandate, as defined under Security Council resolutions 918 (1994) and 965 (1994), will expire on 9 June. Senior Rwandese officials have pointed out that the situation in the country has changed since last July and that, at the appropriate time, the mandate and role of UNAMIR should be reviewed. I have, accordingly, requested my Special Representative to consider,

in consultation with the Government, adjustments which could be made to the Mission's mandate. On the basis of his advice, I will, in my next report, submit to the Security Council recommendations on the role which UNAMIR could play in Rwanda after 9 June 1995.

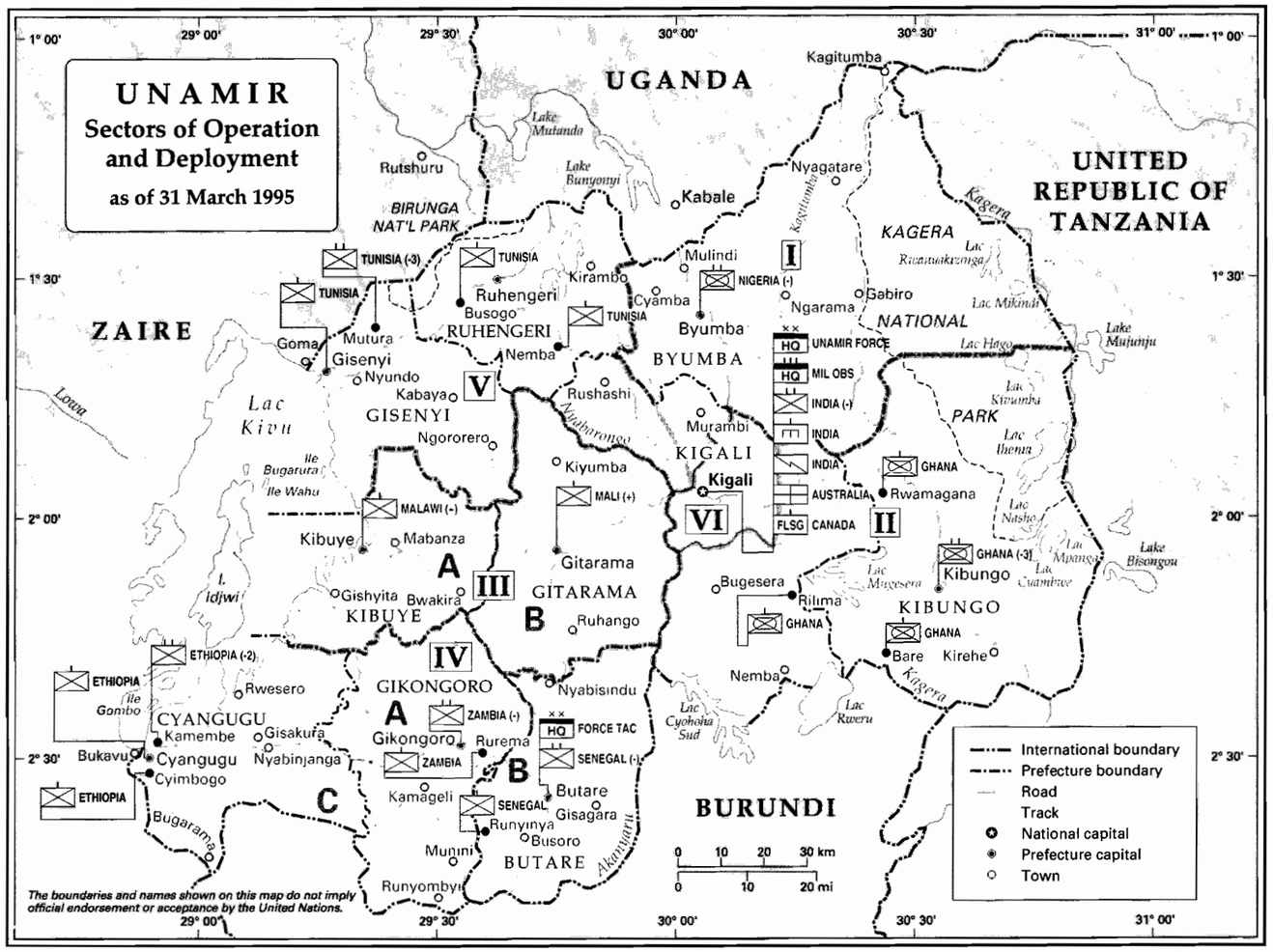
50. The Council has emphasized the need for an international conference on security, stability and peace in the region. In accordance with the Council's most recent call for States of the region to organize such a conference, I intend to carry out necessary consultations with those States with a view to determining the type of assistance they may require in this regard.

51. In closing, I should like to thank my Special Representative, Mr. Shaharyar M. Khan, the Force Commander, Major-General Guy Tousignant, and all UNAMIR civilian, military and civilian police personnel, for their contribution to peace and stability in Rwanda under very trying circumstances.

Annex

Composition of the United Nations Assistance Mission for Rwanda as at 31 March 1995

Country	Military personnel			Civilian police	Grand total
	Troops	Observers	Total		
Argentina		1	1		1
Australia	302		302		302
Austria		15	15		15
Bangladesh	1	33	34		34
Canada	105	20	125		125
Chad	2		2		2
Djibouti			-	7	7
Ethiopia	811		811		811
Fiji		1	1		1
Germany			-	9	9
Ghana	842	35	877	10	887
Guinea		17	17		17
Guinea-Bissau			-	5	5
India	833	17	850		850
Jordan			-	3	3
Malawi	185	14	199		199
Mali	199	31	230	10	240
Nigeria	333	17	350	10	360
Poland		2	2		2
Russian Federation		17	17		17
Senegal	241		241		241
Tunisia	840	10	850		850
United Kingdom	2		2		2
Uruguay		23	23		23
Zambia	833	20	853	4	857
Zimbabwe		24	24		24
Total	5 529	297	5 826	58	5 884



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RAPPORT INTÉRIMAIRE DU SECRÉTAIRE GÉNÉRAL SUR LA MISSION D'ASSISTANCE DES NATIONS UNIES AU RWANDA

I. INTRODUCTION

1. Le présent rapport est présenté comme suite à la résolution 965 (1994) du 30 novembre 1994, par laquelle le Conseil de sécurité a décidé d'élargir le mandat de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR) et de le proroger pour une période de six mois, à savoir jusqu'au 9 juin 1995. Dans cette résolution, le Conseil m'a prié de lui faire rapport d'ici au 9 février 1995, puis le 9 avril 1995 au plus tard, sur l'accomplissement de son mandat par la MINUAR, la sécurité des populations en danger, la situation humanitaire et les progrès enregistrés en ce qui concerne le rapatriement des réfugiés. Le présent rapport porte sur les faits nouveaux intervenus au Rwanda depuis la publication de mon rapport du 6 février (S/1995/107).

2. Durant la période considérée, une mission composée de membres du Conseil de sécurité s'est rendue au Rwanda les 12 et 13 février 1995 et a présenté ses conclusions au Conseil dans un rapport en date du 28 février (S/1995/164). La Mission a souligné qu'aussi longtemps que 2 millions de Rwandais demeureraient dans des camps à l'intérieur ou à l'extérieur de leur pays, la situation au Rwanda resterait nécessairement instable. Elle a fait ressortir à ce propos que le Gouvernement était confronté à des questions étroitement liées : rapatriement, réconciliation, reconstruction et besoin de justice. Elle a demandé au Gouvernement d'intensifier les efforts qu'il faisait pour créer des conditions favorables et un climat propice à l'intérieur du pays de manière à encourager et faciliter le rapatriement.

II. ASPECTS POLITIQUES

3. Il y a maintenant un an que le Rwanda sombrait dans un génocide qui a fait au moins 500 000 morts. Dans le message que j'ai envoyé au Gouvernement et au peuple rwandais en commémoration de ces atrocités, je leur ai fait part de ma plus profonde sympathie, soulignant que jamais plus il ne fallait permettre que les auteurs de tels crimes demeurent impunis. Je me suis également engagé au nom de l'Organisation des Nations Unies à continuer d'apporter un appui à la reconstruction d'une nouvelle société rwandaise fondée sur la tolérance, l'harmonie et la justice.

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4. Durant les neuf mois qui se sont écoulés depuis l'entrée en fonctions du nouveau Gouvernement rwandais, la situation générale du pays s'est considérablement améliorée. Les activités du secteur privé se sont ranimées dans une atmosphère de relative sécurité; on a vu resurgir des marchés, des magasins et de petites entreprises, les activités agricoles ont repris et les écoles ont été rouvertes.

5. Radio MINUAR a commencé le 16 février à diffuser ses émissions en trois langues et elle est sur les ondes sept jours par semaine, s'efforçant d'apporter une information objective au peuple rwandais chez lui et à l'extérieur dans les camps de réfugiés. Il est prévu de lui accorder un plus grand nombre d'heures d'antenne.

6. Dans mon rapport du 6 février, j'ai noté que si le rapatriement, la réconciliation et la reconstitution de ses structures administratives continuaient de poser des problèmes au Rwanda, la situation évoluait globalement de manière positive. Au cours des deux derniers mois, toutefois, des tensions et des frustrations se sont fait sentir et la situation s'est dégradée dans le pays sur le plan de la sécurité. Le préfet de Butare, tombé dans une embuscade le 4 mars, avait été assassiné; des saboteurs armés seraient entrés en territoire rwandais; et le nombre des personnes mises en détention par le Gouvernement ne cessait d'augmenter.

7. Ces événements ont contribué à ralentir considérablement le rapatriement des Rwandais réfugiés au Zaïre, en République-Unie de Tanzanie et au Burundi. En outre, plus de 200 000 personnes déplacées à l'intérieur du pays restent dans les camps, de crainte que les conditions ne soient pas sûres dans les endroits où elles résident ou parce qu'elles font l'objet d'intimidations de la part d'éléments extrémistes dans les camps.

8. On a signalé que les forces armées du précédent Gouvernement rwandais s'entraînaient et se réarmaient. Au cours des deux derniers mois, des éléments des anciennes Forces gouvernementales rwandaises, porteurs d'armes, de grenades et de mines antipersonnel, auraient été appréhendés au Rwanda. En conséquence, l'Armée patriotique rwandaise a renforcé les mesures de sécurité et les patrouilles qui surveillaient la frontière.

9. Les mesures prises à l'encontre d'éventuels agents infiltrés avaient aussi suscité des incidents dans lesquels avaient été impliqués du personnel de l'ONU et du personnel international. Des véhicules et du personnel de l'ONU avaient été fouillés et des fournitures de denrées alimentaires et de matériel stoppées à l'aéroport de Kigali. Les autorités gouvernementales aux niveaux inférieur et intermédiaire se montraient souvent très peu coopératives. Le mois dernier, Radio Rwanda avait lancé une campagne de propagande d'une virulence surprenante et diffusé des allégations dénuées de fondement de conduite répréhensible du personnel de la MINUAR. Toutefois, sur les protestations de mon Représentant spécial, Radio Rwanda est revenue à une attitude plus équilibrée à l'égard de cette dernière.

10. Mon Représentant spécial s'est entretenu avec le Président du Rwanda, M. Pasteur Bizimungu, et le Vice-Président et Ministre de la défense, le général Paul Kagame, des relations entre la MINUAR et l'Armée patriotique rwandaise. Le

Président et le Vice-Président ont réaffirmé l'un et l'autre l'appui de leur gouvernement à la MINUAR, précisant que les incidents mineurs devraient être réglés à l'occasion de réunions mixtes bimensuelles du personnel. Le Vice-Président a ajouté que les tensions qui pouvaient se faire sentir, spécialement au niveau inférieur, tenaient en partie à l'impression qu'on avait que le Gouvernement ne pourrait exercer complètement son autorité souveraine au Rwanda tant que se maintiendrait dans le pays une importante présence militaire de la MINUAR. Le Président comme le Vice-Président pensaient qu'il faudrait, en temps opportun, examiner le mandat de la MINUAR et envisager son retrait progressif éventuel du Rwanda.

III. DROITS DE L'HOMME ET QUESTIONS JURIDIQUES

11. Face à l'accroissement des tensions dans certaines régions, l'Opération des Nations Unies pour les droits de l'homme au Rwanda a renforcé ses activités de contrôle pendant la période sur laquelle porte le présent rapport. Au 1er avril 1995, l'effectif de l'Opération se composait de 113 personnes réparties en 11 postes, à savoir : 55 fonctionnaires engagés pour de courtes durées; 30 Volontaires des Nations Unies; 12 spécialistes des droits de l'homme de l'Union européenne et 8 experts fournis par les Gouvernements des Pays-Bas, de la Norvège et de la Suisse. Un nouveau contingent de 28 spécialistes des droits de l'homme de l'Union européenne et des Volontaires des Nations Unies supplémentaires seront mis en place le 19 avril.

12. Les spécialistes des droits de l'homme travaillent directement avec la population et collaborent avec les représentants des pouvoirs publics et les personnalités civiles dans tout le pays. Ils s'efforcent de faire respecter les droits des citoyens en tant qu'individus et d'instaurer un sentiment de confiance et de stabilité.

13. La mise en plan d'un bon appareil judiciaire est l'un des problèmes les plus urgents que le Gouvernement doit résoudre. Bien que celui-ci et ses forces de sécurité s'attachent bien souvent à respecter les procédures, les arrestations sont parfois arbitraires. De nombreuses personnes sont détenues sans espoir que la justice sera mise en mouvement dans les délais voulus. On compte environ 27 000 personnes dans les prisons rwandaises, désespérément surpeuplées. Celle de Kigali, par exemple, construite pour accueillir 1 500 prisonniers, en contient actuellement plus de 7 000. Le 16 mars, 24 personnes sont mortes dans une cellule de la police.

14. Le Groupe de la coopération technique de l'Opération a récemment rendu public un programme général concernant les besoins auxquels les pouvoirs publics doivent répondre pour édifier une société civile fondée sur le respect des droits de l'homme. Ce programme, mis au point au cours de consultations suivies avec les ministères compétents, comprend des recommandations quant aux mesures qui faciliteraient les poursuites contre les personnes accusées de violations graves des droits de l'homme. Il propose également une stratégie pour faire pénétrer l'éducation en matière de droits de l'homme dans les écoles et les institutions officielles du Rwanda.

15. Le Haut Commissaire aux droits de l'homme de l'ONU, M. José Ayala-Lasso, a lancé un appel international en faveur du Gouvernement rwandais, afin de l'aider

à restaurer l'appareil judiciaire. Il a également réclamé des fonds pour engager des observateurs des droits de l'homme supplémentaires, qui travailleraient ès qualités en étroite collaboration avec le pouvoir judiciaire. Au cours de son séjour au Rwanda, du 1er au 3 avril, le Haut Commissaire a eu l'occasion de débattre avec des fonctionnaires du Gouvernement de beaucoup des questions mentionnées ci-dessus.

IV. TRIBUNAL INTERNATIONAL

16. Dans sa résolution 977 (1995) du 22 février 1995, le Conseil de sécurité a décidé que le Tribunal international pour le Rwanda aurait son siège à Arusha (République-Unie de Tanzanie). Une équipe d'experts du Secrétariat de l'ONU et du Tribunal international pour l'ex-Yougoslavie se rendra bientôt dans ce pays pour trouver les locaux destinés au Tribunal et prendre avec les autorités tanzaniennes les arrangements nécessaires.

17. Le 7 mars, j'ai adressé à tous les États Membres de l'ONU ainsi qu'aux États non membres qui entretiennent une mission permanente d'observation auprès de l'Organisation une lettre dans laquelle je les ai invités à désigner des candidats pour composer le Tribunal. Je leur ai demandé de le faire avant le 7 avril 1995.

18. Les services du Procureur du Tribunal international ont été installés à Kigali en janvier 1995 et le Procureur adjoint, M. Rakotomanana, a pris ses fonctions le 20 mars. Dans une déclaration publiée le 5 avril, le Procureur, le juge Goldstone, a annoncé que le Tribunal était en voie d'instruire 400 affaires, la première devant passer en jugement pendant le deuxième semestre de l'année. Depuis janvier, le personnel du Tribunal réunit renseignements et preuves au Rwanda et dans d'autres pays. L'importance et le volume des travaux que cela suppose obligent à prévoir des spécialistes de renfort, et l'on s'occupe déjà de s'attacher les services des personnels nécessaires. Je me félicite que certains États Membres aient annoncé qu'ils verseraient des contributions volontaires pour soutenir les activités du Tribunal et je lance un appel pour que celui-ci reçoive le surcroît d'aide qui lui permettra de remplir sa tâche.

V. ASPECTS MILITAIRES

19. Au 1er avril 1995, les effectifs de la force de la MINUAR étaient de 5 529 soldats et 297 observateurs militaires (voir l'annexe). Depuis mon rapport du 6 février, une compagnie indienne de transmissions a été déployée, le bataillon interafricain a été remplacé par un bataillon sénégalais de 241 hommes (tous grades confondus), la compagnie malawienne de 181 hommes et le groupe australien de soutien sanitaire de 293 hommes ont été relevés, et le groupe canadien de soutien logistique de 95 hommes a été entièrement déployé.

20. La MINUAR opère sous une pression accrue du fait que la sécurité s'est récemment détériorée. Comme on l'a noté plus haut, les actes de harcèlement et d'intimidation dirigés contre le personnel, les biens et les installations de la MINUAR et des autres organismes des Nations Unies se sont multipliés durant la période considérée.

21. Le 15 février, le quartier général de la MINUAR à Mutura, à l'est de Gisenyi, où est situé le bataillon tunisien, a essuyé des tirs de grenades et d'armes légères au cours d'une attaque délibérée et non provoquée contre une installation de transmissions de la MINUAR. Le jour suivant, alors qu'ils enquêtaient sur les circonstances de cette attaque, huit membres d'une patrouille de la MINUAR ont été blessés par une mine terrestre probablement posée par les assaillants. Le 5 mars, trois grenades ont été jetées dans un poste de garde du contingent nigérian à Byumba et deux soldats ont été blessés, dont l'un grièvement.

22. Ces incidents sont les premiers, depuis la fin de la guerre civile, au cours desquels des soldats des Nations Unies semblent avoir été délibérément visés. Mon Représentant spécial et le commandant de la Force ont fait part aux autorités de leur grave inquiétude et les membres du Gouvernement ont exprimé leurs regrets en indiquant qu'il s'agissait d'actes isolés. Des enquêtes sont en cours afin de déterminer les circonstances de ces attaques et l'identité des responsables.

23. Des mécanismes ont été mis en place pour permettre à la MINUAR et à l'Armée patriotique rwandaise de se maintenir en liaison et d'échanger des vues au niveau du commandement et à celui des officiers d'état-major. Ces dispositifs facilitent le règlement des plaintes et renforcent la coopération et la coordination. Toutefois, la détérioration de la sécurité a créé des tensions dans les rapports entre la MINUAR et l'Armée patriotique rwandaise. De fait, l'Armée patriotique rwandaise a fréquemment limité le mouvement du personnel de la MINUAR et lui a interdit d'accéder à certaines zones, ce qui a empêché la MINUAR d'accomplir pleinement et efficacement les tâches qui lui ont été confiées.

24. Des difficultés ont été également rencontrées à l'occasion de la rotation des troupes lorsque le personnel de la MINUAR a été bloqué ou n'a pas pu accéder à l'aéroport de Kigali. Il convient de rappeler à cet égard que le Modèle d'accord sur le statut des forces pour les opérations de maintien de la paix (A/45/594), qui reflète les pratiques et les principes coutumiers concernant ces opérations, contient des dispositions régissant l'entrée, le séjour et le départ du personnel. L'accord sur le statut de la MINUAR et de son personnel, conclu le 5 novembre 1993, renferme des dispositions identiques. À la suite de la modification du mandat de la MINUAR conformément à la résolution 918 (1994) du Conseil de sécurité, en date du 17 mai 1994, et de la mise en place du gouvernement actuel en juillet 1994, un échange de lettres devant constituer un accord entre l'Organisation des Nations Unies et le Gouvernement rwandais a été entrepris. Il s'agissait non pas de réaffirmer l'applicabilité de l'accord conclu le 5 novembre 1993 — qui ne fait pas de doute eu égard aux principes bien établis du droit international — mais de compléter cet accord en tenant compte des changements apportés au mandat de la MINUAR. Toutefois, malgré plusieurs rappels, le Gouvernement n'a pas encore répondu. Je veux espérer que cette question sera rapidement réglée et que le Gouvernement acceptera d'honorer les obligations qui lui incombent en vertu de l'accord.

25. Il est impératif de mettre en place d'urgence un vaste programme de déminage. Toutefois, le Gouvernement rwandais n'a pas encore répondu aux offres d'assistance de l'ONU concernant le déminage ainsi que le levé et le marquage

des champs de mines. Ce programme permettrait notamment de dégager de nombreuses zones, y compris des terres agricoles, à l'intention des rapatriés. Une équipe d'experts des mines du Ministère de la défense des États-Unis d'Amérique s'est récemment rendue au Rwanda et s'est entretenue avec la MINUAR au sujet d'un plan d'action éventuel dans ce domaine. Entre-temps, des équipes de neutralisation des explosifs de la MINUAR continuent d'effectuer des opérations limitées de déminage, en particulier dans les zones urbaines.

VI. POLICE CIVILE

26. J'ai noté dans mon rapport du 6 février que la MINUAR poursuivait ses efforts en vue d'aider le Gouvernement rwandais à former une nouvelle force de police nationale intégrée. La formation de 300 gendarmes et de 20 instructeurs, qui a commencé le 19 décembre 1994, doit s'achever à la fin d'avril. Le Gouvernement a demandé à la MINUAR de former 400 autres gendarmes avant le début du programme de formation de 100 instructeurs, qui devrait commencer en juin.

27. Suite à une demande du Gouvernement, un observateur de la police civile de la MINUAR a été détaché auprès du chef d'état-major de la Gendarmerie nationale pour l'aider à définir les besoins opérationnels afin que les gendarmes, une fois formés, soient prêts à être déployés et soient équipés comme il convient.

28. En raison de difficultés financières et matérielles, le programme de formation de la police communale, qui devait commencer en février, a été retardé. Le Gouvernement a informé la MINUAR qu'il intensifiait ses efforts en vue d'obtenir les ressources nécessaires pour que la formation puisse débuter le plus tôt possible. Lorsqu'elle disposera des fonds voulus, la MINUAR commencera à former environ 1 500 agents de police communale.

29. Dans le cadre de ses activités de surveillance et d'enquête, la police civile de la MINUAR dispose d'équipes de trois ou quatre observateurs dans chacune des 11 préfectures du pays. Ces observateurs collaborent étroitement avec les autorités locales, les organismes des Nations Unies et les organisations non gouvernementales, et aident les observateurs des droits de l'homme et le personnel de la MINUAR à accomplir leurs tâches.

30. La MINUAR continue de faire face à une pénurie aiguë de policiers civils, qui entrave considérablement l'exécution de sa mission élargie. Alors que, conformément à la résolution 965 (1994), l'effectif de la police civile de la MINUAR a été porté à 120 observateurs, seuls 58 d'entre eux sont actuellement déployés. Ces observateurs proviennent de l'Allemagne (9), de Djibouti (7), du Ghana (10), de la Guinée-Bissau (8), du Mali (10), du Nigéria (10) et de la Zambie (4).

31. Comme on l'a souligné dans les précédents rapports, il est indispensable d'accroître d'urgence le nombre d'observateurs de la police civile parlant français. À cet égard, le 22 février, je me suis de nouveau mis en rapport avec des États Membres, y compris 13 pays francophones, pour savoir s'ils avaient l'intention de fournir d'autres observateurs de la police civile. Cette démarche est restée jusqu'ici sans écho.

VII. ASPECTS HUMANITAIRES

32. À la table ronde organisée par le Programme des Nations Unies pour le développement (PNUD) à Genève, les 18 et 19 janvier 1995, la communauté des donateurs s'est engagée à verser environ 587 millions de dollars pour financer le programme de relèvement et de reconstruction du Gouvernement. La lenteur avec laquelle les contributions annoncées se sont matérialisées a toutefois causé des problèmes et engendré un sentiment de frustration croissant sur place.

33. Le programme humanitaire au Rwanda consiste toujours essentiellement à fournir des secours d'urgence à la population touchée ainsi qu'à promouvoir les activités visant à permettre au Gouvernement de fonctionner effectivement. Les progrès dans ces domaines ont toutefois été freinés par le manque de ressources. À ce jour, une petite partie seulement des contributions annoncées à la table ronde du PNUD a été effectivement versée. Il en est de même des réactions qu'avait suscitées l'appel interinstitutions commun lancé en faveur de l'assistance humanitaire au mois de janvier 1995. Au 1er avril, le Fonds d'affectation spéciale pour le Rwanda disposait de 4 710 857 dollars des États-Unis, qui servaient en majeure partie à financer le système judiciaire national.

34. Il y a de graves pénuries alimentaires dans le pays et la sous-région. La dernière évaluation FAO/PAM (Organisation des Nations Unies pour l'alimentation et l'agriculture/Programme alimentaire mondial) indique que la récolte de janvier 1995 a été très inférieure à celle des années précédentes. Pour éviter la famine et la malnutrition qui menacent près de 3 millions de Rwandais et de Burundais réfugiés ou déplacés à l'intérieur du pays, il faut que la communauté internationale fournisse rapidement une aide alimentaire importante. Entre-temps, les organismes des Nations Unies et les organisations non gouvernementales distribuent des semences et des outils à la population éprouvée. Il existe aussi un programme de distribution de semences et de protection du bétail à l'intention des groupes vulnérables. Le PAM exécute des programmes appelés "de la nourriture contre du travail", qui visent à promouvoir la reconstruction de l'infrastructure et à renforcer la sécurité alimentaire.

35. Une attention particulière continue d'être accordée aux problèmes concernant les enfants. Les organismes des Nations Unies et les organisations non gouvernementales enregistrent les mineurs non accompagnés et s'efforcent de réunir les familles. Jusqu'ici, environ 3 000 enfants ont été réunis avec leur famille, et les programmes d'orientation psychosociale et de traitement du traumatisme psychique devraient être élargis dans un proche avenir. Un accord a été conclu avec le Ministère de la justice pour que 400 mineurs âgés de 11 à 17 ans, mis en prison parce qu'ils auraient participé au génocide, soient transférés dans un établissement qui leur sera réservé. À la suite de consultations qui ont eu lieu avec le Ministère de la défense, environ 4 000 "enfants soldats" devraient bientôt être démobilisés.

36. Des progrès ont été faits dans le domaine de la santé. Près de la moitié des 280 centres de vaccination qui étaient en service avant le mois d'avril 1994 ont été rouverts et un programme a été entrepris pour les équiper. Environ 26 centres de nutrition pour enfants non accompagnés ont été rouverts et reçoivent une aide alimentaire complémentaire. Une centaine de centres

nutritionnels devraient être mis en service en 1995. On s'emploie activement à mettre au point des projets relatifs à la planification de la famille, aux soins maternels et à la lutte contre l'infection par le VIH et contre le sida.

37. Les organismes humanitaires ont intensifié les efforts qu'ils déploient pour assurer un plus grand accès à l'éducation. Ils ont notamment distribué du matériel et des fournitures scolaires de base et un programme scolaire de secours pour plus de 140 000 enfants en âge de fréquenter l'école primaire. Des dossiers d'enseignement de secours ont été distribués à plus de 7 000 enseignants touchant environ 600 000 enfants au Rwanda. Les dossiers sont actuellement adaptés pour pouvoir être utilisés par les jeunes qui sont en prison et pour les programmes d'alphabétisation et de formation aux techniques de base, destinés en particulier aux jeunes et aux femmes. Un projet pilote pour l'utilisation des dossiers d'enseignement de secours dans les camps de réfugiés a été entrepris au mois de février.

38. Des activités sont déployées dans le cadre de l'Opération Retour pour accélérer le retour librement consenti dans leurs foyers des personnes déplacées à l'intérieur du pays. Six camps de personnes déplacées ont été fermés et quelque 40 000 personnes ont été réinstallées dans leurs localités d'origine, où les organismes exécutent des projets de relèvement. Plus de 200 000 personnes déplacées vivent encore dans le reste des camps. Dans certains milieux, au Rwanda, ces camps sont considérés comme des lieux propices aux activités de déstabilisation et le Gouvernement est fortement désireux de les fermer dès que possible.

39. La détérioration récente de la situation en matière de sécurité, à laquelle s'ajoute le manque de ressources, a eu un effet préjudiciable sur la réinstallation des rapatriés. Il n'a pas non plus été possible d'accélérer le rythme du rapatriement, les autorités rwandaises soumettant les réfugiés à un filtrage de plus en plus sévère. Les arrangements conclus récemment entre le Haut Commissariat des Nations Unies pour les réfugiés et les Gouvernements tanzanien et zaïrois en vue d'assurer la sécurité dans les camps de réfugiés rwandais dans ces pays devraient contribuer à réduire les manoeuvres d'intimidation et à augmenter ainsi le rythme du rapatriement. Toutefois, la plupart des 60 000 réfugiés qui sont rentrés au Rwanda pendant les deux premiers mois de l'année faisaient partie de ceux qui avaient quitté le pays en 1959. La plupart des derniers réfugiés rentrés jusqu'ici sont des femmes et des enfants. Les organismes des Nations Unies en facilitent le rapatriement en assurant leur accueil et en fournissant des moyens de transport.

40. Les rapatriés faisant partie de ceux qui avaient quitté le pays en 1959 sont actuellement évalués à plus de 600 000. Leur réinstallation est devenue un problème majeur pour les autorités, nombre d'entre eux ayant occupé illégalement les habitations et les terres de réfugiés partis récemment, qui commencent eux aussi à rentrer chez eux. Le Gouvernement a un besoin urgent de ressources pour loger ces deux groupes de rapatriés d'une manière qui garantisse la justice et favorise la réconciliation. Pour faciliter leur réintégration, il faudra fournir aux réfugiés une assistance dans le domaine de l'éducation, du logement et de la formation professionnelle. La quantité de bétail (évalué à 500 000 têtes) que les rapatriés faisant partie du contingent de 1959 ramènent avec eux pose un grave problème. En effet, le manque de pâturages et d'eau,

auquel s'ajoutent les maladies du bétail, risque de causer une catastrophe écologique.

41. La solution des problèmes humanitaires qui se posent au Rwanda est un élément essentiel de ce qui est fait sur le plan international pour contribuer à la réconciliation nationale et au relèvement économique. Il est indispensable de continuer à fournir une assistance au pays pour que des progrès soient réalisés, compte tenu, en particulier, des conséquences désastreuses de la guerre et du fait que les pouvoirs publics manquent toujours de ressources.

VIII. ASPECTS ADMINISTRATIFS ET FINANCIERS

42. L'Assemblée générale, par sa résolution 49/20 du 29 novembre 1994, m'a autorisé à engager des dépenses pendant une période de quatre mois (10 décembre 1994 au 9 avril 1995) aux fins du fonctionnement de la MINUAR, jusqu'à concurrence d'un montant mensuel brut de 15 millions de dollars. Ce montant était fondé sur l'effectif alors autorisé de 320 observateurs militaires, 5 500 officiers, sous-officiers et hommes de troupe, 90 policiers civils et 398 membres du personnel civil. Par la suite, le Conseil de sécurité m'a autorisé à augmenter l'effectif de la composante police civile en portant de 90 à 120 le nombre des policiers de contrôle. Mon rapport relatif au financement de la MINUAR pendant la période du 10 décembre 1994 au 9 juin 1995 et au maintien de la mission, sur une base mensuelle, au-delà du 9 juin 1995 (A/49/375/Add.2) a été présenté à l'Assemblée générale pour examen à sa présente session.

43. En mars 1995, les quotes-parts non acquittées au Compte spécial de la MINUAR s'élevaient à 46,5 millions de dollars et le montant total des quotes-parts restant dues au titre de l'ensemble des opérations de maintien de la paix se chiffrait à 1 662 800 000 dollars.

IX. OBSERVATIONS

44. Les progrès réalisés au Rwanda pendant les neuf derniers mois sont menacés par de nouvelles tensions. Il incombe au Gouvernement et à la communauté internationale de prendre les mesures nécessaires pour remettre le pays sur la voie de la stabilité, de la réconciliation nationale et de la reconstruction.

45. Ces buts risquent, toutefois, de demeurer hors de portée, tant que 2 millions de Rwandais resteront dans des camps en dehors de leur pays. L'indignation et le sentiment profond d'injustice éprouvés par bien des Rwandais après le génocide sont certainement compréhensibles, mais on ne peut les laisser entraver le processus de cicatrisation qui est indispensable si le Rwanda doit retrouver paix et harmonie. Le Gouvernement est donc instamment engagé à faire des efforts plus déterminés pour encourager un climat de confiance et instaurer des conditions qui encourageront les réfugiés et les personnes déplacées non soupçonnés de participation au génocide à croire qu'ils peuvent regagner leurs foyers en toute sécurité. En même temps, il faut prendre des mesures pour traduire en justice, aussitôt que possible, les personnes coupables de génocide.

46. J'ai donc accueilli avec satisfaction l'adoption, le 27 février, de la résolution 978 (1995), par laquelle le Conseil de sécurité a prié les États Membres d'arrêter les personnes contre lesquelles il existe des preuves suffisantes qu'elles se sont rendues coupables de génocide. J'espère que les États Membres assureront le suivi nécessaire et aideront à faire en sorte que le Tribunal international pour le Rwanda devienne opérationnel aussitôt que faire se peut. La nécessité de ces mesures est soulignée par de récentes informations inquiétantes selon lesquelles des éléments des anciennes Forces gouvernementales rwandaises recevraient une instruction militaire et constitueraient des stocks d'armes dans des pays voisins. Les gouvernements sur le territoire desquels ces activités auraient lieu doivent veiller à ce que leurs pays ne deviennent pas des bases d'incursion au Rwanda.

47. Les besoins du Rwanda touchant la remise en état de ses structures administratives et sociales et sa reconstruction économique sont grands. Il est clair qu'avec des ressources limitées, le Gouvernement ne peut, par lui-même, faire face à tous les problèmes auxquels se heurte le pays. Il a besoin de l'assistance et de la coopération de ses voisins et de la communauté internationale. J'engage donc instamment les donateurs à ne rien négliger pour accélérer le flux de l'aide au Rwanda. À cet égard, les États Membres voudront peut-être envisager de faire passer des fonds par le Fonds d'affection spéciale pour le Rwanda, qui peut procéder rapidement et efficacement à des décaissements aux fins de l'assistance.

48. Le harcèlement croissant du personnel de l'ONU et du personnel international en poste au Rwanda est une autre source de grave préoccupation. La MINUAR demeure un mécanisme essentiel de confiance et sa présence rehausse considérablement l'action menée par le Gouvernement pour favoriser un climat de stabilité, de confiance et de sécurité. Sa présence aide aussi à créer des conditions favorables à la réinstallation des réfugiés et des personnes déplacées et à la fourniture d'une assistance aux fins de la reconstruction. Je demande donc instamment au Gouvernement d'accorder à la MINUAR la coopération nécessaire, sans laquelle cette dernière ne sera pas en mesure de s'acquitter de son mandat et la communauté internationale jugera plus difficile de répondre aux besoins de relèvement du Rwanda. Je tiens aussi à rappeler au Gouvernement qu'il est responsable de la sécurité de tout le personnel de la MINUAR, de même qu'il lui incombe de veiller à ce que sa liberté de déplacement et d'accès dans tout le pays soit respectée.

49. Le mandat actuel de la MINUAR, tel qu'il est défini dans les résolutions 918 (1994) et 965 (1994) du Conseil de sécurité, viendra à expiration le 9 juin. Des dirigeants rwandais ont fait observer que la situation dans le pays a changé depuis juillet dernier et que, en temps voulu, il conviendrait de revoir le mandat et le rôle de la MINUAR. J'ai donc prié mon Représentant spécial d'examiner, en consultant le Gouvernement, les ajustements que l'on pourrait apporter au mandat de la Mission. En fonction de ses avis, je présenterai, dans mon prochain rapport au Conseil de sécurité, des recommandations touchant le rôle que la MINUAR pourrait jouer au Rwanda après le 9 juin 1995.

50. Le Conseil a souligné la nécessité d'une conférence internationale sur la sécurité, la stabilité et la paix dans la région. Comme suite à l'appel le plus récent par lequel il a engagé les États de la région à organiser une conférence

de cette nature, j'ai l'intention de procéder aux consultations nécessaires avec ces États pour déterminer le type d'assistance dont ils peuvent avoir besoin à cet égard.

51. En conclusion, je tiens à remercier mon Représentant spécial, M. Shaharyar M. Khan, le commandant de la Force, le général Guy Tousignant, et tout le personnel civil, militaire et policier de la MINUAR pour ce que, dans des circonstances très éprouvantes, ils accomplissent pour contribuer à la paix et à la stabilité au Rwanda.

ANNEXE

Composition de la MINUAR au 31 mars 1995

Pays	Personnel militaire			Police civile	Total général
	Contingent	Observateurs	Total		
Allemagne			—	9	9
Argentine		1	1		1
Australie	302		302		302
Autriche		15	15		15
Bangladesh	1	33	34		34
Canada	105	20	125		125
Djibouti			—	7	7
Éthiopie	811		811		811
Fédération de Russie		17	17		17
Fidji		1	1		1
Ghana	842	35	877	10	887
Guinée		17	17		17
Guinée-Bissau			—	5	5
Inde	833	17	850		850
Jordanie			—	3	3
Malawi	185	14	199		199
Mali	199	31	230	10	240
Nigéria	333	17	350	10	360
Pologne		2	2		2
Royaume-Uni	2		2		2
Sénégal	241		241		241
Tchad	2		2		2
Tunisie	840	10	850		850
Uruguay		23	23		23
Zambie	833	20	853	4	857
Zimbabwe		24	24		24
Total	5 529	297	5 826	58	5 884

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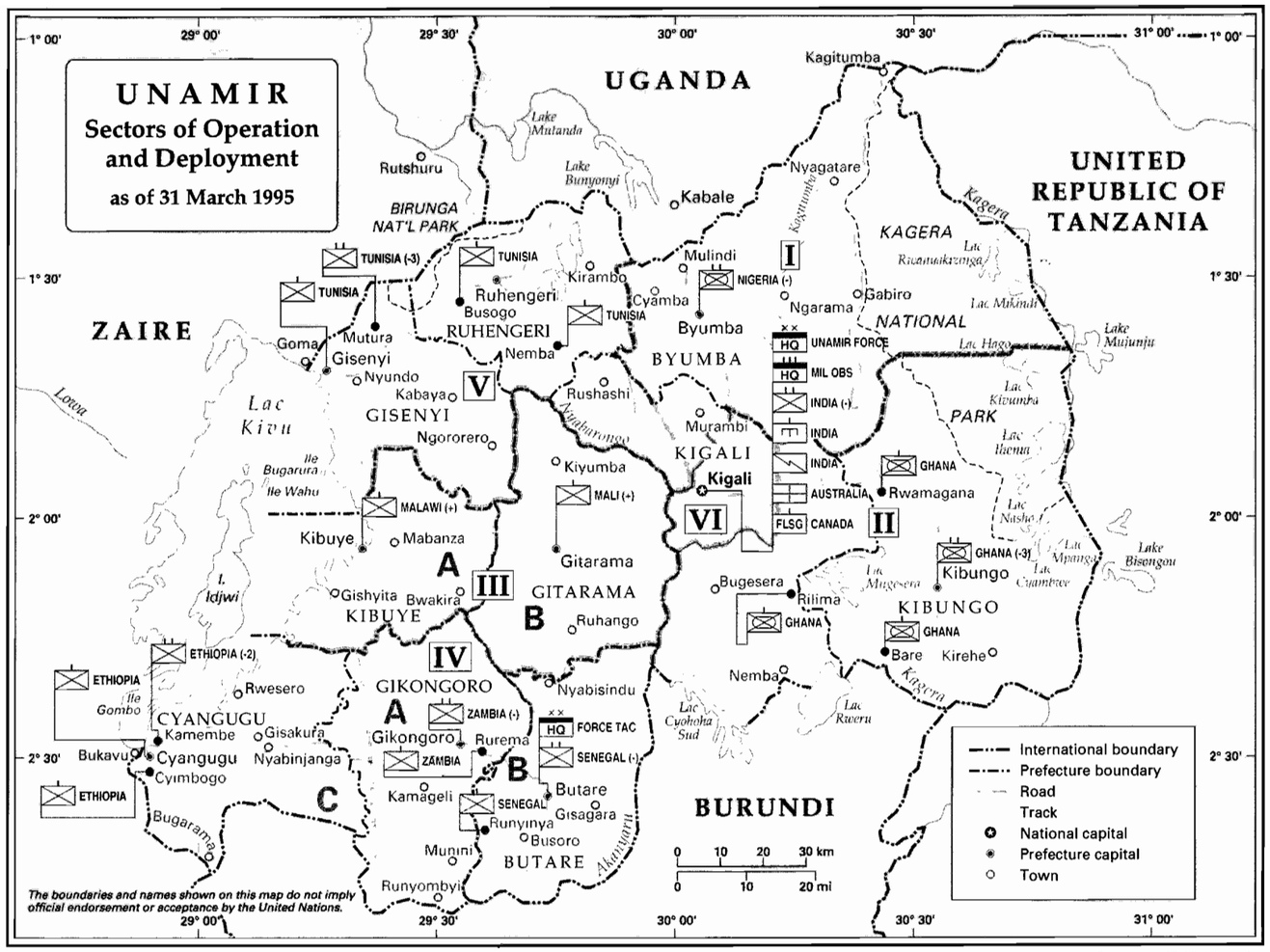

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Conseil de sécurité

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RAPPORT DE LA MISSION DU CONSEIL DE SÉCURITÉ ENVOYÉE AU RWANDA LES 12 ET 13 FÉVRIER 1995

Lettre d'envoi

Lettre datée du 28 février 1995, adressée au Président du Conseil de sécurité par les membres de la mission du Conseil de sécurité au Rwanda

Nous avons l'honneur de vous faire tenir ci-joint le rapport de la mission du Conseil de sécurité qui a été envoyée au Rwanda les 12 et 13 février 1995. Le Conseil en est saisi conformément au mandat de la mission qu'il a arrêté le 6 février 1995 lors de consultations officieuses.

(Signé) Ibrahim A. GAMBARI (Nigéria)
Président de la mission

(Signé) Gerhard HENZE (Allemagne)

(Signé) LI Zhaoxing (Chine)

(Signé) Karl F. INDERFURTH
(États-Unis d'Amérique)

(Signé) Julio RENDON BARNICA (Honduras)

(Signé) Nugroho WISNUMURTI (Indonésie)

(Signé) Karel KOVANDA (République tchèque)

Prière de retourner
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ANNEXE

Rapport de la mission du Conseil de sécurité envoyée au Rwanda les 12 et 13 février 1995

I. INTRODUCTION ET ACTIVITÉS DE LA MISSION

1. Le 6 février 1995, le Conseil de sécurité a décidé que sa mission au Burundi s'arrêterait au Rwanda les 12 et 13 février 1995 avant de regagner New York. Conformément à son mandat (S/1995/112), la mission était chargée de tenir des consultations avec le Gouvernement rwandais en ce qui concerne les efforts qu'il déployait en vue de la réconciliation nationale et de la reconstruction du pays, et le problème du rapatriement des réfugiés. Elle devait également tenir des consultations avec le Représentant spécial du Secrétaire général, les organismes des Nations Unies, le personnel de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR), les membres du corps diplomatique et les organisations non gouvernementales (ONG) à Kigali. Une fois sa tâche accomplie, elle présenterait un rapport au Conseil de sécurité.

2. La mission est arrivée à Kigali le 12 février en provenance de Bujumbura. Elle était dirigée par S. E. M. Ibrahim A. Gambari, Représentant permanent du Nigéria auprès de l'Organisation des Nations Unies, et comprenait M. Gerhard Henze (Allemagne), S. E. M. LI Zhaozing (Chine), M. Karl F. Inderfurth (États-Unis d'Amérique), M. Julio Rendon Barnica (Honduras), S. E. M. Nugroho Wisnumurti (Indonésie) et S. E. M. Karel Kovanda (République tchèque).

3. Ainsi qu'il ressort des rapports récents du Secrétaire général (S/1995/65 et S/1995/107), des progrès notables ont été réalisés sur la voie de la normalisation et de la stabilisation au Rwanda, mais d'autres efforts demeuraient nécessaires. Dans la lettre adressée le 10 février 1995 au Secrétaire général par son Président (S/1995/130) et dans la déclaration que celui-ci a faite le même jour (S/PRST/1995/7), le Conseil de sécurité a montré qu'il continuait à se préoccuper de la situation et, surtout, qu'il était prêt à appuyer d'autres mesures concrètes et de nouveaux efforts visant à rendre le Rwanda plus pacifique et plus stable. Tout en appréciant les résultats que le Gouvernement rwandais a déjà obtenus en dépit de la difficulté de la tâche et du manque de ressources, le Conseil s'attend à ce que le Gouvernement intensifie ses efforts en vue de rapatrier les réfugiés, de favoriser la réconciliation nationale et de relancer le processus politique, y compris la création d'un mécanisme approprié de dialogue soutenu entre le Gouvernement, les réfugiés et l'Organisation des Nations Unies.

4. Durant son séjour au Rwanda, la mission s'est entretenue avec M. Pasteur Bizimungu, Président de la République rwandaise (en présence de M. Anastase Gasana, Ministre des affaires étrangères, et de M. Jacques Bihozagara, Ministre de la réhabilitation et de la réintégration sociale), le général Paul Kagame, Vice-Président et Ministre de la défense, et M. Faustin Twagiramungu, Premier Ministre du Rwanda. En outre, la mission a tenu des consultations avec M. Shaharyar M. Khan, Représentant spécial du Secrétaire général pour le Rwanda, le général Henry Anyidoho, commandant en second de la force de la MINUAR, les représentants des organismes et bureaux des Nations Unies au Rwanda, les membres du corps diplomatique et les représentants des ONG. Elle s'est rendue dans un

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camp de personnes déplacées à l'intérieur du pays, situé à Kibeho au sud-ouest du Rwanda. Les annexes I et II du présent rapport contiennent le programme de travail de la mission et la liste des participants aux différentes réunions tenues dans son cadre.

II. OBSERVATIONS

5. Plusieurs points de vue ont été émis quant au meilleur moyen de progresser sur la voie de la stabilisation au Rwanda. Suivant l'opinion générale, l'objectif le plus important était d'empêcher que se reproduise la tragédie qui avait récemment frappé le pays; toutefois, les problèmes particuliers du rapatriement, de la réconciliation, de la reconstruction et du besoin de justice étaient considérés comme interdépendants, même si des divergences ressortaient quant à la priorité à accorder à chacun d'entre eux.

6. Le retour et la réinstallation des réfugiés et des personnes déplacées à l'intérieur du pays étaient considérés comme constituant une condition essentielle à la stabilité et au progrès à long terme. Le Premier Ministre a souligné qu'en l'absence de réconciliation, la paix ne serait pas possible. Une autre priorité consistait à traduire en justice ceux qui avaient commis des actes de génocide et d'autres violations graves du droit international humanitaire au Rwanda.

7. La mission a été informée des progrès accomplis vers le retour et la réinstallation des personnes déplacées à l'intérieur du pays, en particulier grâce à l'Opération Retour. Ce programme, coordonné en commun par l'UNAMIR et les organismes des Nations Unies, en coopération avec le Gouvernement et avec l'appui des ONG, a été lancé le 29 décembre 1994.

8. La peur reste le principal obstacle qui empêche le retour des réfugiés et des personnes déplacées à l'intérieur du pays. Les responsables du Gouvernement ont informé la mission des progrès réalisés dans la protection des droits des citoyens innocents et ont souligné la nécessité urgente d'une assistance afin de rétablir un système judiciaire effectif et une force de police qualifiée. Ils ont exprimé la préoccupation à l'égard du Tribunal international pour le Rwanda, mais ont réaffirmé que le Rwanda était prêt à coopérer avec lui et ont exprimé l'espoir qu'il commencerait à fonctionner le plus tôt possible.

9. En ce qui concerne la réconciliation, les progrès ont été jusqu'ici très limités. Tout en reconnaissant que la réconciliation nationale était un processus continu, on a souligné qu'un certain nombre de mesures s'imposaient dans l'immédiat, telles que le rapatriement effectif, l'instauration d'un climat politique et psychologique propice à la réconciliation et le rétablissement d'un appareil judiciaire fonctionnant avec efficacité. On s'est préoccupé par ailleurs de ce qu'un grand nombre de personnes accusées ou soupçonnées d'avoir commis des atrocités n'avaient manifesté jusqu'ici aucun remords ou repentir, ce qui découragerait les efforts de réconciliation en rendant difficile le pardon.

10. Les responsables officiels ont également souligné qu'ils respectaient et acceptaient l'idée d'un gouvernement à base élargie et associant toutes les parties en présence, tel qu'il était prévu dans l'Accord de paix d'Arusha auquel leur gouvernement restait pleinement attaché. Ils ont indiqué que les accords

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d'Arusha faisaient partie de la loi fondamentale du Rwanda. Ils ont toutefois fait observer que le retour au pays était la condition nécessaire pour participer au processus politique. Ils ont également déclaré que le Gouvernement avait récemment entamé un dialogue avec les représentants des communautés de réfugiés rwandais au Burundi. Ils ont expliqué que le dialogue avec les réfugiés au Zaïre n'était pas encore possible étant donné l'insécurité dans laquelle vivaient ces réfugiés et les actes d'intimidation dont ils faisaient l'objet de la part des éléments armés qui se trouvaient parmi eux.

11. On a souligné le rôle des programmes d'éducation civique et de sensibilisation mettant l'accent sur le respect des droits de l'homme, l'état de droit et la tolérance. À cet égard, la radio de l'UNAMIR apporterait une contribution positive en fournissant aux Rwandais, tant à l'intérieur du pays que dans les camps de réfugiés, des informations factuelles et objectives.

12. En ce qui concerne le relèvement et la reconstruction, la mission a appris que la phase d'urgence était pour l'essentiel terminée et que l'accent était mis de plus en plus sur les mesures à long terme visant à reconstruire le pays. À cet égard, la communauté internationale avait donné suite de façon encourageante à la table ronde tenue à Genève en janvier 1995 et à l'appel interinstitutions. On a également souligné qu'il était important de mettre en place un programme de déminage efficace au Rwanda. Ce programme était jugé particulièrement urgent face à la nécessité de réinstaller de manière appropriée les nombreux réfugiés et personnes déplacées à l'intérieur du pays et de relancer l'agriculture et la reconstruction.

13. Le Gouvernement s'est félicité de l'appui que la communauté internationale apportait à son programme de développement et de relèvement. Il appréciait également le rôle des organismes et opérations des Nations Unies, en particulier l'UNAMIR, dont la présence dans le pays était perçue comme un facteur extrêmement utile de confiance et de sécurité.

14. La mission a été encouragée par les progrès accomplis sur la voie de la normalisation. Toutefois, les difficultés du pays étaient loin d'être réglées. De fait, il restait encore à résoudre le problème majeur de la réconciliation sur le plan social et politique, dont dépendaient la stabilité véritable et le rétablissement de la concorde à long terme. Au cours de sa visite au camp de Kibeho, qui abritait des personnes déplacées à l'intérieur du pays, la mission a noté que la population y augmentait alors même que celle des autres camps de la région paraissait diminuer considérablement. Les réfugiés du camp ont déclaré que malgré les secours et autres services fournis par l'ONU et les organismes humanitaires, la plupart des personnes déplacées préféreraient regagner leurs foyers et leurs fermes mais étaient retenues par la peur.

15. L'atrocité des crimes commis récemment au Rwanda est reconnue par la communauté internationale qui, par l'entremise du Conseil de sécurité, a créé un tribunal international pour traduire en justice les responsables. En même temps, il est impératif de s'attacher à rétablir l'ordre et, avant tout, d'empêcher un nouveau cycle d'injustices ou d'atrocités. En d'autres termes, alors qu'elle s'efforce de faire face aux conséquences tragiques de ses problèmes récents, la société rwandaise doit être mise en mesure de reconstruire le pays et de continuer à fonctionner. Il est clair que la responsabilité

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principale à cet égard incombe aux Rwandais eux-mêmes, qui doivent trouver le moyen de s'entendre. Pour réussir et durer, la réconciliation doit être avant tout le fruit d'un acte délibéré de la population elle-même. Elle ne peut pas être imposée.

16. Le rôle de la communauté internationale a été jusqu'ici de soutenir les efforts que déploie le Rwanda pour rétablir la paix et relever le pays. Pendant son séjour au Rwanda, la mission a donc clairement fait savoir, en particulier lors de ses entretiens avec des représentants du Gouvernement, que l'objet de sa visite était de s'informer et d'échanger des idées afin de renforcer la coopération entre le Rwanda et le Conseil de sécurité en vue de trouver des solutions aux problèmes qui se posaient. Les contacts et les entretiens qu'a eus la mission l'ont convaincue que la manière de procéder adoptée par le Conseil de sécurité, consistant essentiellement à partager les responsabilités entre le Gouvernement rwandais et la communauté internationale, en particulier dans les domaines du rapatriement, de la reconstruction et de la réconciliation, restait la bonne.

17. Au sujet du rapatriement, la mission est d'avis que la situation au Rwanda restera instable tant que 2 millions de Rwandais vivront encore dans des camps dans leur pays et en dehors. Elle considère donc que leur retour dans leurs foyers est une priorité absolue si l'on veut instaurer la paix et assurer le progrès de façon durable et stable. Elle estime qu'il est indispensable d'assurer la sécurité dans les camps pour que les efforts entrepris pour encourager le rapatriement donnent rapidement des résultats. Elle rappelle, à cet égard, que le Conseil de sécurité a approuvé les dispositions récemment convenues entre le Haut Commissariat des Nations Unies pour les réfugiés et le Zaïre et la Tanzanie pour renforcer la sécurité dans les camps de réfugiés rwandais dans ces pays et appuie la demande que le Conseil de sécurité a adressée au Secrétaire général pour qu'il continue d'explorer toutes les possibilités et fasse toutes les recommandations qui seront nécessaires pour que la sécurité soit réellement assurée dans les camps.

III. RECOMMANDATIONS

18. La mission estime que le Gouvernement rwandais devrait faire davantage pour créer, dans le pays, un climat propice et des conditions favorables de façon à encourager et faciliter le rapatriement. Il serait particulièrement utile à cette fin qu'il prenne des mesures pour : a) relancer le processus politique, notamment en créant un cadre pour qu'un dialogue puisse avoir lieu entre le Gouvernement, les représentants des réfugiés et l'Organisation des Nations Unies; b) lancer dans le pays, y compris dans les camps de personnes déplacées, en coopération avec les associations civiques, les autorités religieuses, l'Organisation des Nations Unies et les organisations non gouvernementales, un programme d'éducation civique, qui s'adresserait aussi aux camps de réfugiés par l'intermédiaire de la radio, en vue de promouvoir l'harmonie entre tous les Rwandais; c) mettre rapidement en place un mécanisme efficace de protection des droits de propriété; d) créer un système judiciaire transparent et efficace; e) créer un corps de police qualifié et le déployer dans l'ensemble du pays; f) doter le pays d'une administration civile efficace; et g) continuer à permettre à la MINUAR, au personnel humanitaire et aux personnes chargées d'enseigner les droits de l'homme de se rendre librement

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partout dans le pays. La mission recommande en outre que la communauté internationale appuie les efforts du Gouvernement.

19. La mission réaffirme l'appel lancé par le Conseil de sécurité dans la déclaration faite par son président, le 10 février 1995, pour que l'accord conclu entre le Zaïre et le Rwanda sur le retour des réfugiés et la restitution des biens soit appliqué intégralement.

20. La mission considère que les résultats obtenus par la table ronde qui s'est récemment tenue à Genève et a suscité une réaction généreuse de la part de la communauté internationale ainsi que l'appel collectif interorganisations contribueront beaucoup au relèvement et à la reconstruction du Rwanda.

21. La mission recommande qu'un programme interinstitutions de déminage soit mis en place dès que possible à Kigali et exprime l'espoir que la communauté internationale y contribuera généreusement.

22. De l'avis de la mission, la réconciliation nationale est un processus de longue haleine. Elle pourrait être facilitée par des mesures visant à promouvoir le rapatriement et la réinsertion des réfugiés, notamment celles qui ont été indiquées plus haut. Une évolution concrète dans le domaine de la justice pourrait aussi y contribuer. La mission recommande donc que le Tribunal international devienne opérationnel dès que possible en coopération étroite avec le Gouvernement rwandais. Entre-temps, puisque le Procureur et son substitut ont été nommés et que plusieurs collaborateurs les secondent, la mission recommande que le parquet commence aussi ses travaux au Rwanda. À cet égard, elle exprime l'espoir qu'une liste des personnes recherchées pour être questionnées au sujet des violations du droit humanitaire international relatives aux événements qui se sont dernièrement produits au Rwanda sera bientôt établie et rendue publique.

23. La mission considère que la réconciliation nationale est avant tout l'affaire des Rwandais. Le Gouvernement devrait continuer à jouer un rôle prépondérant dans ce domaine et, notamment, devrait trouver les moyens d'élargir le processus politique pour qu'il englobe tous les secteurs de la société rwandaise. À cet égard, la mission se félicite de ce que le Gouvernement rwandais ait réaffirmé son attachement à l'accord de paix d'Arusha.

24. La mission constate avec satisfaction que radio MINUAR a commencé à émettre avec l'approbation du Gouvernement rwandais, et elle est d'avis que les efforts déployés pour encourager le rapatriement et la réconciliation s'en trouveront grandement renforcés.

25. La mission note que le Conseil de sécurité a dernièrement approuvé la recommandation du Secrétaire général tendant à porter de 90 à 120 le nombre des observateurs qui composent l'effectif de la police civile de la MINUAR. Elle souligne combien il importe de disposer d'une équipe qualifiée d'observateurs de la police civile et de les déployer dès que possible pour permettre à la MINUAR d'aider, comme elle en est chargée, à former une nouvelle force de police nationale intégrée pour le Rwanda.

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26. La mission rend hommage au personnel de la MINUAR, au personnel des Nations Unies ainsi qu'au personnel des organisations non gouvernementales présents au Rwanda, qui se consacrent avec dévouement à la cause de la paix, et appuient leurs activités au Rwanda.

27. Les membres de la mission tiennent à exprimer leur gratitude et leurs remerciements au Représentant spécial du Secrétaire général et à ses collaborateurs pour l'aide et l'appui inestimables qu'ils leur ont apportés pendant la mission.

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ANNEXE I

Programme de travail

Dimanche 12 février 1995

8 h 45	Arrivée à Kigali
10 heures	Entretien avec les institutions spécialisées des Nations Unies
11 h 30	Entretien avec les organisations non gouvernementales
13 heures	Séance d'information avec le Représentant spécial du Secrétaire général et le commandant en second de la Force de la MINUAR
16 heures	Entretien avec le corps diplomatique
17 heures	Entretien de S. E. M. Gambari (Président de la mission) avec le contingent nigérian de la MINUAR
19 h 30	Buffet offert par le Représentant spécial du Secrétaire général

Lundi 13 février 1995

8 heures	Visite du camp de personnes déplacées de Kibeho et visite de Rukondo
12 heures	Entretien avec le Premier Ministre
15 heures	Entretien avec le Vice-Président et le Ministre de la défense
17 heures	Entretien avec le Président
19 heures	Conférence de presse à l'aéroport de Kigali
20 h 10	Départ de Kigali

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ANNEXE II

Personnes ayant participé aux entretiens avec la mission du Conseil de sécurité

1. Entretiens avec des représentants du Gouvernement rwandais

M. Pasteur Bizimungu, Président

Général Paul Kagame, Vice-Président et Ministre de la défense

M. Faustin Twagiramungu, Premier Ministre

M. Anastase Gasana, Ministre des affaires étrangères

M. Jacques Bihozagara, Ministre de la réinsertion et de l'intégration sociale

2. Entretiens avec les représentants des institutions spécialisées des Nations Unies et des bureaux des Nations Unies au Rwanda

M. Shaharyar M. Khan, Représentant spécial du Secrétaire général pour le Rwanda

Général Henry Anyidoho, commandant en second de la force de la MINUAR

M. Sukehiro Hasegawa, représentant résident du Programme des Nations Unies pour le développement (PNUD)

M. Babakar Cissé, représentant résident adjoint du Programme des Nations Unies pour le développement (PNUD)

M. Roman Urasa, représentant du Haut Commissariat des Nations Unies pour les réfugiés (HCR)

M. Julio Gamba, représentant résident de la Banque mondiale

M. Daniel Toole, représentant du Fonds des Nations Unies pour l'enfance (UNICEF)

M. Carol Jaenson, Chef de la section de l'UNICEF chargé des enfants vivant dans des circonstances particulièrement difficiles

M. Randolph Kent, Coordinateur pour les affaires humanitaires au Rwanda, Bureau des Nations Unies pour les secours d'urgence au Rwanda

Mme Patricia Banks, Coordinateur adjoint pour les affaires humanitaires au Rwanda, Bureau des Nations Unies pour les secours d'urgence au Rwanda

M. Techeste Zergaber, Directeur de pays, Programme alimentaire mondial (PAM)

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M. Zlatan Milisic, fonctionnaire chargé des rapports, Programme alimentaire mondial (PAM)

M. William Clarance, Chef de l'Opération des Nations Unies pour les droits de l'homme au Rwanda

M. Paul Howard, Chef de mission, Organisation internationale pour les migrations (OIM)

M. Mahamane Maiga, Coordonnateur par intérim, Organisation mondiale de la santé (OMS)

M. Ibrahima Kaba, Directeur, Organisation des Nations Unies pour l'alimentation et l'agriculture (FAO)

Mme Alana Armitage, Administrateur de programme, Fonds des Nations Unies pour la population

M. Abdoulaye Mar Dieye, Conseiller interrégional, Département des services d'appui et de gestion pour le développement, Organisation des Nations Unies

M. Sidique Dao, Directeur aux affaires humanitaires, Bureau du Représentant spécial du Secrétaire général, MINUAR

3. Entretiens avec des membres du corps diplomatique

Mme Lucy Edwards, Ambassadeur du Canada

M. Huang Shejiao, Ambassadeur de Chine

M. Jacques Courbin, Ambassadeur de France

M. Auguste Hummel, Ambassadeur d'Allemagne

M. David Rawson, Ambassadeur des États-Unis d'Amérique

M. Sylvain Ndayikengurukiye, Chargé d'affaires par intérim à l'ambassade du Burundi

Père Nguyen Van Tot, Chargé d'affaires, Saint-Siège

M. Siguar Schelstraete, Belgique

M. Claude Latulippe, Canada

Père Henri Hoser, Saint-Siège

Mme Lilian Wong, Ministère des affaires étrangères et du Commonwealth, Royaume-Uni

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4. Entretiens avec le Groupe directeur des organisations non gouvernementales au Rwanda

M. Teferra Shiawl, Africa Humanitarian Action

M. Askale Binga, Africa Humanitarian Action

M. Steven Rifkin, Save the Children

M. Tom Walker, Médecins sans frontières

Mme Barbara Kerstiens, Médecins sans frontières

M. Yvan M'Bomo, Équilibre

M. Mungwakuzwe Canisius, Forum des organisations non gouvernementales rwandaises

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

I. INTRODUCTION

1. The present report is submitted in response to resolution 965 (1994) of 30 November 1994, by which the Security Council extended and expanded the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) for a period of six months until 9 June 1995. Under that resolution, the Council requested me to report by 9 February and 9 April on the execution of UNAMIR's mandate, the safety of populations at risk, the humanitarian situation and progress towards repatriation of refugees. The present report covers developments in Rwanda since my report of 25 November 1994 (S/1994/1344).

II. POLITICAL ASPECTS

2. While progress continues to be made in normalizing the situation in Rwanda, many challenges remain. During the reporting period, the Government of Rwanda has continued to take steps towards national reconciliation and reconstruction. If many of its pronouncements still have to be transformed into concrete programmes this is, for the most part, because of a lack of resources to run an effective public administration. In addition, while the civil administration is now largely in place throughout the country, important appointments, especially in such key sectors as the judiciary, remain to be made.

3. The Government has taken some steps to ensure that its message of national unity and reconciliation reaches the Rwandese people. On 20 December 1994, the Government was formally renamed the "Government of National Unity", a modification which, by dropping references to "transitional" and "broad-based" places primary emphasis on national reconciliation. Senior government officials, including the President, the Prime Minister, the Vice-President and the Minister of Defence continue to hold public rallies around the country, emphasizing the need for harmony, tolerance, unity and reconciliation.

4. The National Assembly, officially installed in Kigali on 25 November 1994, opened its first working session on 12 December. On that occasion, the Prime Minister presented an eight-point programme reiterating the goals of

rehabilitation and reconstruction that the Government first set out when it was installed on 19 July 1994. The programme includes restoration of a climate of peace and security; restoration of civil administration at the national, provincial, communal, sectoral and local levels; restoration and strengthening of national unity; repatriation and resettlement of refugees and displaced persons; improvement of the living conditions of the Rwandese people and resolution of post-war social problems, with emphasis on orphans, widows and the handicapped; national economic recovery; redefinition of the country's foreign policies; and consolidation of democracy in the country. In his opening remarks, the Speaker of the National Assembly, Mr. Juvenal Nkusi, indicated that the work of the Assembly would be based on the principles of unity, democracy and respect for human rights. He called for the adoption of laws banishing forever ethnic discrimination and recommended the establishment of a commission for national unity and reconciliation.

5. Although the Assembly is composed of representatives of eight political parties and the national army, including an officer of the former Government's army, the previously dominant party, the Mouvement Républicain National Démocrate (MRND), is not represented.

6. I indicated in my last report that the Government had taken steps to reunify the army as a further measure towards reconciliation. In this connection, some 2,242 members of the former Rwandese Government Forces have undergone a five-month retraining programme. On 25 January, following its completion, a graduation ceremony was held for 73 officers and 1,011 soldiers. Another group of 900 soldiers has not yet completed the programme. At the ceremony, the Minister of Defence encouraged other military personnel from the Rwandese Government Forces to join the new national army. Rwandese Government Forces Officers have been given new appointments, including that of Deputy Chief of Staff and Chief of the Gendarmerie.

7. While further progress is expected in the reconciliation process, the security situation continues to be a matter of serious concern. Reports persist of summary executions, secret detention and torture. There are also reports of banditry and other violent acts against civilians, both in Kigali and in the countryside. In a recent statement, the Catholic Church, which is an influential institution in Rwanda, commended the Government's endeavours, especially in the re-establishment of essential services and infrastructure, but expressed concern over what it considered to be discriminatory, arbitrary and inhumane treatment of some citizens.

8. In two radio interviews in December, the Vice-President and Minister of Defence, as well as the Prime Minister, stressed that security in the country was a priority concern of the Government. As indicated in earlier reports, UNAMIR is helping the Government to establish a new police force. In the meantime, Rwandese military personnel continue to perform police duties.

9. A professional police force and functioning judiciary are essential to the establishment of internal security. Yet, at present, Rwanda's court system does not function, its prisons are overcrowded and thousands of suspects are awaiting trial. Of the 1,100 magistrates working in the judiciary before April 1994, only 100 are still in the country today and of 100 prosecutors, only 12 are

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still available. There is also an acute shortage of trained personnel to investigate alleged crimes. The United Nations Human Rights Field Operation in Rwanda, established by the United Nations High Commissioner for Human Rights, has been active in helping the Government to rehabilitate the justice system, but substantially more technical and financial assistance is required if this essential element in the Government's recovery programme is to be implemented in a timely manner.

10. As noted in my report of 25 January (S/1995/65) on security in the Rwandese refugee camps, repatriation is ultimately linked to the creation inside Rwanda of conditions conducive to the safe resettlement of returnees and to the pursuit, by the Rwandese Government, of a proactive policy of national reconciliation. The Governments of Zaire and the United Republic of Tanzania have both stressed this point during their recent discussions with my Special Representative. The seven-nation regional summit, which took place at Nairobi on 7 January and brought together the heads of State of Burundi, Kenya, Rwanda, Uganda, the United Republic of Tanzania, and Zambia, as well as the Prime Minister of Zaire, also urged the Government of Rwanda to put in place additional confidence-building measures to encourage the voluntary return of refugees. Senior Rwandese officials have reassured my Special Representative that the Government considers the peaceful resettlement of all returnees to be an indispensable step towards genuine reconciliation and lasting peace. The task of repatriating and resettling the estimated 2 million Rwandese refugees and the 350,000 displaced persons inside the country continues, however, to pose a major challenge to the Government.

11. On 23 December 1994, the Government established a commission for the repatriation and resettlement of refugees. This commission, which was provided for in the Arusha peace agreement (see S/26915), is composed of two representatives each of the Government, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the refugee community, as well as a representative of the Organization of African Unity (OAU). Its mandate is to finalize and implement a programme for the repatriation and reintegration of refugees. To this end, it is planning, *inter alia*, to conduct a socio-economic survey of refugees, organize a pre-repatriation census and registration of returnees, launch an information and sensitization campaign directed at both refugees and the local population, identify resettlement sites, supervise the distribution of plots, facilitate the rehabilitation of basic infrastructure and transport for returnees, and supervise assistance provided to them. The Government has confirmed its support for these proposals. It has also supported and cooperated with UNAMIR's efforts to encourage the safe and voluntary return of internally displaced persons.

12. However, fears of reprisals continue to exist among refugees and internally displaced persons. I remain convinced that the dissemination of factual information is a vital tool in creating conditions for refugees and internally displaced persons to decide freely to return to their homes. In resolution 965 (1994), the Security Council welcomed UNAMIR's efforts to increase its radio-broadcasting capabilities so as to reach the refugee camps in neighbouring countries and expressed the hope that the Government of Rwanda and UNAMIR would soon conclude appropriate arrangements in that regard, including the allocation of a radio frequency.

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13. As I have already informed the Security Council, on 14 January the Government and UNAMIR signed an agreement on the establishment of the United Nations radio in Kigali and are now finalizing the necessary technical details to permit the commencement of radio operations. In this connection, UNAMIR has requested from the Government the allocation of a frequency and authorization for the installation of radio transmitters at sites that would permit broadcasts to reach the Rwandese population inside the country as well as in the refugee camps in neighbouring countries. UNAMIR is still awaiting the Government's response. Radio UNAMIR is currently staffed by three international and four local personnel. It is planned that it will initially broadcast for 4 hours per day, mainly in Kinyarwanda, the Rwandese national language, but also in English and French. In order to achieve these objectives, it will be necessary to strengthen the resources of the station, especially the number of editorial and technical staff.

III. HUMAN RIGHTS ASPECTS

14. There is strong evidence that awareness of human rights continues to grow in Rwanda. Respect for human rights is vital not only as a confidence-building measure to facilitate the return of the refugees and internally displaced persons, but also, in the long term, for the realization of genuine and lasting peace in this traumatized country. This continues to be the principal objective of the United Nations Human Rights Field Operation in Rwanda.

15. The number of human rights officers deployed has grown steadily and, as of 26 January 1995, stood at 88 including regular staff, experts and United Nations Volunteers (UNVs). An offer by the European Union of 36 fully equipped officers has been accepted by the United Nations High Commissioner for Human Rights. These officers will work under his authority and will be fully integrated into the Human Rights Field Operation. It is expected that a first contingent of 12 European Union personnel will be deployed in the second half of February, together with additional UNVs. Among the functions of the Human Rights Field Operation are the monitoring of human rights conditions in all parts of the country, including life-threatening situations and other urgent cases of possible human rights violations; liaison with the Government of Rwanda with respect to human rights education; monitoring of the conditions of detainees; participation in confidence-building measures aimed at the re-establishment of civic society in Rwanda; and coordination with other international agencies in the field.

16. All human rights officers in Human Rights Field Operation receive comprehensive training to prepare them for their responsibilities in Rwanda. This training, which takes place at Geneva and Kigali, will continue as new recruits are dispatched to the field.

17. It is especially significant that the Rwandese people themselves are increasingly engaged in the promotion of human rights and the rule of law. During the commemoration of the Universal Declaration on Human Rights on 10 December 1994, seminars, lectures and other public functions were organized in Rwanda, especially in Kigali. On that occasion, the Minister of Justice reaffirmed his Government's commitment to human rights, democracy, justice and

national reconciliation. The Human Rights Field Operation, through its technical cooperation unit, contributes to the advancement of human rights awareness and education in the country generally and in particular sectors of society, such as the police. The Human Rights Field Operation also continues to work closely with the ministries of education, culture and women's affairs to broaden respect for human rights.

18. As a result of a needs assessment mission undertaken in December 1994, the High Commissioner for Human Rights has developed a programme of technical assistance in the administration of justice, which includes review of criminal cases of detainees, improvement in prison administration, establishment of civil dispute resolution mechanisms and recruitment and training of civilian police. I this connection, the Human Rights Field Operation has been coordinating the activities of a working group with government ministers comprising two committees which meet weekly. International assistance is being sought for these projects, as well as for the continued operation of the Human Rights Field Operation in general.

19. The Prosecutor of the International Tribunal for Rwanda, Judge Richard Goldstone, paid his first visit to the country on 19 and 20 December. He held detailed discussions with senior government officials as well as with my Special Representative, and also met with representatives of United Nations agencies and non-governmental organizations (NGOs) operating in Rwanda. During the visit, the Government and the Prosecutor expressed general satisfaction with their discussions and exchange of views, which focused on the future work of the International Tribunal.

20. The first stage of the operation of the International Tribunal for Rwanda has begun with the establishment of an investigative/prosecutorial unit, temporarily located in the United Nations Children's Fund (UNICEF) building in Kigali. The main functions of the unit are to establish the Prosecutor's Office, gather documents and information from Governments and intergovernmental and non-governmental organizations, initiate the process of recruitment, and develop the investigative strategy and field operating procedures. In accordance with article 15, paragraph 3, of the statute of the International Tribunal (S/1994/1405, appendix I), and upon the recommendation of the Prosecutor, I appointed Mr. Honoré Rakotomanana as Deputy Prosecutor to assist with prosecutions before the International Tribunal. The Deputy Prosecutor arrived in Kigali on 26 January for an initial visit in order to initiate the operations of the investigative unit. The High Commissioner for Human Rights has placed at the Tribunal's disposal the specialized personnel and all the investigatory work of the technical cooperation unit.

21. In December a United Nations technical mission visited Rwanda, Kenya and the United Republic of Tanzania in order to identify suitable premises for the seat of the Tribunal. The mission has presented its report and I will, in due course, submit my recommendation to the Security Council on the location of the seat.

22. On 24 January, I announced the creation of a Trust Fund to support the activities of the International Tribunal for Rwanda. A request for contributions has been sent to Member States. Contributions to the Fund would,

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in the first instance, facilitate an early start to the Tribunal's work by allowing the deployment of teams to Rwanda to investigate suspected persons held in custody there and the identification and apprehension of those located elsewhere.

IV. MILITARY ASPECTS

23. As of 28 January, UNAMIR's force strength stood at 5,740 all ranks and 309 military observers (see annex I). Since my last report, the United Kingdom contingent, comprising 538 troops, and the Canadian contingent, comprising communications, logistics and medical units with a total strength of 308 troops, withdrew on schedule. The logistics unit was replaced by civilian contractual arrangements with backup provided through the deployment of a Canadian logistic support unit of 85 personnel. As indicated in my previous reports, UNAMIR's troop strength will gradually be reduced to its authorized level of 5,500.

24. UNAMIR's force structure and deployment have been adjusted as a result of recent security developments in the displaced person camps and the border regions, as well as the additional tasks given to UNAMIR under the expanded mandate contained in Security Council resolution 965 (1994) in which the Council decided, inter alia, that UNAMIR should contribute to the security in Rwanda of human rights officers and personnel of the International Tribunal. Consequently, elements of the Ghanaian and Zambian battalions and the Malian and Malawian companies have been redeployed to help to improve security in various communes in their respective areas of operation (sectors 2 and 3) and to assist in enhancing security for the resettlement of displaced persons (see map). Following an increase in armed attacks by groups infiltrating across the border with Zaire in the Kimembe, Kangano, Gafunso, Kirambo and Nyamashe areas of sector IV C, elements of the Ethiopian battalion stationed in this sector have also been redeployed along the shores of Lake Kivu. The Ethiopian Battalion is conducting limited boat patrols on the lake and has deployed its available night vision resources to cover coastal approaches in this sector from Ijwi Island. However, additional naval patrol capabilities and night vision resources would be required to enhance UNAMIR's monitoring activities in this area.

25. According to some reports, these raids could signal the start of an insurgency campaign by forces opposed to the current Government in Kigali, but none of the raids has, to date, been directed at military targets inside Rwanda. Rather, the focus has been on civilian settlements and property, with the attackers stealing food, cows, personal belongings and money. The Rwandese Patriotic Army seems to have reinforced its presence along the border region, which may explain the reported drop in the number and intensity of such incidents in recent days.

26. In pursuance of its mandate to protect displaced persons and civilians at risk and to provide security for humanitarian relief operations, UNAMIR undertook an operation, from 13 to 15 December, to enhance security in the Kibenho and Ndago displaced person camps in the south-west (sector IV A) where disruptive elements had been active. The aim of the operation was to help to create conditions that would give the displaced persons the freedom to return voluntarily to their homes. The operation included screening of disruptive

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elements present in the camps and was undertaken in the presence of human rights monitors and representatives of the International Committee of the Red Cross (ICRC). A total of 44 people were detained and handed over to the Rwandese authorities in the presence of ICRC and human rights monitors. UNAMIR, using metal detectors, discovered and confiscated caches of grenades, machetes and spears. The Rwandese Patriotic Army provided liaison officers to assist in the screening process and established a security perimeter a few kilometres from the camps, but it did not participate in the actual operation.

27. The success of this operation helped to establish suitable conditions and a favourable climate for the launching, on 29 December 1994, of Opération Retour, which is an integrated inter-agency initiative aimed at facilitating the safe resettlement of internally displaced persons. Activities involved in the operation include the provision of security to ensure that displaced persons can travel safely to their homes and are protected once they reach them, as well as the provision of medical, food, water, sanitation and other basic assistance in the home communes.

28. Despite an incident on 7 January when elements of the Rwandese Patriotic Army attacked a displaced persons camp at Busanze near Gikongoro, killing 18 people, including women and children, and wounding 36 others, Opération Retour had, by 30 January, facilitated the safe and voluntary resettlement of some 25,000 displaced persons. The Government has condemned the attack against the Busanze camp and has detained some of the soldiers reportedly involved. It has assured my Special Representative and the UNAMIR Force Commander that the incident was an isolated act of misconduct and does not represent official policy which, it stresses, continues to favour the voluntary rather than the forced closure of displaced persons camps. The assurances given, and measures taken by the Government, have helped to restore a degree of calm in the camps. Close contact and consultations between UNAMIR and the Government, and between the UNAMIR Force Commander and the Rwandese Patriotic Army, are helping to expedite and enhance mutual cooperation, and coordination which are vital if complex enterprises, such as Opération Retour, are to be successful.

29. As indicated in paragraph 24 above, UNAMIR has adjusted its modus operandi in order to fulfil, within existing resources, its expanded mandate of providing security for personnel of the International Tribunal and the human rights officers. However, the UNAMIR Force Commander is concerned that, as the UNAMIR troop strength is gradually reduced to its authorized level of 5,500 all ranks, difficulties could arise in fulfilling effectively the various aspects of the mandate. The issue of UNAMIR's force strength may, therefore, have to be revisited in the coming months.

V. CIVILIAN POLICE

30. In my report of 25 November, I informed the Security Council that, at the request of and in cooperation with the Government of Rwanda, UNAMIR's civilian police contingent had begun to help to train the national gendarmerie, the larger of the two services in Rwanda's police structure. Council resolution 965 (1994) reinforced this process by expanding UNAMIR's mandate to include the

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specific task of assisting in the establishment and training of a new, integrated national police force.

31. The first contingent of 102 gendarmes completed their training in November 1994. A second contingent of 300 gendarmes is currently undergoing an intensive 16-week training programme scheduled to end in April. At the request of the Rwandese Government, 20 gendarmes from the first contingent are currently assisting UNAMIR in the training of the second contingent. UNAMIR is planning to start in June a more advanced training course of 12 weeks for about 100 of the gendarmes who will have undergone basic training by that time.

32. At the request of the Government, UNAMIR has also developed a training programme for the communal police, the second police service. The communal police operates at the local level and derives its authority from the prefect who serves as head of the provincial administration, or prefecture. The Government has indicated that it would like to deploy 10 trained police in each of Rwanda's 145 communes. UNAMIR is planning to train a first contingent of 500 communal police, made up of police personnel from each of the country's 10 prefectures. The training programme is scheduled to begin in early February in Kigali and will be extended to the other prefectures, as soon as the number of French-speaking UNAMIR civilian police observers can be increased.

33. In addition to its training tasks, the civilian police component continues to maintain liaison with civilian authorities, in particular the judiciary, and to monitor the increasingly difficult situation in Rwanda's overcrowded prisons. It also provides monitoring and investigatory assistance to the human rights officers and the military and civilian components of UNAMIR.

34. UNAMIR's civilian police component has, with 89 observers on the ground, nearly reached its authorized strength of 90 observers, but only 25 of them are French-speaking. This has put a considerable strain on UNAMIR's ability to carry out its civilian police functions effectively.

35. In order to meet its expanding functions under resolution 965 (1995), the civilian police component requires additional observers, especially French-speakers, and material resources, including teaching aids, transportation and communication equipment. It is accordingly proposed that its authorized strength be raised from 90 to 120 police observers who would be deployed as follows: 18 observers at civilian police headquarters; 2 liaison officers at each of UNAMIR force headquarters and military observers headquarters; 20 observers at the Ruhengeri gendarmerie training centre; 15 at Kigali (prefecture and rural); and 7 observers for each of the 9 other prefectures.

VI. HUMANITARIAN ASPECTS

36. As I informed the Security Council in my last report, the emergency that gripped Rwanda only a few months ago has abated, thanks largely to the spontaneous and generous response of countries, organizations and ordinary men, women and children around the world. This constitutes an important step forward, although the current humanitarian situation remains worrying over all.

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37. As noted earlier, there are still some 2 million Rwandese refugees sheltering in camps in the neighbouring countries. Approximately 350,000 others are internally displaced, most of them currently located in camps in south-western Rwanda. In addition, the Government continues to lack the resources to sustain basic governance, assure essential services and provide for the welfare of its people.

38. There is an urgent need to resolve the problem of the internally displaced persons as it affects the efforts being made to encourage the voluntary return of refugees from neighbouring countries and to promote stability inside Rwanda itself. Recent events have shown that the existence of camps for internally displaced persons can generate violence and insecurity in the camp sites themselves as well as in nearby communities. This is because the reported presence of intimidators and the infiltration of armed groups may not only provoke forceful countermeasures by the Rwandese Patriotic Army, sometimes resulting in casualties, but it also fuels the argument in favour of immediate camp closure, even by force, for security reasons.

39. The United Nations community has continued to urge the humane resolution of the displaced persons problem in Rwanda, based on voluntary, rather than forcible, resettlement. As noted above, some 25,000 people have been resettled through Opération Retour during the past month and the number of persons returning to their home communes has continued to increase. This operation uses the combined assets of the United Nations system, such as transportation, food, security and other confidence-building incentives, including the presence of human rights officers, to provide assistance not only in the camps but at the commune level as well. So far, the operation has resulted in the closure of Cyanika camp in Gikongoro province. This is a significant step as it may promote spontaneous returnee movements out of the remaining camps and it demonstrates that forcible closure of camps can be avoided.

40. In its resolution 965 (1994), the Security Council commended the efforts of States, United Nations agencies and NGOs that have provided humanitarian and other assistance and encouraged them to continue and to increase such assistance, particularly in Rwanda. The Council also specifically called upon the international community to provide the resources required to meet the immediate needs of the Government either directly or through the United Nations Trust Fund established for this purpose.

41. During the reporting period, organizations of the United Nations system and NGOs continued to provide urgently needed assistance, in particular, food, health and children's services, to displaced persons and other vulnerable population groups. They also assisted in rehabilitation and reconstruction by providing immediate logistic assistance in the areas of transportation and office equipment and by supporting long-term programmes for agricultural development, capacity-building and education. In the area of health, emphasis has increasingly been placed on improving the Government's nutritional services, strengthening child immunization and nutritional programmes and assisting the victims of AIDS and their families. The needs of children in especially difficult circumstances, such as "child soldiers" between the ages of 10 and 15 years, have also continued to receive particular attention. The humanitarian organizations, with the Ministries of Defence and Justice, are developing plans

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for the demobilization, education and retraining of some 4,000 "child soldiers" for their reintegration into society. In the food and agricultural domains, food-for-work schemes supporting at least 7,000 civil servants and 17,000 primary school teachers continued during the period under review. At the same time, assistance to revive production in agricultural, livestock and forestry sectors intensified, including the provision of seeds, farm implements and specialized training and expertise.

42. In my last report, I informed the Security Council that arrangements were then under way for the organization of a round-table meeting to consider Rwanda's longer-term rehabilitation requirements and to launch a United Nations consolidated inter-agency appeal focusing on emergency and other short-term recovery needs for Rwanda and the subregion. The consolidated inter-agency appeal for a total of $710 million was transmitted to Member States on 16 January and was officially launched in Geneva by the Under-Secretary-General for Humanitarian Affairs on 20 January. The United Nations Development Programme-sponsored round-table conference was held in Geneva on 18 and 19 January. At that time, the Government of Rwanda presented to donor Governments its rehabilitation and reconstruction programme of some $764 million. I wish to take this opportunity to express my profound appreciation to those countries and organizations that have responded so generously to these appeals. Their assistance, I am confident, will go a long way towards aiding the Government's recovery efforts, both in the immediate and longer terms, and thus facilitate progress towards the overriding objective of lasting peace and reconciliation in Rwanda.

43. In its resolution 965 (1994), the Security Council requested me to make recommendations on possible steps that could be taken by the United Nations to promote the establishment of an effective mine-clearance programme in Rwanda. A comprehensive plan has been proposed to the Government. It provides for the establishment of a mine coordination office within the United Nations Rwanda Emergency Office in Kigali, the conduct of a mine survey, marking and fencing operations, and emergency mine clearance of key humanitarian facilities such as schools and hospitals. As soon as Government consent has been received, the United Nations will begin to implement the plan. Informal consultations have been held with some donor countries with a view to encouraging support for these activities. Currently, UNICEF is conducting mine-awareness-education activities in all prefectures of Rwanda.

VII. ADMINISTRATIVE AND FINANCIAL ASPECTS

44. The General Assembly, by its resolution 49/20 of 29 November 1994, authorized me to enter into commitments for a four-month period, at a monthly rate not to exceed $15 million gross, in connection with the maintenance of UNAMIR at the current authorized strength of 320 military observers, 5,500 troops, 90 civilian police and 398 civilian personnel.

45. Should the Security Council decide to increase the authorized strength of the UNAMIR civilian police component from 90 to 120 observers as recommended in paragraph 50 below, I shall request the General Assembly at its current session to make adequate financial provisions for the additional related cost in the

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context of my report containing the revised cost estimates for UNAMIR for the current mandate period.

46. As at 24 January 1995, unpaid assessments to the UNAMIR Special Account amounted to $105.9 million, and the total amount of outstanding assessed contributions for all peace-keeping operations amounted to $2,263.9 million.

VIII. OBSERVATIONS AND RECOMMENDATIONS

47. As described above, the international community, through UNAMIR, the United Nations specialized agencies and non-governmental organizations, has demonstrated not only its readiness to assist Rwanda, but also its solidarity with Rwanda and its people, as they struggle to recover from their recent traumatic past. Although much remains to be done, I believe that a strong foundation has been established upon which further progress can be achieved. However, if the present momentum in favour of Rwanda's recovery is to endure and grow, the support and participation of all Rwandese people is vital. I therefore reiterate my call on the Government to ensure that, in a spirit of mutual accommodation and dialogue, all Rwandese who have not participated in the genocide be given the opportunity to play a role in the national reconciliation process. It would be regrettable if the achievements reached thus far were to be jeopardized as a result of a perception by some segments of the population that they are being excluded. My representative at the Geneva roundtable exchanged views on the subject with a number of delegations, including the Rwandese delegation, headed by Prime Minister Twagiramungu. In that context, he was informed that some Member States were holding consultations with OAU on the setting up of a mechanism that could accelerate the process of national reconciliation.

48. As Rwanda advances on the road to recovery and reconstruction, close cooperation and coordination between the Government in Kigali and the international community remains essential. In this regard, I expect the Government to continue to cooperate with UNAMIR in the implementation of its mandate and, in particular, to ensure unimpeded access to all areas of Rwanda for UNAMIR personnel, officials of the International Tribunal for Rwanda and human rights officers.

49. I welcome the continuing efforts by regional States and OAU to contribute to the search for lasting solutions to the problems of Rwanda.

50. Under resolution 965 (1994), the Security Council requested that it be informed in the event that the additional tasks entrusted to UNAMIR under the expanded mandate provided for in that resolution required consideration of an adjustment in the logistic and personnel needs of UNAMIR. Having consulted my Special Representative and the Force Commander, I recommend that the Council raise the authorized strength of UNAMIR's civilian police component from 90 to 120 observers.

51. My Special Humanitarian Envoy has recently visited the region in continuation of his mission to coordinate the response of the United Nations system to the various aspects of the crisis in Rwanda. It will be recalled, in

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this connection, that OAU and UNHCR are planning to convene, in Bujumbura in February 1995, a subregional conference to consider assistance to refugees, returnees and displaced persons in the Great Lakes region. Furthermore, in response to the Security Council's request contained in its presidential statement of 30 November (S/PRST/1994/75), consultations have been undertaken with OAU and Member States on how preparations can be accelerated for the convening at a later stage of a broader conference to discuss a range of political and other issues, aimed at identifying long-term solutions to ensure peace, security and sustainable development in the subregion. There is a general perception that the forthcoming OAU/UNHCR regional conference, if successful, would facilitate efforts to address those broader issues. The urgent need to move from the humanitarian and refugee problems to the political issues was emphasized once again by my representative at the recent OAU Council of Ministers in his meetings with the Secretary-General of OAU and other African leaders. I will continue to keep the Council informed of the progress achieved towards the convening of the proposed international conference on those issues.

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Annex

Composition of the military and civilian police components of UNAMIR as of 28 January 1995

Country	Troops			Military observers	Civilian police	Grand total
	Contingent	Staff	Total			
Argentina			0	1		1
Australia	297	9	306			306
Austria			0	19		19
Bangladesh			0	33		33
Canada	119	3	122	20		142
Chad	129	2	131			131
Congo	38		38			38
Djibouti			0		15	15
Ethiopia	808	4	812			812
Fiji			0	1		1
Germany			0		9	9
Ghana	832	8	840	42	10	892
Guinea			0	15		15
Guinea-Bissau	35		35		20	55
India	800	8	808	18		826
Jordan			0		5	5
Malawi	169	4	173	14		187
Mali	199		199	30	10	239
Niger	43		43			43
Nigeria	327	7	334	17	10	361
Poland			0	2		2
Russian Federation			0	17		17
Senegal	241		241			241
Spain	19		19			19
Tunisia	836	7	843	10		853

/...

Country	Troops			Military observers	Civilian police	Grand total
	Contingent	Staff	Total			
United Kingdom		6	6			6
Uruguay			0	24		24
Zambia	782	8	790	20	10	820
Zimbabwe			0	26		26
Total	5 674	66	5 740	309	89	6 138

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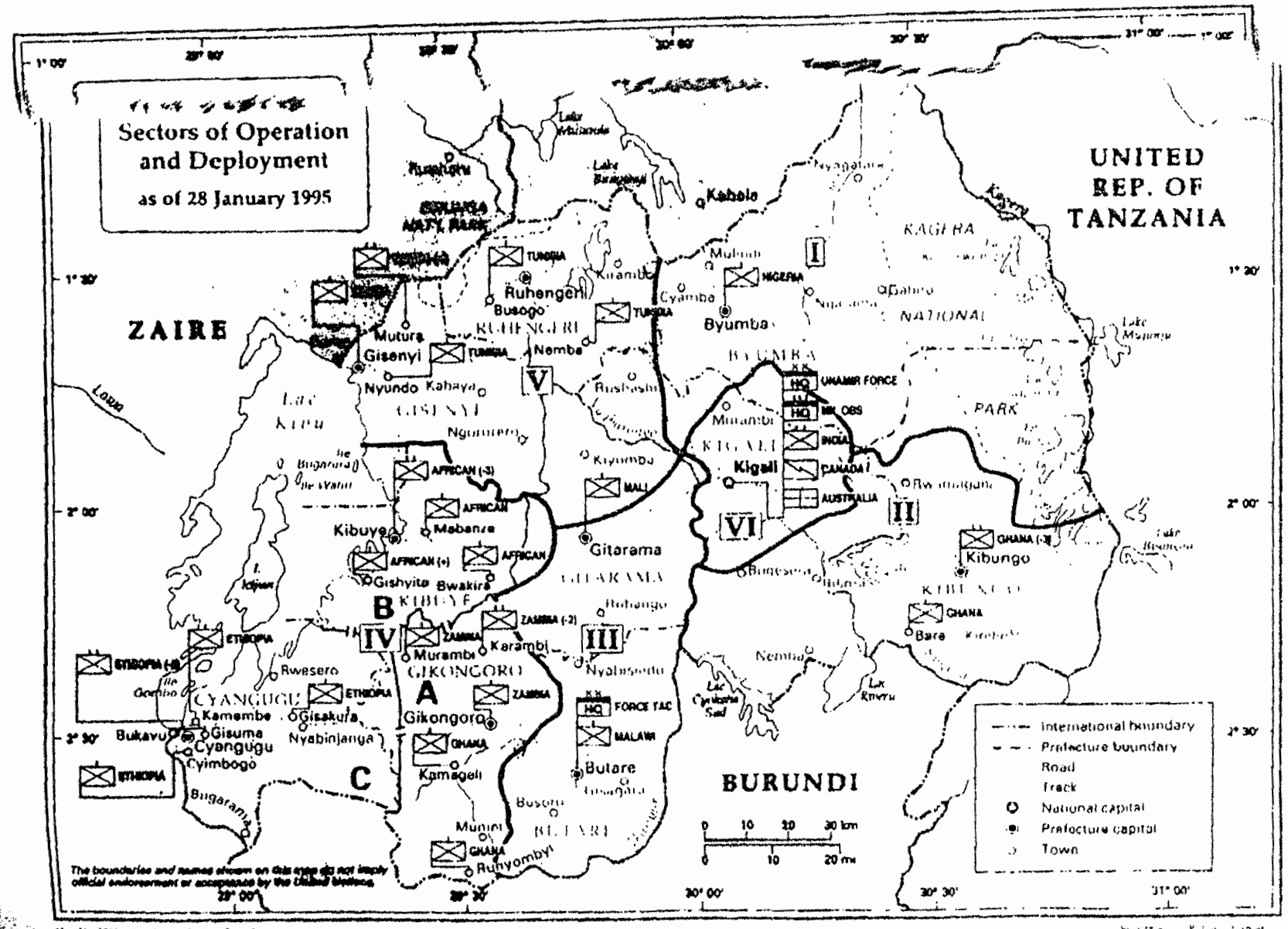
Sectors of Operation and Deployment
as of 28 January 1995
UNITED REP. OF TANZANIA
ZAIRE
BURUNDI
KAGERA
NATIONAL
PARK
Kabale
Ruhengeri
Busogo
Muhura
Gisenyi
Nyundo
Kabaya
Byumba
Cyamba
Kigali
Gitarama
Kibungo
Kibuye
Gikongoro
Cyangugu
Bukavu
Butare
Ruhengeri
Nemba
Mabanza
Gishyita
Bwakira
Murambi
Karambi
Kamembe
Gisuma
Cyimbogo
Kamageli
Ruhyombyi
Bare
Lake Kivu
Lake Mohazi
Lake Rwanda
Lake Cyohoha Sud
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I
II
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international boundary
Prefecture boundary
Road
Track
National capital
Prefecture capital
Town
0 10 20 30 km
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The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
Map No 3807 Rev 8 UNITED NATIONS
January 1994

UNITED NATIONS NATIONS UNIES

3476

95 1 27 12 32

REFERENCE

FACSIMILE

IMMEDIATE

DATE: 27 January 1995

KGMF 2057

TO: KHAN/UNAMIR/KIGALI	**FROM:** ANNAN/UNATIONS, NEW YORK
FAX NO: 9-011-250-84265/84266	**FAX NO:** (212) 963-9222
SUBJECT: Report on Security in the Rwandese Refugee Camps	
TOTAL NUMBER OF TRANSMITTED PAGES INCLUDING THIS PAGE: 23	

Please find attached copies, in English and French, of the Second Report of the Secretary General on Security in the Rwandese Refugee Camps (S/1995/65), which was issued this morning. Additional copies are being sent to you by pouch. Regards.

SRSG GDA

UNITED NATIONS

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Security Council

Distr.
GENERAL

S/1995/65
25 January 1995

ORIGINAL: ENGLISH

SECOND REPORT OF THE SECRETARY-GENERAL ON SECURITY IN THE RWANDESE REFUGEE CAMPS

I. INTRODUCTION

1. The present report is submitted in pursuance of the statement by the President of the Security Council dated 30 November 1994 (S/PRST/1994/75), in which the Security Council stressed that a determined effort must be made by the international community to promote the repatriation of the Rwandese refugees, to reduce intimidation of prospective returnees and to improve security in the Rwandese refugee camps, especially those in Zaire. To that end, the Security Council requested me, inter alia, to continue to explore, as appropriate, all possible means of addressing the problems of security in the Rwandese refugee camps.

2. While there have been some positive developments since my report of 18 November 1994 (S/1994/1308) in respect of the creation of conditions conducive to repatriation, the continuing presence of nearly 2 million Rwandese refugees in Burundi, the United Republic of Tanzania and Zaire is a matter of serious concern. The general security situation in the camps remains dangerous for both refugees and relief workers. The situation is also potentially destabilizing for the host countries and for the subregion as a whole. The only effective solution to this problem remains the safe and voluntary repatriation of the refugees. Accordingly, and taking into account the improving situation within Rwanda, the Office of the United Nations High Commissioner for Refugees (UNHCR) reiterated, in December 1994, that it would assist, wherever possible, the voluntary return of those refugees who wished to go back to Rwanda.

3. The Government of Rwanda has signed tripartite agreements with UNHCR and the Governments of Burundi and Zaire respectively on the voluntary repatriation of refugees. These agreements define the conditions for repatriation, including returnee protection and land tenure. The Governments of Rwanda and the United Republic of Tanzania are also involved in an ongoing dialogue on issues affecting the refugees in the latter country and their repatriation to Rwanda.

4. So far, only 200,000 refugees out of those who left the country after 6 April 1994 have returned to Rwanda. As indicated in my report of 18 November, the combined factors of intimidation by the former government leaders, military

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and militia of refugees who wish to return to Rwanda and the concern on the part of the refugees that they may face reprisals and/or may not be able to regain their property once they do return to the country continue to be the main factors impeding repatriation.

5. In pursuance of the Security Council's presidential statement of 30 November, I dispatched a joint technical team from the Department of Peace-keeping Operations and UNHCR, to Rwanda, the United Republic of Tanzania and Zaire from 11 to 19 December to review the situation prevailing in the refugee camps The team's findings are summarized below.

II. PRESENT SITUATION

A. Refugees in Burundi

6 There are approximately 200,000 refugees, mostly from southern Rwanda, in Burundi, primarily in the northern region of the country. There is constant movement of refugees in this area, as Rwandese continue to seek security in Burundi and both Rwandese and Burundi nationals continue to move to the United Republic of Tanzania in search of more secure conditions.

7. Considering the very sensitive nature of the security problems in Burundi, UNHCR's efforts to address security in the refugee camps essentially have centred around improved monitoring of the prevailing conditions, through an effective field presence and vigorous démarches with the civilian and military authorities. UNHCR plans to continue to pursue this course of action and is assigning an increased number of experienced officers not only to the regions of Burundi hosting refugees but also to the capital.

B. Refugees in the United Republic of Tanzania

8. There are approximately 600,000 Rwandese refugees living in eight camps in the United Republic of Tanzania. While the population of these camps continues to increase, this influx, as noted above, consists mostly of Rwandese refugees from Burundi and Burundi nationals seeking more secure conditions.

9 The camps in the United Republic of Tanzania are relatively more secure and better organized than those in Zaire, mostly because fewer refugees fled to this area and the relief community was already established in the area before the influx took place. As in Zaire, the refugees have created governing structures similar to those that existed in Rwanda, beginning at the prefecture level and extending down to the commune level They have chosen leaders who exercise authority at all levels of this hierarchy (Some of these leaders held the same positions before the war.) As in refugee camps elsewhere, the local government structure in the Rwandese camps in Zaire and the United Republic of Tanzania provides a sense of organization in the camps, as well as a security mechanism and facilitates the delivery of relief assistance

10. The refugees in the Tanzanian camps have been registered and assistance therefore delivered directly to them Hence there is no scope for [illegible]

of assistance by refugee leaders, as has been the case in Zaire. However, extremist elements in the camps in the United Republic of Tanzania are reported to have considerable influence over the refugee population, though to a lesser extent than in Zaire.

11. The Tanzanian Government and UNHCR have determined that security in the camps can be enhanced through the deployment of Tanzanian police personnel. These personnel not only must be sufficient in number but must also be adequately equipped to maintain law and order. So far, 310 Tanzanian police, both general duty and special forces, have been assigned to the refugee camps. They are currently receiving assistance from UNHCR, covering such items as tents and food rations, as well as incentive allowances. UNHCR has also made vehicles and communications equipment available to the Tanzanian police force.

12. The refugee population has also created its own security force, the "refugee guardians", which cooperates with the Tanzanian police force. While conditions are currently stable in the camps, it is nevertheless felt that, given the degree of control the leaders have over the camp population, they could easily allow the security situation to deteriorate, should it be in their interest to do so.

C. Refugees in Zaire

13. There are approximately 1.4 million Rwandese refugees living in the camps in Zaire. These camps continue to be the most potentially explosive, with the most acute security situation in the camps north of Lake Kivu, in the Goma region, where approximately 850,000 refugees are located. It is therefore considered that, while further steps need to be taken to increase security in the camps in the United Republic of Tanzania and Burundi, priority should be accorded to increasing security in the camps in Zaire, especially in the Goma region.

14. For the most part, the refugees in the Goma area of Zaire fled Rwanda in mid-1994. The political leaders of the former Government, as well as their armed forces and the militia, fled to this area together with countless civilians as the Rwandese Patriotic Front (RPF) gained control over the western part of Rwanda in the last days of the war. As a result, the refugee population in Zaire tends to include more political, military and militia elements of the former Government than the camps in the United Republic of Tanzania or Burundi and their hostility towards the Government in Kigali is reflected in actions that have led to insecure conditions in the camps.

15. More specifically, the refugees are intimidated from publicly expressing their desire to return to Rwanda. The lives of such people as well as the lives of politically moderate refugees or those who may have intermarried or are suspected of being infiltrators are seriously threatened and some of them are known to have been killed. There is also a significant threat of civil disturbances in the camps. This threat is especially acute when refugees congregate together, for example, when relief supplies are distributed addition, as in any area containing a large number of people living [illegible] dense and impoverished conditions, common crime is prevalent [illegible]

16. The threat to the safety of international relief workers is also significant. There are now 45 non-governmental organizations (NGOs) and about 1,600 international relief workers in the Goma area alone. A large number of local Zairian and Rwandese relief personnel also work in the camps. The security threat to these relief workers includes harassment, especially on their way to and from the camps when they are frequently stopped, in some cases at gunpoint, and asked to pay tolls or are threatened for other reasons. There is also a significant risk that relief workers can be caught up in civil disturbances or incidents between refugees themselves. Some relief workers have been threatened by refugees who for some reason wrongly perceive them to be opposed to their interests.

17. Initially, the leaders in the camps were called upon to facilitate the delivery of relief assistance. Unfortunately, they misused this responsibility by using the delivery of assistance to persuade refugees to behave according to their interests and by hoarding and/or selling such assistance rather than distributing it. As a result, the incidence of malnutrition, especially in the most vulnerable groups, including women, children and the elderly, was initially much higher than it should have been given the level of assistance provided. Recently, it has however been possible to provide assistance more directly to the beneficiaries and, as a result, both the negative influence of the camp leaders and levels of malnutrition have been reduced. In addition, UNHCR is about to proceed with the registration of refugees in the camps, which will also help to ensure more effective delivery of relief assistance.

18. The Government of Zaire has taken steps in recent months to enhance the security situation in the camps As a result, the security situation has improved somewhat since my last report. However, it is assessed that the potential for serious disturbances remains extremely high.

19. Recently, Japanese and United States seismologists have detected new signs of a possible volcanic eruption in the seismically active area of Goma. A UNHCR task force is preparing contingency plans for evacuation from camps that might be affected, including the identification of temporary sites for the relocation of the refugee population concerned. In the meantime, seismic activity is being monitored on a regular basis

20. The majority of refugees are aware that their long-term interests will be served only by returning to Rwanda and that assistance cannot be provided to them indefinitely in the camps. It is assumed that at least 25 per cent of the refugees would not face land tenure problems upon their return to Rwanda and that, under present conditions, 25 to 50 per cent of the refugees could return in the next 6 to 12 months. UNHCR also considers that, if security is provided for repatriation, the rate of voluntary return to Rwanda would increase

III. MEASURES FOR THE ESTABLISHMENT OF SECURE CONDITIONS IN THE CAMPS

A. Peace-keeping operation

21. In its presidential statement of 30 November, the Security Council requested me to consult with potential troop-contributing countries to assess their willingness to participate in a possible peace-keeping operation to enhance security in the camps modelled along the lines described in paragraphs 18 to 25 of my report of 18 November. The Council also requested me to provide a detailed description of the objectives, rules of engagement and costs of such an operation. Accordingly, the joint Department of Peace-Keeping Operations/UNHCR technical team was asked to collect pertinent information for use in the formulation of recommendations along the lines requested by the Security Council.

22. It will be recalled that the objective of the peace-keeping operation outlined in paragraphs 18 to 25 of my 18 November report was to provide security for international relief workers, protection for the storage and delivery of humanitarian assistance and safe passage to the Rwandese border for those refugees who wish to return to Rwanda. It was estimated that a force size of approximately 3,000 all ranks would be required to carry out these tasks in the camps north of Lake Kivu. A parallel operation, launched simultaneously in the area south of Lake Kivu, where conditions are marginally more secure, would require an additional 2,000 troops.

23. The proposed peace-keeping operation was to be conducted in two phases. During the first phase, two mechanized battalions would cordon off and establish secure areas in the camps, within which local security units would be formed and trained by international security experts. During the second phase of the operation, once reasonably secure conditions were deemed to have been created, the local forces would take over the security functions being performed by the peace-keeping troops, with back-up support provided by a smaller group of United Nations military personnel. The mechanized battalions would then move forward to create similar secure areas in other locations.

24. The joint technical mission confirmed the feasibility of such an approach, but considered that the operation would require more than the originally estimated 3,000 to 5,000 troops. It estimated that the tasks in the north Kivu region alone would require a force of 4,100, including military logistic support units, instead of 3,000 as indicated in my report of 18 November. The mission further concluded that a similar operation in the south Kivu region also would require a substantially stronger force than originally anticipated. The rules of engagement for such an operation would, in accordance with normal practice, authorize the use of force in self-defence, including against forcible attempts to impede the discharge of the operation's mandate. In addition, as foreseen for the United Nations Assistance Mission in Rwanda (UNAMIR) under resolution 918 (1994), the force would be authorized to take action against persons or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief.

25. Since the adoption of the presidential statement of 30 November, I have consulted with about 60 potential troop-contributing countries to ascertain their readiness to make available the troops necessary to undertake such an operation. As of 23 January, only one country had formally offered a unit Under these circumstances, it is clear that the option of deploying a peace-keeping force to address the security issues in the refugee camps in Zaire is not feasible. Accordingly, it has not been considered necessary to prepare cost estimates for this option.

B. Alternative measures

1. An international police/military observer group

26. In its presidential statement of 30 November, the Security Council also requested me to assess the possibility of interim measures aimed at providing immediate assistance to the Zairian security forces in protecting humanitarian operations in the camps, including the possibility of deploying security experts, from member Governments or through contractual arrangements, to train and monitor the local security forces. Towards this end, the joint Department of Peace-Keeping Operations/UNHCR technical mission explored the possibility of an approach based on the deployment of Zairian security forces, which would assume responsibility for improving security in the camps, with the support of a group of United Nations civilian police and military observers.

27. In order to enhance security in the camps, it was considered that the local security forces should perform the following tasks:

(a) Patrolling. As noted above, refugees suffer from the high incidence of common crime, in addition to intimidation. Relief workers can also be easily caught up in civil disturbances. A 24-hour patrolling presence of security personnel could help to maintain law and order, thus alleviating such threats. These personnel would gradually develop relations with the refugees and their governing structures and would work with them in controlling and abating the incidence of common crime;

(b) Escort and guarding of static points. Given the risks present in travelling to and from Goma, an escort capacity should be created to accompany relief workers when travelling at night and in the early morning. A security presence would also be of benefit at static positions in the camps, including, for example, at aid-distribution points, UNHCR and NGO focal sites, hospitals, feeding centres and dispensaries. A security presence would also be required to keep a sense of order and calm during the census and registration of the refugees, which UNHCR is planning to conduct in the camps in the near future.

(c) Storage and transport of humanitarian assistance. The main security issue related to the storage of relief assistance is the looting of warehouses While these areas are currently guarded, the problem of looting has not been alleviated. An additional security presence, as well as increased lighting and fencing, are therefore required. The transport of assistance to and from the warehouses is deemed to be threatened at this time;

(d) Security for repatriation. Enhanced security is of particular importance to facilitate the repatriation of refugees who have expressed the wish to return to Rwanda. At present, just indicating a desire to return to Rwanda can put refugees in considerable danger. It is therefore considered essential that, upon indicating to relief workers their desire to return to Rwanda, refugees should be offered security, including immediate transfer to transit camps. Such camps would be established in Zaire at some distance from the refugee camps to house refugees until they can be transported to the border. These camps would require a 24-hour security presence. Security for the transportation of refugees to the border, which is now provided, should be strengthened.

28. As indicated above, it was envisaged that these tasks could be carried out by a local security force. A group of approximately 150 to 200 United Nations civilian police officers would be required to train and monitor the local forces. In addition, about 30 to 50 military observers would be deployed to liaise with the local forces at the command level on issues related to the overall implementation of the operation. The military observers would also assist coordinate repatriation.

29. During my meeting with him on 15 December 1994, the Prime Minister of Zaire, H.E. Mr. Kengo Wa Dondo, confirmed to me his Government's readiness to provide the troops necessary to enhance security in the camps. I therefore instructed my Special Representative for Rwanda, Mr. Shaharyar Khan, to visit Kinshasa to discuss with Zairian officials the possibility of the Government of Zaire undertaking these tasks, on the understanding that the international community would be encouraged to assist with an appropriate level of logistic and financial support.

30. Mr. Khan visited Kinshasa from 28 to 31 December. He was accompanied by a representative of UNHCR as well as the UNAMIR Deputy Force Commander and logistic experts. In Kinshasa, Mr. Khan was received by the Prime Minister and met with the Ministers of Defence, Justice, Foreign Affairs and the Interior. Technical talks were also held at the working level. Zairian officials indicated their Government's hope that the refugees would soon return to Rwanda. They stressed that effective steps should be taken in Rwanda to ensure that repatriation could take place in conditions of safety and dignity. They also reiterated the Zairian Government's commitment to address the security situation in the camps and indicated its readiness to initiate prompt action in that regard, with the cooperation and support of the United Nations.

31. The Government of Zaire indicated that it would be prepared to deploy a national security force of about 1,500 to 2,500 troops to the camps. Through technical discussions, the modalities of the logistic and other external support needed for these troops were considered. The Government welcomed the proposal that international police and military observers be deployed to the area to provide technical advice to the local security force and to monitor and coordinate the operation. However, it pointed out that it did not favour deployment of United Nations peace-keeping troops to the camps

32. In order to pursue this option, nearly 50 Member States were contacted to ascertain their willingness to provide police personnel, stressing the

importance of French-speaking personnel. As of 23 January, only four countries had expressed an interest in providing civilian police personnel and only one of these countries was French-speaking. As regards military observers, it was felt that, in order to expedite implementation, the military observers could perhaps be provided by UNAMIR on a temporary basis, subject to the concurrence of the contributing countries concerned. These countries have been consulted in this regard. However, only one of them has so far responded that it would, in principle, be prepared to allow its military observers to operate in Zaire. It therefore seems that this second, more modest, approach to enhancing security in the camps in Zaire faces difficulties and cannot be pursued, at least at present.

33. Mr. Khan also visited the United Republic of Tanzania on 4 and 5 January 1995, where he was received by President Mwini and Prime Minister Msunya. While in Dar-es-Salaam, he also met with the Chief of Defence Staff of the Tanzanian Army and the Inspector-General of the Police. The Tanzanian Government also indicated its view that the refugees should return to Rwanda and that efforts should be continued to ensure that conditions conducive to voluntary repatriation of the refugees were created inside the country

34. As noted above, at present, 310 Tanzanian police officers are providing security in the camps. The Government indicated that it would be prepared to increase this force to 500, but that it would require logistic and operational support from external sources in order to do so. Some support towards this end is currently being provided by the Government of the Netherlands through UNHCR.

2. Contractual arrangements

35. Another possibility, which has been explored by the Secretariat on a contingency basis, is the provision of training and monitoring support to the local security forces through contractual arrangements with a private organization. Under such arrangements, a local force would be trained by a team of 50 international instructors, 10 of whom would remain behind after the initial training was completed to provide further on-the-job training assistance. An additional 40 international experts would be required to monitor the operation and for liaison and coordination functions. It is estimated that the training programme would take a period of one month for each group of local personnel trained and that, within two months of the start of the operation, the first group of local personnel could be deployed to its area of operations. Within four months, the entire local force would be trained and deployed to the camps both north and south of Lake Kivu.

36. The possibility of undertaking such an operation, including the provision of logistic and other support to the local security forces, has been discussed with UNHCR. However, initial financial estimates show that an operation of this nature would be costly. Moreover, since it would have to be funded entirely through voluntary contributions, UNHCR does not feel that it would be able to mobilize the necessary resources, especially since some potential donor Governments have indicated that they would not be in favour of this approach

C. Security measures through UNHCR

37. Since the various options described above do not appear feasible, at least at the present stage, I have recently held further consultations on the problem of security in the refugee camps, especially those in Zaire, with the United Nations High Commissioner for Refugees, Mrs. Sadako Ogata. As a result of these consultations, it has been decided that UNHCR would follow up with the Government of Zaire on the discussions held by my Special Representative, with a view to concluding appropriate arrangements, under UNHCR's refugee protection and humanitarian assistance mandate, to enhance security in the camps. I have informed the Prime Minister of Zaire accordingly and have expressed to him the hope that these discussions would lead to the early definition and implementation of mutually acceptable arrangements to enhance the safety and security of the Rwandese refugees in Zaire.

38. UNHCR has dispatched a Special Envoy to Kinshasa for this purpose. UNHCR will keep me informed of the progress made in this regard and I shall advise the Security Council accordingly. UNHCR will also continue to explore means of augmenting support to the Tanzanian Government to enable it to increase the level of security it is currently providing in the camps. As regards the refugee camps in Burundi, UNHCR has indicated that, for the time being, the security situation in these camps is being adequately addressed through the measures described in paragraph 7 above. UNAMIR, for its part, will continue to coordinate closely with UNHCR in facilitating the safe and voluntary repatriation of the refugees to Rwanda.

IV. OBSERVATIONS

39. The scope and complexity of the problems in the Rwandese refugee camps, especially those in Zaire, represent an unprecedented challenge. It is therefore not surprising that the search for an appropriate solution to these problems has been a difficult process. As the present report demonstrates, the options aimed at enhancing security in the camps through a peace-keeping operation, under one form or another, do not appear viable, at least at the present time.

40. Peace-keeping is essentially an instrument for conflict management and resolution. It is true that in recent years it has undergone an important quantitative and qualitative evolution. However, it is not designed and has not generally been used to ensure security in refugee camps. Indeed, it has traditionally been the responsibility of the host countries to provide security to the refugees located on their territory, albeit with an appropriate level of support from the international community.

41. I therefore understand the hesitations of Member States regarding the idea of seeking a solution to the security problems in the camps through the instrument of peace-keeping. There is no doubt, however, that the innocent civilians, who fled Rwanda in the wake of a devastating civil war and are exposed daily to intimidation and violence in the camps, deserve the continued attention and assistance of the international community, both where they are now and in their efforts to return to their country. Furthermore, the humanitarian

relief personnel, who are risking their lives to ensure that basic assistance reaches the refugees, should be provided with adequate security to be able to carry out their work effectively. I therefore strongly urge the international community to support the efforts of UNHCR, in cooperation with the Governments of Zaire and the United Republic of Tanzania, to put in place satisfactory security arrangements in the camps and to provide generously the resources required for this purpose.

42. Strengthening security in the camps is an indispensable step for creating conditions conducive to the voluntary repatriation of the refugees. However, as I stressed in my report of 18 November, any effort to provide security in the camps would be futile unless parallel steps are also taken inside Rwanda to ensure that the refugees can return to their home communities without fear of retribution or persecution and to promote genuine national reconciliation between all segments of Rwandese society. Until now the Government of Rwanda, which assumed power in a traumatized and shattered country, with its infrastructure virtually destroyed and its inhabitants severely dislocated, has been bereft of even the minimum resources to begin to restore normal conditions. The commitments made at the recent Round-table Conference on Rwanda and in response to the consolidated inter-agency appeal bring some hope that this process now can commence. This in turn would promote the prospects of reinvigorating the political process and providing a framework for the action to be taken to address security in the camps and repatriation of the refugees to Rwanda, as suggested by the Security Council in its statement of 30 November 1994.

43. The summit meeting of the leaders in the subregion, held in Nairobi on 7 January 1995, made a useful contribution towards the definition of such a framework. This meeting brought together the Presidents of Burundi, Kenya, Rwanda, the United Republic of Tanzania, Uganda and Zambia and the Prime Minister of Zaire. My Special Representative for Rwanda also attended the meeting. The regional leaders emphasized the close relationship between improving both security in the refugee camps and conditions inside Rwanda in order to create an environment conducive to the voluntary repatriation of the refugees. In this connection, they affirmed their support for the establishment and operationalization of the International Tribunal for Rwanda; the separation of suspected perpetrators of genocide from innocent refugees and the separation of intimidators from the refugee camps, as well as the establishment of safe corridors from refugee camps to the Rwandese border and of safe corridors and transit points inside Rwanda. They commended the Government of Rwanda for the steps it has so far taken to establish a broad-based government administration and urged the Government, towards this end, to deepen its efforts in the spirit of the Arusha peace accord. They further urged the Government of Rwanda to put in place additional confidence-building measures to encourage the voluntary return of refugees. The regional leaders also urged the international community to increase its economic support for the rehabilitation and reconstruction of Rwanda.

44. The progress achieved at the regional summit of 7 January should facilitate the work to be undertaken during the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region to be [illegible] by the Organization of African Unity and UNHCR in Bu[illegible] [illegible] February [illegible]

preparatory meeting for the Conference was held in Addis Ababa on 9 January. I hope that the Conference will lead to further progress in creating the conditions necessary for the refugees and displaced persons to return to their homes in safety and dignity and that it will open the way to the holding of a broader conference aimed at identifying long-term solutions to promote and ensure peace, security and development in the subregion Preliminary consultations with interested Governments are currently under way to develop a consensus on the issues to be addressed by such a conference.

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Conseil de sécurité

Distr.
GÉNÉRALE

S/1995/65
25 janvier 1995
FRANÇAIS
ORIGINAL : ANGLAIS

DEUXIÈME RAPPORT DU SECRÉTAIRE GÉNÉRAL SUR LA SÉCURITÉ DANS LES CAMPS DE RÉFUGIÉS RWANDAIS

I. INTRODUCTION

1. Le présent rapport a été établi comme suite à la déclaration du Président du Conseil de sécurité en date du 30 novembre 1994 (S/PRST/1994/75), dans laquelle le Conseil de sécurité soulignait que la communauté internationale devait faire un effort résolu pour favoriser le rapatriement des réfugiés rwandais, réduire les actes d'intimidation visant les candidats au rapatriement et améliorer la sécurité dans les camps de réfugiés rwandais, surtout au Zaïre. À cette fin, le Conseil de sécurité m'a prié, entre autres, de continuer de rechercher tous les moyens qui permettraient de régler les problèmes de sécurité qui se posent dans ces camps.

2. Certains faits nouveaux encourageants sont intervenus depuis mon rapport du 18 novembre 1994 (S/1994/1308) dans le sens de la création de conditions favorables au rapatriement, mais il est très préoccupant que près de 2 millions de réfugiés rwandais se trouvent toujours au Burundi, en Tanzanie et au Zaïre. D'une manière générale, la situation dans les camps reste dangereuse aussi bien pour les réfugiés que pour le personnel d'assistance. La situation présente aussi des risques d'instabilité pour les pays hôtes et pour l'ensemble de la sous-région. Le rapatriement sans danger et volontaire des réfugiés reste la seule solution efficace à ce problème. C'est pourquoi, étant donné que la situation au Rwanda s'améliore, le Haut Commissariat des Nations Unies pour les réfugiés (HCR) a rappelé en décembre 1994 qu'il aiderait dans la mesure du possible au retour volontaire de ces réfugiés au Rwanda.

3. Le Gouvernement rwandais a signé des accords tripartites avec le HCR et les Gouvernements burundais et zaïrois concernant le rapatriement volontaire des réfugiés. Ces accords définissent les conditions du rapatriement, y compris la protection des rapatriés et le régime d'occupation des terres. Les Gouvernements rwandais et tanzanien poursuivent par ailleurs un dialogue au sujet des réfugiés se trouvant en Tanzanie et de leur retour au Rwanda.

4. À ce jour, pas plus de 200 000 des personnes qui avaient quitté le pays après le 6 avril 1994 sont rentrées au Rwanda. Comme je l'indiquais dans mon rapport du 18 novembre, les mesures d'intimidation prises par les anciens dirigeants, militaires et miliciens à l'encontre des réfugiés qui souhaitent

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rentrer au Rwanda et la peur d'être exposés à des représailles ou de ne pouvoir rentrer en possession de leurs biens après leur retour viennent se conjuguer pour faire obstacle au rapatriement.

5. Comme suite à la déclaration du Président du Conseil de sécurité en date du 30 novembre, j'ai constitué une équipe technique mixte composée d'éléments du Département des opérations de maintien de la paix et du HCR qui a examiné la situation dans les camps de réfugiés au Rwanda, en Tanzanie et au Zaïre entre le 11 et le 19 décembre 1994. Les conclusions de l'équipe sont récapitulées ci-après.

II. SITUATION ACTUELLE

A. Réfugiés au Burundi

6. Il y a actuellement au Burundi, essentiellement dans le nord, environ 200 000 réfugiés, qui proviennent essentiellement du sud du Rwanda. Les déplacements de réfugiés sont constants dans cette région, les Rwandais continuant de chercher refuge au Burundi et Rwandais et Burundais ne cessant de rechercher de meilleures conditions de sécurité en Tanzanie.

7. Les problèmes de sécurité étant extrêmement délicats au Burundi, le HCR s'est attaché essentiellement, pour tenter d'améliorer la sécurité dans les camps de réfugiés, à l'amélioration du suivi de la situation en assurant une présence effective sur le terrain et en menant des démarches actives auprès des autorités civiles et militaires. Le HCR entend poursuivre dans cette voie et affecte de plus en plus de personnel expérimenté au Burundi, non seulement dans les régions où se trouvent des réfugiés, mais aussi dans la capitale.

B. Réfugiés en Tanzanie

8. Quelque 600 000 réfugiés rwandais se trouvent actuellement dans huit camps différents en Tanzanie. La population de ces camps continue d'augmenter et comme on l'a noté plus haut, cet afflux concerne pour l'essentiel des réfugiés rwandais venant du Burundi et des ressortissants burundais à la recherche de meilleures conditions de sécurité.

9. Les camps situés en Tanzanie sont relativement plus sûrs et mieux organisés que les camps situés au Zaïre, du fait que la région a attiré moins de réfugiés et que les organismes de secours étaient déjà en place avant l'arrivée des réfugiés. Comme au Zaïre, les réfugiés se sont dotés de structures administratives semblables à celles du Rwanda, allant de l'échelon de la préfecture à celui de la commune. Ils se sont choisi des dirigeants qui exercent le pouvoir à tous les niveaux de cette structure. (Certains de ces dirigeants occupaient les mêmes fonctions avant la guerre.) Comme dans les autres camps de réfugiés, la structure administrative locale des camps de réfugiés rwandais au Zaïre et en Tanzanie donne une impression d'organisation et constitue un mécanisme de sécurité, ce qui facilite la fourniture des secours

10. Les réfugiés qui se trouvent dans les camps tanzaniens ayant été immatriculés, l'aide leur est fournie directement, si bien qu'il n'est pas possible à leurs dirigeants de détourner les secours comme ce fut le cas à

Zaïre. Toutefois, on signale que des éléments extrémistes exercent une très forte influence sur les réfugiés des camps de Tanzanie, encore que dans un degré moindre qu'au Zaïre.

11. Le Gouvernement tanzanien et le HCR ont établi que le déploiement d'éléments de la police tanzanienne pouvait améliorer la sécurité dans les camps. Ces policiers doivent non seulement être en nombre suffisant, mais aussi être suffisamment équipés pour assurer le maintien de l'ordre. À ce jour, 310 policiers tanzaniens, dont des éléments des forces spéciales, ont été affectés aux camps de réfugiés. Ils reçoivent actuellement une aide du HCR sous forme de tentes et de rations alimentaires ainsi que de primes. En outre, le HCR a mis des véhicules et du matériel de télécommunications à la disposition de la police tanzanienne.

12. Les réfugiés ont également créé leur propre force de sécurité, les "réfugiés gardiens", qui travaillent en collaboration avec la police tanzanienne. La situation est actuellement stable dans les camps mais, étant donné le contrôle qu'exercent les dirigeants sur la population des camps, on craint qu'ils ne puissent laisser se détériorer la situation en matière de sécurité, si c'était dans leur intérêt.

C. Réfugiés au Zaïre

13. Il y a environ 1,4 million de réfugiés rwandais dans les camps du Zaïre. C'est dans ces camps que la situation reste la plus explosive, surtout dans ceux qui sont situés au nord du lac Kivu, dans la région de Goma, qui compte quelque 850 000 réfugiés. On estime par conséquent que s'il faut continuer de s'efforcer d'améliorer la sécurité dans les camps de Tanzanie et du Burundi, il faut accorder la priorité aux camps du Zaïre, surtout à ceux qui se trouvent dans la région de Goma.

14. La plupart des réfugiés qui se trouvent dans la région de Goma, au Zaïre, ont fui le Rwanda au milieu de 1994. Les ex-dirigeants et les anciennes forces et milices gouvernementales du Rwanda se sont réfugiés dans cette région en même temps que d'innombrables civils lorsque le Front patriotique rwandais (FPR) a pris le contrôle de la partie occidentale du Rwanda aux derniers jours de la guerre. C'est ce qui explique qu'il se trouve parmi les réfugiés au Zaïre davantage d'éléments politiques et militaires et de miliciens de l'ex-gouvernement que dans les camps de Tanzanie ou du Burundi, et que leur hostilité envers le Gouvernement de Kigali a donné lieu à des actes qui ont provoqué l'insécurité dans les camps.

15. En particulier, on dissuade les réfugiés d'exprimer publiquement leur désir de rentrer au Rwanda. Comme celles des réfugiés modérés ou de ceux qui ont épousé une personne d'une autre ethnie ou sont soupçonnés de noyautage, ces personnes sont gravement menacées et l'on sait que certaines ont été tuées. Il y a aussi un risque sérieux de troubles civils dans les camps, surtout en cas de forte concentration de réfugiés, par exemple lors de la distribution des secours. En outre, comme dans toute zone fortement peuplée de personnes démunies, la délinquance ordinaire est généralisée dans les camps.

16. Le personnel de secours international est également sérieusement menacé. Il y a actuellement, rien que dans la région de Goma, 45 organisations non gouvernementales (ONG) et environ 1 600 agents de secours. Un important personnel de secours local, zaïrois et rwandais, travaille aussi dans les camps. Ces personnes sont souvent l'objet de tracasseries, surtout sur le chemin du travail, où elles sont fréquemment arrêtées, parfois sous la menace d'une arme, et contraintes de verser des redevances, ou menacées pour d'autres raisons. En outre, les agents de secours risquent sérieusement d'être pris dans des troubles civils ou des incidents entre réfugiés. Certains de ces agents ont été menacés par des réfugiés qui les considèrent à tort comme étant hostiles à leurs intérêts.

17. Au départ, on faisait appel aux dirigeants des camps pour faciliter la fourniture des secours. Malheureusement, ils ont abusé de la situation en contraignant les réfugiés à agir dans leur propre intérêt en échange de secours, et en stockant ou en vendant ceux-ci au lieu de les distribuer. C'est pourquoi les cas de malnutrition, surtout parmi les groupes les plus vulnérables - les femmes, les enfants et les personnes âgées - ont été au début beaucoup trop élevés en regard du niveau de l'aide fournie. Depuis peu, l'aide est toutefois fournie plus directement aux bénéficiaires, ce qui a permis de réduire la mauvaise influence des dirigeants des camps et les cas de malnutrition. En outre, le HCR a procédé à l'immatriculation des réfugiés dans les camps, ce qui contribuera à améliorer la fourniture des secours.

18. Le Gouvernement zaïrois a pris récemment des mesures pour améliorer la sécurité dans les camps, laquelle s'est quelque peu améliorée depuis mon dernier rapport. Il apparaît cependant que les risques de troubles graves restent extrêmement élevés.

19. Des sismologues venus du Japon et des États-Unis ont récemment décelé les signes précurseurs d'une éruption volcanique qui risque de se produire dans la région de Goma, qui est à forte sismicité. Une équipe spéciale du HCR prépare des plans d'urgence pour évacuer les camps qui risquent d'être touchés, notamment en désignant des sites temporaires pour reloger les réfugiés concernés. En attendant, l'activité sismique est suivie de près.

20. La majorité des réfugiés sont conscients qu'à long terme, ils n'ont d'autre choix que de rentrer au Rwanda et que l'aide ne peut leur être fournie indéfiniment dans les camps. Au moins 25 % des réfugiés ne devraient pas avoir de problème d'occupation des terres à leur retour au Rwanda et, dans l'état actuel des choses, 25 à 50 % d'entre eux pourraient rentrer chez eux dans les 6 à 12 mois à venir. Le HCR estime en outre que si le rapatriement pouvait avoir lieu sans danger, le taux de retour volontaire au Rwanda augmenterait.

III. MESURES À PRENDRE POUR ASSURER LA SÉCURITÉ DANS LES CAMPS

A. Opération de maintien de la paix

21. Dans la déclaration de la Présidente du Conseil de sécurité, en date du 30 novembre 1994, le Conseil m'a demandé de consulter les pays qui pourraient fournir des contingents, afin de déterminer s'ils seraient disposés à participer à une éventuelle opération de maintien de la paix qui suivrait dans ses grandes

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lignes le schéma exposé aux paragraphes 18 à 25 de mon rapport du 18 novembre. Le Conseil m'a également demandé de lui donner dès que possible une description détaillée des objectifs, des règles d'engagement et du coût d'une telle opération. En conséquence, une équipe conjointe du Département des opérations de maintien de la paix et du HCR a été invitée à recueillir des informations pertinentes qui devraient être utilisées pour faire des recommandations allant dans le sens des demandes formulées par le Conseil de sécurité.

22. On se souviendra que l'objectif de l'opération de maintien de la paix décrite dans les paragraphes 18 à 25 de mon rapport du 18 novembre était d'assurer la sécurité du personnel des organisations humanitaires internationales, de protéger l'entreposage et la distribution de l'aide humanitaire et de permettre aux réfugiés qui désirent rentrer chez eux de passer sans danger la frontière rwandaise. On estime qu'il faudrait disposer d'un effectif d'environ 3 000 hommes, tous grades confondus, pour accomplir ces tâches dans les camps au nord du lac Kivu. Une opération parallèle, menée simultanément dans la région au sud du lac Kivu, où les problèmes de sécurité sont moins aigus, nécessiterait 2 000 hommes supplémentaires.

23. L'opération de maintien de la paix proposée serait menée en deux phases. Au cours de la première phase, deux bataillons mécanisés contrôleraient l'accès aux camps, à l'intérieur desquels ils établiraient des zones de sécurité dans lesquelles des unités de sécurité locales seraient constituées et formées par des experts internationaux en matière de sécurité. Au cours de la deuxième phase de l'opération, une fois que des conditions de sécurité raisonnables auraient été assurées, les forces locales prendraient, en matière de sécurité, la relève du personnel de maintien de la paix, avec l'appui d'un petit groupe de personnel militaire des Nations Unies. Les bataillons mécanisés quitteraient alors la zone pour créer des zones de sécurité analogues dans d'autres lieux.

24. La mission technique conjointe a confirmé qu'il était possible de procéder de la sorte, mais a estimé qu'aux fins de l'opération il faudrait disposer d'effectifs plus nombreux que les 3 000 à 5 000 hommes estimés initialement. De l'avis de la mission, pour les seules tâches prévues dans la région au nord du lac Kivu, il faudrait disposer d'une force de 4 100 hommes, dont des unités d'appui logistique militaire, au lieu des 3 000 hommes indiqués dans mon rapport du 18 novembre. La mission a conclu en outre que, pour une opération analogue dans la région au sud du lac Kivu, il faudrait également disposer d'effectifs bien plus importants que ceux initialement prévus. Les règles d'engagement pour une telle opération autoriseraient, conformément à la pratique courante, le recours à la force en cas de légitime défense, notamment face à toute tentative violente d'empêcher l'opération de s'acquitter de son mandat. En outre, comme prévu aux fins de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR) en vertu de la résolution 918 (1994), la force serait autorisée à agir contre des personnes ou des groupes qui menacent des secteurs et populations protégés, le personnel des Nations Unies et d'autres personnels humanitaires ou les moyens utilisés pour acheminer et distribuer les secours humanitaires.

25. Depuis l'adoption de la déclaration de la Présidente du Conseil en date du 30 novembre, j'ai consulté une soixantaine de pays qui pourraient fournir des contingents, pour déterminer s'ils seraient disposés à fournir les hommes nécessaires pour mener une telle opération. Au 23 janvier un seul pays avait

officiellement offert de mettre une unité à la disposition de l'opération. Dans ces conditions, il est évident que l'option qui consisterait à déployer une force de maintien de la paix pour régler les problèmes de sécurité dans les camps de réfugiés au Zaïre ne peut être retenue. En conséquence, il n'a pas été jugé nécessaire d'établir des prévisions de dépenses au titre de cette option.

B. Autres mesures envisageables

1. Groupe de policiers/observateurs militaires internationaux

26. Dans la déclaration de la Présidente du Conseil de sécurité, en date du 30 novembre, le Conseil m'a également demandé d'étudier ce que pourrait être dans l'intérim une première intervention en vue d'apporter une assistance immédiate aux forces de sécurité zaïroises pour la protection des opérations humanitaires dans les camps, et notamment d'envisager la possibilité de déployer des spécialistes de la sécurité, détachés par les gouvernements des États Membres ou recrutés par contrat, pour instruire et superviser les forces de sécurité locales. À cette fin, la mission technique conjointe du Département des opérations de maintien de la paix et du HCR a étudié la possibilité d'appliquer une formule en vertu de laquelle des forces de sécurité zaïroises seraient déployées pour assumer la responsabilité de l'amélioration de la sécurité dans les camps avec l'appui d'un groupe de policiers civils et d'observateurs militaires des Nations Unies.

27. Afin d'améliorer la sécurité dans les camps, on a estimé que les forces de sécurité locales devraient s'acquitter des tâches suivantes :

a) Patrouilles. Comme indiqué plus haut, les réfugiés sont très souvent victimes de délits de droit commun, qui viennent s'ajouter aux actes d'intimidation. Le personnel des organisations humanitaires peut lui aussi facilement devenir la proie des troubles civils. L'organisation de patrouilles, 24 heures sur 24, d'agents de sécurité pourrait contribuer au maintien de l'ordre, ce qui diminuerait le nombre de ces menaces. Ce personnel établirait progressivement des relations avec les réfugiés et leurs représentants et collaborerait avec eux afin de maîtriser les délits de droit commun et en réduire la fréquence;

b) Escortes et garde de points fixes. Étant donné les dangers dont s'accompagnent les déplacements à destination ou en provenance de Goma, il est essentiel de prévoir des escortes pour accompagner le personnel des organismes humanitaires, lorsque celui-ci se déplace la nuit ou tôt le matin. Il serait également utile d'assurer la sécurité de certains points fixes dans les camps, notamment, par exemple, les points de distribution de l'aide, les antennes du HCR et des ONG, les hôpitaux, les centres d'alimentation et les dispensaires. La présence de personnel de sécurité serait également nécessaire pour maintenir tant soit peu l'ordre pendant le recensement et l'inscription des réfugiés que le HCR compte organiser dans les camps dans un avenir proche;

c) Entreposage et acheminement de l'aide humanitaire. Le principal problème de sécurité concernant le stockage des secours est le pillage des entrepôts. Bien que ceux-ci soient actuellement gardés, le problème du pillage n'a pas été résolu. Il faudrait donc renforcer la sécurité, et notamment

améliorer l'éclairage et installer davantage de clôtures. L'acheminement, en toute sécurité, de l'aide à destination et en provenance des entrepôts est également compromis à l'heure actuelle;

d) Sécurité des opérations de rapatriement. Il faut également, et cela est particulièrement important, améliorer la sécurité pour faciliter le rapatriement des réfugiés qui ont exprimé le souhait de rentrer au Rwanda. À l'heure actuelle, le simple fait d'émettre le voeu de rentrer au Rwanda expose les réfugiés à un danger considérable. On estime donc qu'il est essentiel que, lorsqu'ils communiquent au personnel des organismes humanitaires leur désir de rentrer au Rwanda, les réfugiés voient leur sécurité assurée et soient transférés immédiatement dans des camps de transit. Ces camps seraient établis au Zaïre à quelque distance des camps de réfugiés pour accueillir les intéressés jusqu'à ce qu'ils soient transportés jusqu'à la frontière. La sécurité de ces camps doit être assurée 24 heures sur 24. Il faudrait également renforcer les mesures de sécurité qui sont actuellement prises lors du transport des réfugiés jusqu'à la frontière.

28. Comme indiqué plus haut, on estime que ces tâches pourraient être exécutées par une force de sécurité locale. Il faudrait disposer d'un groupe d'environ 150 à 200 officiers de police civile des Nations Unies pour former et surveiller les forces locales. En outre, 30 à 50 observateurs militaires seraient déployés pour assurer la liaison avec les forces locales au niveau du commandement pour toutes les questions relatives au bon déroulement de l'opération. Les observateurs militaires aideraient également à coordonner les opérations de rapatriement.

29. Lors de la réunion que j'ai eue avec lui le 15 décembre 1994, le Premier Ministre zaïrois, S. E. M. Kengo Wa Dondo, a confirmé que son gouvernement était prêt à fournir les troupes nécessaires pour améliorer la sécurité dans les camps. J'ai donc chargé mon Représentant spécial pour le Rwanda, M. Shaharyar Khan, à se rendre à Kinshasa pour s'y entretenir avec les autorités zaïroises de la possibilité, pour le Gouvernement zaïrois, d'assumer ces tâches, étant entendu que la communauté internationale serait encouragée à apporter son concours en fournissant un soutien logistique et financier suffisant.

30. M. Khan a séjourné à Kinshasa du 28 au 31 décembre. Il était accompagné d'un représentant du HCR ainsi que du commandant adjoint de la MINUAR et d'experts en logistique. À Kinshasa, M. Khan a été reçu par le Premier Ministre et s'est entretenu avec les Ministres de la défense, de la justice, des affaires étrangères et de l'intérieur. Il a également participé à des réunions de travail sur des questions techniques. Les responsables zaïrois ont indiqué que leur gouvernement espérait que les réfugiés rentreraient bientôt au Rwanda. Ils ont souligné que des mesures concrètes devaient être prises au Rwanda afin que le rapatriement puisse se dérouler dans des conditions de sécurité et dans la dignité. Ils ont également réaffirmé l'engagement pris par le Gouvernement zaïrois de s'occuper des problèmes de sécurité dans les camps et ont indiqué qu'il était disposé à prendre immédiatement des mesures dans ce sens avec la coopération et l'appui de l'ONU.

31. Le Gouvernement zaïrois a indiqué qu'il serait disposé à déployer une force de sécurité nationale de 1 500 à 2 500 hommes dans les camps. Dans le cadre d'entretiens techniques, les modalités du soutien logistique et les autres services d'appui extérieur nécessaires pour l'envoi de ces troupes ont été examinés. Le Gouvernement a accueilli avec satisfaction la proposition tendant à déployer des éléments de police et des observateurs militaires internationaux dans la région pour y fournir des conseils techniques à la force de sécurité locale et pour surveiller et coordonner les opérations. Toutefois, il a souligné qu'il n'était pas favorable au déploiement d'une force de maintien de la paix des Nations Unies dans les camps.

32. Au titre de cette option, une cinquantaine d'États Membres ont été contactés afin de déterminer s'ils étaient disposés à fournir du personnel de police qui, a-t-on souligné, devrait de préférence être francophone. Au 23 janvier, quatre pays seulement se sont déclarés disposés à fournir du personnel de police civile et seul un de ces pays était francophone. En ce qui concerne les observateurs militaires, on a estimé qu'afin d'accélérer leur arrivée sur les lieux, des observateurs militaires pourraient peut-être être détachés provisoirement de la MINUAR sous réserve de l'approbation des pays dont ces observateurs étaient originaires. Ces pays ont été consultés à ce sujet. Toutefois, un seulement d'entre eux a jusqu'ici répondu qu'il serait, en principe, disposé à autoriser ses observateurs militaires à se rendre au Zaïre. Il semble donc que cette deuxième proposition, plus modeste, avancée pour améliorer la sécurité dans les camps au Zaïre soulève des difficultés et ne pourra pas être appliquée, du moins pour l'instant.

33. M. Khan a également séjourné les 4 et 5 janvier 1995 en République-Unie de Tanzanie, où il a été reçu par le Président Mwini et le Premier Ministre Msunya. Pendant son séjour à Dar es-Salaam, il s'est également entretenu avec le Chef d'état-major de l'armée tanzanienne et l'Inspecteur général de la police. Le Gouvernement tanzanien a également indiqué, qu'à son avis, les réfugiés devraient rentrer au Rwanda et qu'il fallait poursuivre les efforts en vue de créer, à l'intérieur du pays, des conditions favorisant le rapatriement volontaire des réfugiés.

34. Comme indiqué plus haut, à l'heure actuelle 310 officiers de police tanzaniens assurent la sécurité dans les camps. Le Gouvernement a indiqué qu'il serait disposé à porter les effectifs à 500 mais aurait, pour ce faire, besoin d'un appui logistique et opérationnel de sources extérieures. Un appui limité est déjà fourni à cette fin par le Gouvernement néerlandais par l'intermédiaire du HCR.

2. Arrangements contractuels

35. Le Secrétariat a exploré une autre possibilité, à savoir l'instruction et la supervision des forces de sécurité locales par un organisme privé travaillant sous contrat. Dans le cadre de cet arrangement, les forces locales seraient instruites par une équipe de 50 instructeurs internationaux, dont 10 resteraient sur place après la phase d'instruction initiale pour apporter un complément de formation sur le tas. Quarante experts internationaux supplémentaires seraient nécessaires pour contrôler l'opération et pour assurer les fonctions de liaison et de coordination. On estime que pour chaque groupe de personnel local, le

programme d'instruction durerait un mois, et que, dans les deux mois suivant le début de l'opération, le premier groupe pourrait être déployé sur son théâtre d'opération. Au bout de quatre mois, toutes les forces locales auraient été formées et déployées dans les camps situés au nord et au sud du lac Kivu.

36. La possibilité d'entreprendre une telle opération, notamment l'apport d'un soutien logistique et autre aux forces de sécurité locales, a été discutée avec le HCR. Toutefois, les premières estimations financières font apparaître qu'une opération de cette nature serait coûteuse. De plus, elle devrait être entièrement financée par des contributions volontaires et le HCR ne pense pas pouvoir mobiliser les ressources nécessaires, d'autant plus que certains gouvernements donateurs potentiels ont fait savoir qu'ils n'étaient pas favorables à cette approche.

C. Mesures de sécurité par l'intermédiaire du HCR

37. Les diverses options décrites ci-dessus ne semblant pas viables, du moins à ce stade, j'ai récemment eu de nouvelles consultations sur le problème de la sécurité dans les camps de réfugiés, en particulier dans ceux du Zaïre, avec le Haut Commissaire des Nations Unies pour les réfugiés, Mme Sadako Ogata. À l'issue de ces consultations, il a été décidé que le HCR reprendrait les pourparlers engagés par mon Représentant spécial avec le Gouvernement du Zaïre en vue de conclure des arrangements appropriés, dans le cadre du mandat du HCR en matière de protection des réfugiés et d'aide humanitaire, pour renforcer la sécurité dans les camps. J'ai informé le Premier Ministre du Zaïre de cette décision et j'ai exprimé l'espoir que ces pourparlers aboutiraient, sans retard, à la conclusion et à la mise en oeuvre d'arrangements acceptables aux deux parties pour renforcer la sécurité des réfugiés rwandais au Zaïre.

38. Le HCR a dépêché un Envoyé spécial à Kinshasa à cette fin. Il me tiendra au courant de la progression des pourparlers, et j'informerai à mon tour le Conseil de sécurité. Il étudiera aussi les moyens de mieux épauler le Gouvernement tanzanien pour lui permettre de renforcer la sécurité qu'il assure actuellement dans les camps. En ce qui concerne les camps de réfugiés au Burundi, le HCR a indiqué que, pour le moment, les mesures décrites au paragraphe 7 ci-dessus permettaient d'assurer la sécurité de façon satisfaisante. La MINUAR, pour sa part, continuera à coordonner étroitement son action avec celle du HCR pour faciliter le rapatriement volontaire des réfugiés au Rwanda dans des conditions de sécurité.

IV. OBSERVATIONS

39. L'ampleur et la complexité des problèmes qui se posent dans les camps de réfugiés rwandais, en particulier ceux situés au Zaïre, sont sans précédent. Il n'est donc pas surprenant que la recherche d'une solution appropriée à ces problèmes soit aussi laborieuse. Comme le démontre le présent rapport, les options visant à renforcer la sécurité dans les camps par le biais d'une opération de maintien de la paix, sous une forme ou sous une autre, ne semblent pas viables, du moins pour le moment.

40. Les opérations de maintien de la paix servent essentiellement à la gestion et à la résolution des conflits. Il est vrai que ces dernières années, elles ont connu une évolution importante aux plans quantitatif et qualitatif. Toutefois, elles n'ont pas été conçues et elles n'ont généralement pas été utilisées pour assurer la sécurité dans des camps de réfugiés. En fait, traditionnellement, c'étaient les pays hôtes qui assumaient la responsabilité d'assurer la sécurité des réfugiés se trouvant sur leur territoire, avec il est vrai un certain appui de la part de la communauté internationale.

41. Je comprends donc que les États Membres répugnent à rechercher dans une opération de maintien de la paix une solution aux problèmes de sécurité dans les camps. Il est cependant indubitable que les civils innocents, qui ont fui le Rwanda en raison d'une guerre civile dévastatrice et qui sont quotidiennement en butte à l'intimidation et à la violence dans les camps, méritent que la communauté internationale ne cesse de leur prêter attention et assistance, là où ils se trouvent actuellement et pour les aider à retourner dans leur pays. En outre, le personnel des organismes humanitaires, qui risque sa vie pour que les réfugiés puissent bénéficier d'une assistance de base, doit, pour s'acquitter efficacement de sa tâche, se voir assurer des conditions de sécurité suffisantes. J'exhorte donc la communauté internationale à appuyer les efforts que déploie le HCR, en coopération avec les Gouvernements du Zaïre et de la République-Unie de Tanzanie, pour mettre en place dans les camps des arrangements de sécurité satisfaisants, et à faire montre de générosité de façon que le HCR dispose des ressources nécessaires à cette fin.

42. Il est indispensable de renforcer la sécurité dans les camps pour créer des conditions propices au rapatriement volontaire des réfugiés. Toutefois, comme je l'ai souligné dans mon rapport du 18 novembre, tout effort en vue d'assurer la sécurité dans les camps serait vain s'il ne s'accompagne pas de la prise de mesures au Rwanda pour faire en sorte que les réfugiés puissent retourner chez eux sans craindre des représailles ou des persécutions et pour promouvoir une véritable réconciliation nationale entre tous les segments de la société rwandaise. Jusqu'à présent, le Gouvernement rwandais, qui a pris le pouvoir dans un pays traumatisé et en ruine, dont les infrastructures sont pratiquement anéanties et dont les habitants sont gravement perturbés, a été privé ne serait-ce que du minimum de ressources pour commencer à restaurer des conditions normales. Les engagements pris lors de la récente table ronde sur le Rwanda et en réponse à l'appel global interinstitutions font naître quelque espoir que ce processus peut désormais démarrer. Cela, à son tour, ouvrirait des perspectives de relance du processus politique et de mise en place du cadre voulu pour la prise de mesures en vue de régler les problèmes de sécurité dans les camps et de permettre le rapatriement des réfugiés au Rwanda, comme suggéré dans la déclaration du Président du Conseil de sécurité en date du 30 novembre 1994.

43. La réunion au sommet des dirigeants de la sous-région, qui a eu lieu à Nairobi le 7 janvier 1995, a apporté une utile contribution à la définition d'un tel cadre. Cette réunion a rassemblé les Présidents du Burundi, du Kenya, de l'Ouganda, de la République-Unie de Tanzanie, du Rwanda et de la Zambie ainsi que le Premier Ministre du Zaïre. Mon Représentant spécial pour le Rwanda y a également participé. Les dirigeants de la région ont insisté sur la nécessité d'améliorer la sécurité dans les camps de réfugiés et les conditions à l'intérieur du Rwanda afin de créer un environnement favorable au rapatriement

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volontaire des réfugiés. À cet égard, ils ont déclaré soutenir la mise en place et l'entrée en fonction du Tribunal international pour le Rwanda, la séparation des réfugiés innocents et de ceux soupçonnés de s'être rendus coupables de crimes de génocide et l'éloignement des camps de réfugiés de ceux qui se livrent à des actes d'intimidation, ainsi que la mise en place de couloirs de sécurité entre les camps de réfugiés et la frontière rwandaise et de couloirs de sécurité et de points de transit à l'intérieur du Rwanda. Ils ont félicité le Gouvernement rwandais des mesures qu'il a prises jusqu'à présent pour mettre en place une administration largement représentative et l'ont instamment prié d'accroître ses efforts en ce sens dans l'esprit de l'accord de paix d'Arusha. Ils ont en outre exhorté le Gouvernement rwandais à établir des mesures de confiance supplémentaires afin d'encourager le retour volontaire des réfugiés. Les dirigeants régionaux ont également demandé à la communauté internationale d'accroître son soutien économique en faveur du redressement et de la reconstruction du Rwanda.

44. Les progrès réalisés au sommet régional du 7 janvier devraient faciliter les travaux de la Conférence régionale d'assistance aux réfugiés, rapatriés et personnes déplacées dans la région des Grands Lacs qui sera convoquée par l'Organisation de l'unité africaine et le HCR à Bujumbura à la mi-février. Une réunion préparatoire a eu lieu à Addis-Abeba le 9 janvier. J'espère que cette conférence permettra de progresser davantage sur la voie de la création des conditions nécessaires pour que les réfugiés et les personnes déplacées puissent rentrer dans leurs foyers dans la sécurité et la dignité, et qu'elle ouvrira la voie à la tenue d'une conférence de portée plus étendue visant à trouver des solutions à long terme pour promouvoir et assurer la paix, la sécurité et le développement dans la sous-région. Des consultations préliminaires avec les gouvernements intéressés sont actuellement en cours en vue de dégager un consensus sur les questions à aborder lors d'une telle conférence.

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MIR NO. 2667

MISC NO. —

TO: Mr. Leonard Kapungu, Principal Officer, DPKO UNATIONS - NEW YORK	FROM: A.H. Kabia UNAMIR KIGALI, RWANDA
FAX NO: 212 963 - 9222	DATE: 5 December 1994 PHONE: 212-963-3093 FAX NO: 212-963-3090
SUBJECT: **REQUEST FOR DOCUMENTS**	

AAA. We would like to request several copies in English and French of the following documents:

a) the latest (final) report of the Commission of Experts established under Security Council resolution 935.

b) the latest report (dated 6 November 1994) of the Special Rapporteur on Rwanda of the Human Rights Commission.

c) Security Council resolution 965.

d) the Secretary-General's report of 25 November 1994 to the Security Council on UNAMIR.

e) Security Council Presidential Statement of 30 November 1994 (S/PRST/1994/75).

f) a Department of Public Information reference paper of August 1994 entitled "The United Nations and the Situation in Rwanda".

BBB. Many thanks for your cooperation and best regards.

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SECOND REPORT OF THE SECRETARY-GENERAL ON SECURITY IN THE RWANDESE REFUGEE CAMPS

I. INTRODUCTION

1. The present report is submitted in pursuance of the statement by the President of the Security Council dated 30 November 1994 (S/PRST/1994/75), in which the Security Council stressed that a determined effort must be made by the international community to promote the repatriation of the Rwandese refugees, to reduce intimidation of prospective returnees and to improve security in the Rwandese refugee camps, especially those in Zaire. To that end, the Security Council requested me, inter alia, to continue to explore, as appropriate, all possible means of addressing the problems of security in the Rwandese refugee camps.

2. While there have been some positive developments since my report of 18 November 1994 (S/1994/1308) in respect of the creation of conditions conducive to repatriation, the continuing presence of nearly 2 million Rwandese refugees in Burundi, the United Republic of Tanzania and Zaire is a matter of serious concern. The general security situation in the camps remains dangerous for both refugees and relief workers. The situation is also potentially destabilizing for the host countries and for the subregion as a whole. The only effective solution to this problem remains the safe and voluntary repatriation of the refugees. Accordingly, and taking into account the improving situation within Rwanda, the Office of the United Nations High Commissioner for Refugees (UNHCR) reiterated, in December 1994, that it would assist, wherever possible, the voluntary return of those refugees who wished to go back to Rwanda.

3. The Government of Rwanda has signed tripartite agreements with UNHCR and the Governments of Burundi and Zaire respectively on the voluntary repatriation of refugees. These agreements define the conditions for repatriation, including returnee protection and land tenure. The Governments of Rwanda and the United Republic of Tanzania are also involved in an ongoing dialogue on issues affecting the refugees in the latter country and their repatriation to Rwanda.

4. So far, only 200,000 refugees out of those who left the country after 6 April 1994 have returned to Rwanda. As indicated in my report of 18 November, the combined factors of intimidation by the former government leaders, further

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and militia of refugees who wish to return to Rwanda and the concern on the part of the refugees that they may face reprisals and/or may not be able to regain their property once they do return to the country continue to be the main factors impeding repatriation.

5. In pursuance of the Security Council's presidential statement of 30 November, I dispatched a joint technical team from the Department of Peace-keeping Operations and UNHCR, to Rwanda, the United Republic of Tanzania and Zaire from 11 to 19 December to review the situation prevailing in the refugee camps The team's findings are summarized below.

II. PRESENT SITUATION

A. Refugees in Burundi

6 There are approximately 200,000 refugees, mostly from southern Rwanda, in Burundi, primarily in the northern region of the country. There is constant movement of refugees in this area, as Rwandese continue to seek security in Burundi and both Rwandese and Burundi nationals continue to move to the United Republic of Tanzania in search of more secure conditions.

7. Considering the very sensitive nature of the security problems in Burundi, UNHCR's efforts to address security in the refugee camps essentially have centred around improved monitoring of the prevailing conditions, through an effective field presence and vigorous démarches with the civilian and military authorities. UNHCR plans to continue to pursue this course of action and is assigning an increased number of experienced officers not only to the regions of Burundi hosting refugees but also to the capital.

B. Refugees in the United Republic of Tanzania

8. There are approximately 600,000 Rwandese refugees living in eight camps in the United Republic of Tanzania. While the population of these camps continues to increase, this influx, as noted above, consists mostly of Rwandese refugees from Burundi and Burundi nationals seeking more secure conditions.

9 The camps in the United Republic of Tanzania are relatively more secure and better organized than those in Zaire, mostly because fewer refugees fled to this area and the relief community was already established in the area before the influx took place. As in Zaire, the refugees have created governing structures similar to those that existed in Rwanda, beginning at the prefecture level and extending down to the commune level They have chosen leaders who exercise authority at all levels of this hierarchy (Some of these leaders held the same positions before the war.) As in refugee camps elsewhere, the local governing structure in the Rwandese camps in Zaire and the United Republic of Tanzania provides a sense of organization in the camps, as well as a security mechanism and facilitates the delivery of relief assistance

10. The refugees in the Tanzanian camps have been registered [illegible] and assistance therefore delivered directly to them Hence there [illegible]

of assistance by refugee leaders, as has been the case in Zaire. However, extremist elements in the camps in the United Republic of Tanzania are reported to have considerable influence over the refugee population, though to a lesser extent than in Zaire.

11. The Tanzanian Government and UNHCR have determined that security in the camps can be enhanced through the deployment of Tanzanian police personnel. These personnel not only must be sufficient in number but must also be adequately equipped to maintain law and order. So far, 310 Tanzanian police, both general duty and special forces, have been assigned to the refugee camps. They are currently receiving assistance from UNHCR, covering such items as tents and food rations, as well as incentive allowances. UNHCR has also made vehicles and communications equipment available to the Tanzanian police force.

12. The refugee population has also created its own security force, the "refugee guardians", which cooperates with the Tanzanian police force. While conditions are currently stable in the camps, it is nevertheless felt that, given the degree of control the leaders have over the camp population, they could easily allow the security situation to deteriorate, should it be in their interest to do so.

C. Refugees in Zaire

13. There are approximately 1.4 million Rwandese refugees living in the camps in Zaire. These camps continue to be the most potentially explosive, with the most acute security situation in the camps north of Lake Kivu in the Goma region, where approximately 850,000 refugees are located. It is therefore considered that, while further steps need to be taken to increase security in the camps in the United Republic of Tanzania and Burundi, priority should be accorded to increasing security in the camps in Zaire, especially in the Goma region.

14. For the most part, the refugees in the Goma area of Zaire fled Rwanda in mid-1994. The political leaders of the former Government, as well as their armed forces and the militia, fled to this area together with countless civilians as the Rwandese Patriotic Front (RPF) gained control over the western part of Rwanda in the last days of the war. As a result, the refugee population in Zaire tends to include more political, military and militia elements of the former Government than the camps in the United Republic of Tanzania or Burundi and their hostility towards the Government in Kigali is reflected in actions that have led to insecure conditions in the camps.

15. More specifically, the refugees are intimidated from publicly expressing their desire to return to Rwanda. The lives of such people, as well as the lives of politically moderate refugees or those who may have intermarried or are suspected of being infiltrators are seriously threatened and some of them are known to have been killed. There is also a significant threat of civil disturbances in the camps. This threat is especially acute when refugees congregate together, for example, when relief supplies are distributed. In addition, as in any area containing a large number of people living [illegible] dense and impoverished conditions, common crime is prevalent [illegible] the camps

16 The threat to the safety of international relief workers is also significant. There are now 45 non-governmental organizations (NGOs) and about 1,600 international relief workers in the Goma area alone. A large number of local Zairian and Rwandese relief personnel also work in the camps. The security threat to these relief workers includes harassment, especially on their way to and from the camps when they are frequently stopped, in some cases at gunpoint, and asked to pay tolls or are threatened for other reasons. There is also a significant risk that relief workers can be caught up in civil disturbances or incidents between refugees themselves. Some relief workers have been threatened by refugees who for some reason wrongly perceive them to be opposed to their interests.

17. Initially, the leaders in the camps were called upon to facilitate the delivery of relief assistance. Unfortunately, they misused this responsibility by using the delivery of assistance to persuade refugees to behave according to their interests and by hoarding and/or selling such assistance rather than distributing it. As a result, the incidence of malnutrition, especially in the most vulnerable groups, including women, children and the elderly, was initially much higher than it should have been given the level of assistance provided. Recently, it has however been possible to provide assistance more directly to the beneficiaries and, as a result, both the negative influence of the camp leaders and levels of malnutrition have been reduced. In addition, UNHCR is about to proceed with the registration of refugees in the camps, which will also help to ensure more effective delivery of relief assistance.

18. The Government of Zaire has taken steps in recent months to enhance the security situation in the camps. As a result, the security situation has improved somewhat since my last report. However, it is assessed that the potential for serious disturbances remains extremely high.

19. Recently, Japanese and United States seismologists have detected new signs of a possible volcanic eruption in the seismically active area of Goma. A UNHCR task force is preparing contingency plans for evacuation from camps that might be affected, including the identification of temporary sites for the relocation of the refugee population concerned. In the meantime, seismic activity is being monitored on a regular basis

20. The majority of refugees are aware that their long-term interests will be served only by returning to Rwanda and that assistance cannot be provided to them indefinitely in the camps. It is assumed that at least 25 per cent of the refugees would not face land tenure problems upon their return to Rwanda and that, under present conditions, 25 to 50 per cent of the refugees could return in the next 6 to 12 months. UNHCR also considers that, if security is provided for repatriation, the rate of voluntary return to Rwanda would increase

III. MEASURES FOR THE ESTABLISHMENT OF SECURE CONDITIONS IN THE CAMPS

A. Peace-keeping operation

21. In its presidential statement of 30 November, the Security Council requested me to consult with potential troop-contributing countries to assess their willingness to participate in a possible peace-keeping operation to enhance security in the camps modelled along the lines described in paragraphs 18 to 25 of my report of 18 November. The Council also requested me to provide a detailed description of the objectives, rules of engagement and costs of such an operation. Accordingly, the joint Department of Peace-Keeping Operations/UNHCR technical team was asked to collect pertinent information for use in the formulation of recommendations along the lines requested by the Security Council.

22. It will be recalled that the objective of the peace-keeping operation outlined in paragraphs 18 to 25 of my 18 November report was to provide security for international relief workers, protection for the storage and delivery of humanitarian assistance and safe passage to the Rwandese border for those refugees who wish to return to Rwanda. It was estimated that a force size of approximately 3,000 all ranks would be required to carry out these tasks in the camps north of Lake Kivu. A parallel operation, launched simultaneously in the area south of Lake Kivu, where conditions are marginally more secure, would require an additional 2,000 troops.

23. The proposed peace-keeping operation was to be conducted in two phases. During the first phase, two mechanized battalions would cordon off and establish secure areas in the camps, within which local security units would be formed and trained by international security experts. During the second phase of the operation, once reasonably secure conditions were deemed to have been created, the local forces would take over the security functions being performed by the peace-keeping troops, with back-up support provided by a smaller group of United Nations military personnel. The mechanized battalions would then move forward to create similar secure areas in other locations.

24. The joint technical mission confirmed the feasibility of such an approach, but considered that the operation would require more than the originally estimated 3,000 to 5,000 troops. It estimated that the tasks in the north Kivu region alone would require a force of 4,100, including military logistic support units, instead of 3,000 as indicated in my report of 18 November. The mission further concluded that a similar operation in the south Kivu region also would require a substantially stronger force than originally anticipated. The rules of engagement for such an operation would, in accordance with normal practice, authorize the use of force in self-defence, including against forcible attempts to impede the discharge of the operation's mandate. In addition, as foreseen for the United Nations Assistance Mission in Rwanda (UNAMIR) under resolution 918 (1994), the force would be authorized to take action against persons or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief.

25. Since the adoption of the presidential statement of 30 November, I have consulted with about 60 potential troop-contributing countries to ascertain their readiness to make available the troops necessary to undertake such an operation. As of 23 January, only one country had formally offered a unit Under these circumstances, it is clear that the option of deploying a peace-keeping force to address the security issues in the refugee camps in Zaire is not feasible. Accordingly, it has not been considered necessary to prepare cost estimates for this option.

B. Alternative measures

1. An international police/military observer group

26. In its presidential statement of 30 November, the Security Council also requested me to assess the possibility of interim measures aimed at providing immediate assistance to the Zairian security forces in protecting humanitarian operations in the camps, including the possibility of deploying security experts, from member Governments or through contractual arrangements, to train and monitor the local security forces Towards this end, the joint Department of Peace-Keeping Operations/UNHCR technical mission explored the possibility of an approach based on the deployment of Zairian security forces, which would assume responsibility for improving security in the camps, with the support of a group of United Nations civilian police and military observers.

27. In order to enhance security in the camps, it was considered that the local security forces should perform the following tasks:

(a) Patrolling. As noted above, refugees suffer from the high incidence of common crime, in addition to intimidation. Relief workers can also be easily caught up in civil disturbances. A 24-hour patrolling presence of security personnel could help to maintain law and order, thus alleviating such threats. These personnel would gradually develop relations with the refugees and their governing structures and would work with them in controlling and abating the incidence of common crime;

(b) Escort and guarding of static points. Given the risks present in travelling to and from Goma, an escort capacity should be created to accompany relief workers when travelling at night and in the early morning. A security presence would also be of benefit at static positions in the camps, including, for example, at aid-distribution points, UNHCR and NGO focal sites, hospitals, feeding centres and dispensaries. A security presence would also be required to keep a sense of order and calm during the census and registration of the refugees, which UNHCR is planning to conduct in the camps in the near future.

(c) Storage and transport of humanitarian assistance. The main security issue related to the storage of relief assistance is the looting of warehouses While these areas are currently guarded, the problem of looting has not been alleviated. An additional security presence, as well as increased lighting and fencing, are therefore required. The transport of assistance to and from the warehouses is deemed to be threatened at this time;

(d) Security for repatriation. Enhanced security is of particular importance to facilitate the repatriation of refugees who have expressed the wish to return to Rwanda. At present, just indicating a desire to return to Rwanda can put refugees in considerable danger. It is therefore considered essential that, upon indicating to relief workers their desire to return to Rwanda, refugees should be offered security, including immediate transfer to transit camps. Such camps would be established in Zaire at some distance from the refugee camps to house refugees until they can be transported to the border. These camps would require a 24-hour security presence. Security for the transportation of refugees to the border, which is now provided, should be strengthened.

28. As indicated above, it was envisaged that these tasks could be carried out by a local security force. A group of approximately 150 to 200 United Nations civilian police officers would be required to train and monitor the local forces. In addition, about 30 to 50 military observers would be deployed to liaise with the local forces at the command level on issues related to the overall implementation of the operation. The military observers would also assist coordinate repatriation.

29. During my meeting with him on 15 December 1994, the Prime Minister of Zaire, H.E. Mr. Kengo Wa Dondo, confirmed to me his Government's readiness to provide the troops necessary to enhance security in the camps. I therefore instructed my Special Representative for Rwanda, Mr. Shaharyar Khan, to visit Kinshasa to discuss with Zairian officials the possibility of the Government of Zaire undertaking these tasks, on the understanding that the international community would be encouraged to assist with an appropriate level of logistic and financial support.

30. Mr. Khan visited Kinshasa from 28 to 31 December. He was accompanied by a representative of UNHCR as well as the UNAMIR Deputy Force Commander and logistic experts. In Kinshasa, Mr. Khan was received by the Prime Minister and met with the Ministers of Defence, Justice, Foreign Affairs and the Interior. Technical talks were also held at the working level. Zairian officials indicated their Government's hope that the refugees would soon return to Rwanda. They stressed that effective steps should be taken in Rwanda to ensure that repatriation could take place in conditions of safety and dignity. They also reiterated the Zairian Government's commitment to address the security situation in the camps and indicated its readiness to initiate prompt action in that regard, with the cooperation and support of the United Nations.

31. The Government of Zaire indicated that it would be prepared to deploy a national security force of about 1,500 to 2,500 troops to the camps. Through technical discussions, the modalities of the logistic and other external support needed for these troops were considered. The Government welcomed the proposal that international police and military observers be deployed to the area to provide technical advice to the local security force and to monitor and coordinate the operation. However, it pointed out that it did not favour deployment of United Nations peace-keeping troops to the camps

32. In order to pursue this option, nearly 50 Member States were contacted ascertain their willingness to provide police personnel, stressing the

importance of French-speaking personnel. As of 23 January, only four countries had expressed an interest in providing civilian police personnel and only one of these countries was French-speaking. As regards military observers, it was felt that, in order to expedite implementation, the military observers could perhaps be provided by UNAMIR on a temporary basis, subject to the concurrence of the contributing countries concerned. These countries have been consulted in this regard. However, only one of them has so far responded that it would, in principle, be prepared to allow its military observers to operate in Zaire. It therefore seems that this second, more modest, approach to enhancing security in the camps in Zaire faces difficulties and cannot be pursued, at least at present.

33. Mr. Khan also visited the United Republic of Tanzania on 4 and 5 January 1995, where he was received by President Mwini and Prime Minister Msunya. While in Dar-es-Salaam, he also met with the Chief of Defence Staff of the Tanzanian Army and the Inspector-General of the Police. The Tanzanian Government also indicated its view that the refugees should return to Rwanda and that efforts should be continued to ensure that conditions conducive to voluntary repatriation of the refugees were created inside the country.

34. As noted above, at present, 310 Tanzanian police officers are providing security in the camps. The Government indicated that it would be prepared to increase this force to 500, but that it would require logistic and operational support from external sources in order to do so. Some support towards this end is currently being provided by the Government of the Netherlands through UNHCR.

2. Contractual arrangements

35. Another possibility, which has been explored by the Secretariat on a contingency basis, is the provision of training and monitoring support to the local security forces through contractual arrangements with a private organization. Under such arrangements, a local force would be trained by a team of 50 international instructors, 10 of whom would remain behind after the initial training was completed to provide further on-the-job training assistance. An additional 40 international experts would be required to monitor the operation and for liaison and coordination functions. It is estimated that the training programme would take a period of one month for each group of local personnel trained and that, within two months of the start of the operation, the first group of local personnel could be deployed to its area of operations. Within four months, the entire local force would be trained and deployed to the camps both north and south of Lake Kivu.

36. The possibility of undertaking such an operation, including the provision of logistic and other support to the local security forces, has been discussed with UNHCR. However, initial financial estimates show that an operation of this nature would be costly. Moreover, since it would have to be funded entirely through voluntary contributions, UNHCR does not feel that it would be able to mobilize the necessary resources, especially since some potential donor Governments have indicated that they would not be in favour of this approach

C. Security measures through UNHCR

37. Since the various options described above do not appear feasible, at least at the present stage, I have recently held further consultations on the problem of security in the refugee camps, especially those in Zaire, with the United Nations High Commissioner for Refugees, Mrs. Sadako Ogata. As a result of these consultations, it has been decided that UNHCR would follow up with the Government of Zaire on the discussions held by my Special Representative, with a view to concluding appropriate arrangements, under UNHCR's refugee protection and humanitarian assistance mandate, to enhance security in the camps. I have informed the Prime Minister of Zaire accordingly and have expressed to him the hope that these discussions would lead to the early definition and implementation of mutually acceptable arrangements to enhance the safety and security of the Rwandese refugees in Zaire.

38. UNHCR has dispatched a Special Envoy to Kinshasa for this purpose. UNHCR will keep me informed of the progress made in this regard and I shall advise the Security Council accordingly. UNHCR will also continue to explore means of augmenting support to the Tanzanian Government to enable it to increase the level of security it is currently providing in the camps. As regards the refugee camps in Burundi, UNHCR has indicated that, for the time being, the security situation in these camps is being adequately addressed through the measures described in paragraph 7 above. UNAMIR, for its part, will continue to coordinate closely with UNHCR in facilitating the safe and voluntary repatriation of the refugees to Rwanda.

IV. OBSERVATIONS

39. The scope and complexity of the problems in the Rwandese refugee camps, especially those in Zaire, represent an unprecedented challenge. It is therefore not surprising that the search for an appropriate solution to these problems has been a difficult process. As the present report demonstrates, the options aimed at enhancing security in the camps through a peace-keeping operation, under one form or another, do not appear viable, at least at the present time.

40. Peace-keeping is essentially an instrument for conflict management and resolution. It is true that in recent years it has undergone an important quantitative and qualitative evolution. However, it is not designed and has not generally been used to ensure security in refugee camps. Indeed, it has traditionally been the responsibility of the host countries to provide security to the refugees located on their territory, albeit with an appropriate level of support from the international community.

41. I therefore understand the hesitations of Member States regarding the idea of seeking a solution to the security problems in the camps through the instrument of peace-keeping. There is no doubt, however, that the innocent civilians, who fled Rwanda in the wake of a devastating civil war and are exposed daily to intimidation and violence in the camps, deserve the continued attention and assistance of the international community, both where they are now and in their efforts to return to their country. Furthermore, the humanitarian

relief personnel, who are risking their lives to ensure that basic assistance reaches the refugees, should be provided with adequate security to be able to carry out their work effectively. I therefore strongly urge the international community to support the efforts of UNHCR, in cooperation with the Governments of Zaire and the United Republic of Tanzania, to put in place satisfactory security arrangements in the camps and to provide generously the resources required for this purpose.

42. Strengthening security in the camps is an indispensable step for creating conditions conducive to the voluntary repatriation of the refugees. However, as I stressed in my report of 18 November, any effort to provide security in the camps would be futile unless parallel steps are also taken inside Rwanda to ensure that the refugees can return to their home communities without fear of retribution or persecution and to promote genuine national reconciliation between all segments of Rwandese society. Until now the Government of Rwanda, which assumed power in a traumatized and shattered country, with its infrastructure virtually destroyed and its inhabitants severely dislocated, has been bereft of even the minimum resources to begin to restore normal conditions. The commitments made at the recent Round-table Conference on Rwanda and in response to the consolidated inter-agency appeal bring some hope that this process now can commence. This in turn would promote the prospects of reinvigorating the political process and providing a framework for the action to be taken to address security in the camps and repatriation of the refugees to Rwanda, as suggested by the Security Council in its statement of 30 November 1994.

43. The summit meeting of the leaders in the subregion, held in Nairobi on 7 January 1995, made a useful contribution towards the definition of such a framework. This meeting brought together the Presidents of Burundi, Kenya, Rwanda, the United Republic of Tanzania, Uganda and Zambia and the Prime Minister of Zaire. My Special Representative for Rwanda also attended the meeting. The regional leaders emphasized the close relationship between improving both security in the refugee camps and conditions inside Rwanda in order to create an environment conducive to the voluntary repatriation of the refugees. In this connection, they affirmed their support for the establishment and operationalization of the International Tribunal for Rwanda; the separation of suspected perpetrators of genocide from innocent refugees and the separation of intimidators from the refugee camps, as well as the establishment of safe corridors from refugee camps to the Rwandese border and of safe corridors and transit points inside Rwanda. They commended the Government of Rwanda for the steps it has so far taken to establish a broad-based government administration and urged the Government, towards this end, to deepen its efforts in the spirit of the Arusha peace accord. They further urged the Government of Rwanda to put in place additional confidence-building measures to encourage the voluntary return of refugees. The regional leaders also urged the international community to increase its economic support for the rehabilitation and reconstruction of Rwanda.

44. The progress achieved at the regional summit of 7 January should facilitate the work to be undertaken during the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region to be convened by the Organization of African Unity and UNHCR in Bujumbura [illegible] February [illegible]

preparatory meeting for the Conference was held in Addis Ababa on 9 January. I hope that the Conference will lead to further progress in creating the conditions necessary for the refugees and displaced persons to return to their homes in safety and dignity and that it will open the way to the holding of a broader conference aimed at identifying long-term solutions to promote and ensure peace, security and development in the subregion. Preliminary consultations with interested Governments are currently under way to develop a consensus on the issues to be addressed by such a conference.

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DEUXIÈME RAPPORT DU SECRÉTAIRE GÉNÉRAL SUR LA SÉCURITÉ DANS LES CAMPS DE RÉFUGIÉS RWANDAIS

I. INTRODUCTION

1. Le présent rapport a été établi comme suite à la déclaration du Président du Conseil de sécurité en date du 30 novembre 1994 (S/PRST/1994/75), dans laquelle le Conseil de sécurité soulignait que la communauté internationale devait faire un effort résolu pour favoriser le rapatriement des réfugiés rwandais, réduire les actes d'intimidation visant les candidats au rapatriement et améliorer la sécurité dans les camps de réfugiés rwandais, surtout au Zaïre. À cette fin, le Conseil de sécurité m'a prié, entre autres, de continuer de rechercher tous les moyens qui permettraient de régler les problèmes de sécurité qui se posent dans ces camps.

2. Certains faits nouveaux encourageants sont intervenus depuis mon rapport du 18 novembre 1994 (S/1994/1308) dans le sens de la création de conditions favorables au rapatriement, mais il est très préoccupant que près de 2 millions de réfugiés rwandais se trouvent toujours au Burundi, en Tanzanie et au Zaïre. D'une manière générale, la situation dans les camps reste dangereuse aussi bien pour les réfugiés que pour le personnel d'assistance. La situation présente aussi des risques d'instabilité pour les pays hôtes et pour l'ensemble de la sous-région. Le rapatriement sans danger et volontaire des réfugiés reste la seule solution efficace à ce problème. C'est pourquoi, étant donné que la situation au Rwanda s'améliore, le Haut Commissariat des Nations Unies pour les réfugiés (HCR) a rappelé en décembre 1994 qu'il aiderait dans la mesure du possible au retour volontaire de ces réfugiés au Rwanda.

3. Le Gouvernement rwandais a signé des accords tripartites avec le HCR et les Gouvernements burundais et zaïrois concernant le rapatriement volontaire des réfugiés. Ces accords définissent les conditions du rapatriement, y compris la protection des rapatriés et le régime d'occupation des terres. Les Gouvernements rwandais et tanzanien poursuivent par ailleurs un dialogue au sujet des réfugiés se trouvant en Tanzanie et de leur retour au Rwanda.

4. À ce jour, pas plus de 200 000 des personnes qui avaient quitté le pays après le 6 avril 1994 sont rentrées au Rwanda. Comme je l'indiquais dans mon rapport du 18 novembre, les mesures d'intimidation prises par les anciens dirigeants, militaires et miliciens à l'encontre des réfugiés qui souhaitent

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rentrer au Rwanda et la peur d'être exposés à des représailles ou de ne pouvoir rentrer en possession de leurs biens après leur retour viennent se conjuguer pour faire obstacle au rapatriement.

5. Comme suite à la déclaration du Président du Conseil de sécurité en date du 30 novembre, j'ai constitué une équipe technique mixte composée d'éléments du Département des opérations de maintien de la paix et du HCR qui a examiné la situation dans les camps de réfugiés au Rwanda, en Tanzanie et au Zaïre entre le 11 et le 19 décembre 1994. Les conclusions de l'équipe sont récapitulées ci-après.

II. SITUATION ACTUELLE

A. Réfugiés au Burundi

6. Il y a actuellement au Burundi, essentiellement dans le nord, environ 200 000 réfugiés, qui proviennent essentiellement du sud du Rwanda. Les déplacements de réfugiés sont constants dans cette région, les Rwandais continuant de chercher refuge au Burundi et Rwandais et Burundais ne cessant de rechercher de meilleures conditions de sécurité en Tanzanie.

7. Les problèmes de sécurité étant extrêmement délicats au Burundi, le HCR s'est attaché essentiellement, pour tenter d'améliorer la sécurité dans les camps de réfugiés, à l'amélioration du suivi de la situation en assurant une présence effective sur le terrain et en menant des démarches actives auprès des autorités civiles et militaires. Le HCR entend poursuivre dans cette voie et affecte de plus en plus de personnel expérimenté au Burundi, non seulement dans les régions où se trouvent des réfugiés, mais aussi dans la capitale.

B. Réfugiés en Tanzanie

8. Quelque 600 000 réfugiés rwandais se trouvent actuellement dans huit camps différents en Tanzanie. La population de ces camps continue d'augmenter et comme on l'a noté plus haut, cet afflux concerne pour l'essentiel des réfugiés rwandais venant du Burundi et des ressortissants burundais à la recherche de meilleures conditions de sécurité.

9. Les camps situés en Tanzanie sont relativement plus sûrs et mieux organisés que les camps situés au Zaïre, du fait que la région a attiré moins de réfugiés et que les organismes de secours étaient déjà en place avant l'arrivée des réfugiés. Comme au Zaïre, les réfugiés se sont dotés de structures administratives semblables à celles du Rwanda, allant de l'échelon de la préfecture à celui de la commune. Ils se sont choisi des dirigeants qui exercent le pouvoir à tous les niveaux de cette structure. (Certains de ces dirigeants occupaient les mêmes fonctions avant la guerre.) Comme dans les autres camps de réfugiés, la structure administrative locale des camps de réfugiés rwandais au Zaïre et en Tanzanie donne une impression d'organisation et constitue un mécanisme de sécurité, ce qui facilite la fourriture des secours

10. Les réfugiés qui se trouvent dans les camps tanzaniens ayant été immatriculés, l'aide leur est fournie directement, si bien qu'il n'est pas possible à leurs dirigeants de détourner les secours comme ce fut le cas à

Zaïre. Toutefois, on signale que des éléments extrémistes exercent une très forte influence sur les réfugiés des camps de Tanzanie, encore que dans un degré moindre qu'au Zaïre.

11. Le Gouvernement tanzanien et le HCR ont établi que le déploiement d'éléments de la police tanzanienne pouvait améliorer la sécurité dans les camps. Ces policiers doivent non seulement être en nombre suffisant, mais aussi être suffisamment équipés pour assurer le maintien de l'ordre. À ce jour, 310 policiers tanzaniens, dont des éléments des forces spéciales, ont été affectés aux camps de réfugiés. Ils reçoivent actuellement une aide du HCR sous forme de tentes et de rations alimentaires ainsi que de primes. En outre, le HCR a mis des véhicules et du matériel de télécommunications à la disposition de la police tanzanienne.

12. Les réfugiés ont également créé leur propre force de sécurité, les "réfugiés gardiens", qui travaillent en collaboration avec la police tanzanienne. La situation est actuellement stable dans les camps mais, étant donné le contrôle qu'exercent les dirigeants sur la population des camps, on craint qu'ils ne puissent laisser se détériorer la situation en matière de sécurité, si c'était dans leur intérêt.

C. Réfugiés au Zaïre

13. Il y a environ 1,4 million de réfugiés rwandais dans les camps du Zaïre. C'est dans ces camps que la situation reste la plus explosive, surtout dans ceux qui sont situés au nord du lac Kivu, dans la région de Goma, qui compte quelque 850 000 réfugiés. On estime par conséquent que s'il faut continuer de s'efforcer d'améliorer la sécurité dans les camps de Tanzanie et du Burundi, il faut accorder la priorité aux camps du Zaïre, surtout à ceux qui se trouvent dans la région de Goma.

14. La plupart des réfugiés qui se trouvent dans la région de Goma, au Zaïre, ont fui le Rwanda au milieu de 1994. Les ex-dirigeants et les anciennes forces et milices gouvernementales du Rwanda se sont réfugiés dans cette région en même temps que d'innombrables civils lorsque le Front patriotique rwandais (FPR) a pris le contrôle de la partie occidentale du Rwanda aux derniers jours de la guerre. C'est ce qui explique qu'il se trouve parmi les réfugiés au Zaïre davantage d'éléments politiques et militaires et de miliciens de l'ex-gouvernement que dans les camps de Tanzanie ou du Burundi, et que leur hostilité envers le Gouvernement de Kigali a donné lieu à des actes qui ont provoqué l'insécurité dans les camps.

15. En particulier, on dissuade les réfugiés d'exprimer publiquement leur désir de rentrer au Rwanda. Comme celles des réfugiés modérés ou de ceux qui ont épousé une personne d'une autre ethnie ou sont soupçonnés de noyautage, ces personnes sont gravement menacées et l'on sait que certaines ont été tuées. Il y a aussi un risque sérieux de troubles civils dans les camps, surtout en cas de forte concentration de réfugiés, par exemple lors de la distribution des secours. En outre, comme dans toute zone fortement peuplée de personnes démunies, la délinquance ordinaire est généralisée dans les camps.

16. Le personnel de secours international est également sérieusement menacé. Il y a actuellement, rien que dans la région de Goma, 45 organisations non gouvernementales (ONG) et environ 1 600 agents de secours. Un important personnel de secours local, zaïrois et rwandais, travaille aussi dans les camps. Ces personnes sont souvent l'objet de tracasseries, surtout sur le chemin du travail, où elles sont fréquemment arrêtées, parfois sous la menace d'une arme, et contraintes de verser des redevances, ou menacées pour d'autres raisons. En outre, les agents de secours risquent sérieusement d'être pris dans des troubles civils ou des incidents entre réfugiés. Certains de ces agents ont été menacés par des réfugiés qui les considèrent à tort comme étant hostiles à leurs intérêts.

17. Au départ, on faisait appel aux dirigeants des camps pour faciliter la fourniture des secours. Malheureusement, ils ont abusé de la situation en contraignant les réfugiés à agir dans leur propre intérêt en échange de secours, et en stockant ou en vendant ceux-ci au lieu de les distribuer. C'est pourquoi les cas de malnutrition, surtout parmi les groupes les plus vulnérables - les femmes, les enfants et les personnes âgées - ont été au début beaucoup trop élevés en regard du niveau de l'aide fournie. Depuis peu, l'aide est toutefois fournie plus directement aux bénéficiaires, ce qui a permis de réduire la mauvaise influence des dirigeants des camps et les cas de malnutrition. En outre, le HCR a procédé à l'immatriculation des réfugiés dans les camps, ce qui contribuera à améliorer la fourniture des secours.

18. Le Gouvernement zaïrois a pris récemment des mesures pour améliorer la sécurité dans les camps, laquelle s'est quelque peu améliorée depuis mon dernier rapport. Il apparaît cependant que les risques de troubles graves restent extrêmement élevés.

19. Des sismologues venus du Japon et des États-Unis ont récemment décelé les signes précurseurs d'une éruption volcanique qui risque de se produire dans la région de Goma, qui est à forte sismicité. Une équipe spéciale du HCR prépare des plans d'urgence pour évacuer les camps qui risquent d'être touchés, notamment en désignant des sites temporaires pour reloger les réfugiés concernés. En attendant, l'activité sismique est suivie de près.

20. La majorité des réfugiés sont conscients qu'à long terme, ils n'ont d'autre choix que de rentrer au Rwanda et que l'aide ne peut leur être fournie indéfiniment dans les camps. Au moins 25 % des réfugiés ne devraient pas avoir de problème d'occupation des terres à leur retour au Rwanda et, dans l'état actuel des choses, 25 à 50 % d'entre eux pourraient rentrer chez eux dans les 6 à 12 mois à venir. Le HCR estime en outre que si le rapatriement pouvait avoir lieu sans danger, le taux de retour volontaire au Rwanda augmenterait.

III. MESURES À PRENDRE POUR ASSURER LA SÉCURITÉ DANS LES CAMPS

A. Opération de maintien de la paix

21. Dans la déclaration de la Présidente du Conseil de sécurité, en date du 30 novembre 1994, le Conseil m'a demandé de consulter les pays qui pourraient fournir des contingents, afin de déterminer s'ils seraient disposés à participer à une éventuelle opération de maintien de la paix qui suivrait dans ses grandes

lignes le schéma exposé aux paragraphes 18 à 25 de mon rapport du 18 novembre. Le Conseil m'a également demandé de lui donner dès que possible une description détaillée des objectifs, des règles d'engagement et du coût d'une telle opération. En conséquence, une équipe conjointe du Département des opérations de maintien de la paix et du HCR a été invitée à recueillir des informations pertinentes qui devraient être utilisées pour faire des recommandations allant dans le sens des demandes formulées par le Conseil de sécurité.

22. On se souviendra que l'objectif de l'opération de maintien de la paix décrite dans les paragraphes 18 à 25 de mon rapport du 18 novembre était d'assurer la sécurité du personnel des organisations humanitaires internationales, de protéger l'entreposage et la distribution de l'aide humanitaire et de permettre aux réfugiés qui désirent rentrer chez eux de passer sans danger la frontière rwandaise. On estime qu'il faudrait disposer d'un effectif d'environ 3 000 hommes, tous grades confondus, pour accomplir ces tâches dans les camps au nord du lac Kivu. Une opération parallèle, menée simultanément dans la région au sud du lac Kivu, où les problèmes de sécurité sont moins aigus, nécessiterait 2 000 hommes supplémentaires.

23. L'opération de maintien de la paix proposée serait menée en deux phases. Au cours de la première phase, deux bataillons mécanisés contrôleraient l'accès aux camps, à l'intérieur desquels ils établiraient des zones de sécurité dans lesquelles des unités de sécurité locales seraient constituées et formées par des experts internationaux en matière de sécurité. Au cours de la deuxième phase de l'opération, une fois que des conditions de sécurité raisonnables auraient été assurées, les forces locales prendraient, en matière de sécurité, la relève du personnel de maintien de la paix, avec l'appui d'un petit groupe de personnel militaire des Nations Unies. Les bataillons mécanisés quitteraient alors la zone pour créer des zones de sécurité analogues dans d'autres lieux.

24. La mission technique conjointe a confirmé qu'il était possible de procéder de la sorte, mais a estimé qu'aux fins de l'opération il faudrait disposer d'effectifs plus nombreux que les 3 000 à 5 000 hommes estimés initialement. De l'avis de la mission, pour les seules tâches prévues dans la région au nord du lac Kivu, il faudrait disposer d'une force de 4 100 hommes, dont des unités d'appui logistique militaire, au lieu des 3 000 hommes indiqués dans mon rapport du 18 novembre. La mission a conclu en outre que, pour une opération analogue dans la région au sud du lac Kivu, il faudrait également disposer d'effectifs bien plus importants que ceux initialement prévus. Les règles d'engagement pour une telle opération autoriseraient, conformément à la pratique courante, le recours à la force en cas de légitime défense, notamment face à toute tentative violente d'empêcher l'opération de s'acquitter de son mandat. En outre, comme prévu aux fins de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR) en vertu de la résolution 918 (1994), la force serait autorisée à agir contre des personnes ou des groupes qui menacent des secteurs et populations protégés, le personnel des Nations Unies et d'autres personnels humanitaires ou les moyens utilisés pour acheminer et distribuer les secours humanitaires.

25. Depuis l'adoption de la déclaration de la Présidente du Conseil en date du 30 novembre, j'ai consulté une soixantaine de pays qui pourraient fournir des contingents, pour déterminer s'ils seraient disposés à fournir les hommes nécessaires pour mener une telle opération. Au 23 janvier un seul pays avait

officiellement offert de mettre une unité à la disposition de l'opération. Dans ces conditions, il est évident que l'option qui consisterait à déployer une force de maintien de la paix pour régler les problèmes de sécurité dans les camps de réfugiés au Zaïre ne peut être retenue. En conséquence, il n'a pas été jugé nécessaire d'établir des prévisions de dépenses au titre de cette option.

B. Autres mesures envisageables

1. Groupe de policiers/observateurs militaires internationaux

26. Dans la déclaration de la Présidente du Conseil de sécurité, en date du 30 novembre, le Conseil m'a également demandé d'étudier ce que pourrait être dans l'intérim une première intervention en vue d'apporter une assistance immédiate aux forces de sécurité zaïroises pour la protection des opérations humanitaires dans les camps, et notamment d'envisager la possibilité de déployer des spécialistes de la sécurité, détachés par les gouvernements des États Membres ou recrutés par contrat, pour instruire et superviser les forces de sécurité locales. À cette fin, la mission technique conjointe du Département des opérations de maintien de la paix et du HCR a étudié la possibilité d'appliquer une formule en vertu de laquelle des forces de sécurité zaïroises seraient déployées pour assumer la responsabilité de l'amélioration de la sécurité dans les camps avec l'appui d'un groupe de policiers civils et d'observateurs militaires des Nations Unies.

27. Afin d'améliorer la sécurité dans les camps, on a estimé que les forces de sécurité locales devraient s'acquitter des tâches suivantes :

a) Patrouilles. Comme indiqué plus haut, les réfugiés sont très souvent victimes de délits de droit commun, qui viennent s'ajouter aux actes d'intimidation. Le personnel des organisations humanitaires peut lui aussi facilement devenir la proie des troubles civils. L'organisation de patrouilles, 24 heures sur 24, d'agents de sécurité pourrait contribuer au maintien de l'ordre, ce qui diminuerait le nombre de ces menaces. Ce personnel établirait progressivement des relations avec les réfugiés et leurs représentants et collaborerait avec eux afin de maîtriser les délits de droit commun et en réduire la fréquence;

b) Escortes et garde de points fixes. Étant donné les dangers dont s'accompagnent les déplacements à destination ou en provenance de Goma, il est essentiel de prévoir des escortes pour accompagner le personnel des organismes humanitaires, lorsque celui-ci se déplace la nuit ou tôt le matin. Il serait également utile d'assurer la sécurité de certains points fixes dans les camps, notamment, par exemple, les points de distribution de l'aide, les antennes du HCR et des ONG, les hôpitaux, les centres d'alimentation et les dispensaires. La présence de personnel de sécurité serait également nécessaire pour maintenir tant soit peu l'ordre pendant le recensement et l'inscription des réfugiés que le HCR compte organiser dans les camps dans un avenir proche;

c) Entreposage et acheminement de l'aide humanitaire. Le principal problème de sécurité concernant le stockage des secours est le pillage des entrepôts. Bien que ceux-ci soient actuellement gardés, le problème du pillage n'a pas été résolu. Il faudrait donc renforcer la sécurité, et notamment

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améliorer l'éclairage et installer davantage de clôtures. L'acheminement, en toute sécurité, de l'aide à destination et en provenance des entrepôts est également compromis à l'heure actuelle;

d) Sécurité des opérations de rapatriement. Il faut également, et cela est particulièrement important, améliorer la sécurité pour faciliter le rapatriement des réfugiés qui ont exprimé le souhait de rentrer au Rwanda. À l'heure actuelle, le simple fait d'émettre le voeu de rentrer au Rwanda expose les réfugiés à un danger considérable. On estime donc qu'il est essentiel que, lorsqu'ils communiquent au personnel des organismes humanitaires leur désir de rentrer au Rwanda, les réfugiés voient leur sécurité assurée et soient transférés immédiatement dans des camps de transit. Ces camps seraient établis au Zaïre à quelque distance des camps de réfugiés pour accueillir les intéressés jusqu'à ce qu'ils soient transportés jusqu'à la frontière. La sécurité de ces camps doit être assurée 24 heures sur 24. Il faudrait également renforcer les mesures de sécurité qui sont actuellement prises lors du transport des réfugiés jusqu'à la frontière.

28. Comme indiqué plus haut, on estime que ces tâches pourraient être exécutées par une force de sécurité locale. Il faudrait disposer d'un groupe d'environ 150 à 200 officiers de police civile des Nations Unies pour former et surveiller les forces locales. En outre, 30 à 50 observateurs militaires seraient déployés pour assurer la liaison avec les forces locales au niveau du commandement pour toutes les questions relatives au bon déroulement de l'opération. Les observateurs militaires aideraient également à coordonner les opérations de rapatriement.

29. Lors de la réunion que j'ai eue avec lui le 15 décembre 1994, le Premier Ministre zaïrois, S. E. M. Kengo Wa Dondo, a confirmé que son gouvernement était prêt à fournir les troupes nécessaires pour améliorer la sécurité dans les camps. J'ai donc chargé mon Représentant spécial pour le Rwanda, M. Shaharyar Khan, à se rendre à Kinshasa pour s'y entretenir avec les autorités zaïroises de la possibilité, pour le Gouvernement zaïrois, d'assumer ces tâches, étant entendu que la communauté internationale serait encouragée à apporter son concours en fournissant un soutien logistique et financier suffisant.

30. M. Khan a séjourné à Kinshasa du 28 au 31 décembre. Il était accompagné d'un représentant du HCR ainsi que du commandant adjoint de la MINUAR et d'experts en logistique. À Kinshasa, M. Khan a été reçu par le Premier Ministre et s'est entretenu avec les Ministres de la défense, de la justice, des affaires étrangères et de l'intérieur. Il a également participé à des réunions de travail sur des questions techniques. Les responsables zaïrois ont indiqué que leur gouvernement espérait que les réfugiés rentreraient bientôt au Rwanda. Ils ont souligné que des mesures concrètes devaient être prises au Rwanda afin que le rapatriement puisse se dérouler dans des conditions de sécurité et dans la dignité. Ils ont également réaffirmé l'engagement pris par le Gouvernement zaïrois de s'occuper des problèmes de sécurité dans les camps et ont indiqué qu'il était disposé à prendre immédiatement des mesures dans ce sens avec la coopération et l'appui de l'ONU.

31. Le Gouvernement zaïrois a indiqué qu'il serait disposé à déployer une force de sécurité nationale de 1 500 à 2 500 hommes dans les camps. Dans le cadre d'entretiens techniques, les modalités du soutien logistique et les autres services d'appui extérieur nécessaires pour l'envoi de ces troupes ont été examinés. Le Gouvernement a accueilli avec satisfaction la proposition tendant à déployer des éléments de police et des observateurs militaires internationaux dans la région pour y fournir des conseils techniques à la force de sécurité locale et pour surveiller et coordonner les opérations. Toutefois, il a souligné qu'il n'était pas favorable au déploiement d'une force de maintien de la paix des Nations Unies dans les camps.

32. Au titre de cette option, une cinquantaine d'États Membres ont été contactés afin de déterminer s'ils étaient disposés à fournir du personnel de police qui, a-t-on souligné, devrait de préférence être francophone. Au 23 janvier, quatre pays seulement se sont déclarés disposés à fournir du personnel de police civile et seul un de ces pays était francophone. En ce qui concerne les observateurs militaires, on a estimé qu'afin d'accélérer leur arrivée sur les lieux, des observateurs militaires pourraient peut-être être détachés provisoirement de la MINUAR sous réserve de l'approbation des pays dont ces observateurs étaient originaires. Ces pays ont été consultés à ce sujet. Toutefois, un seulement d'entre eux a jusqu'ici répondu qu'il serait, en principe, disposé à autoriser ses observateurs militaires à se rendre au Zaïre. Il semble donc que cette deuxième proposition, plus modeste, avancée pour améliorer la sécurité dans les camps au Zaïre soulève des difficultés et ne pourra pas être appliquée, du moins pour l'instant.

33. M. Khan a également séjourné les 4 et 5 janvier 1995 en République-Unie de Tanzanie, où il a été reçu par le Président Mwini et le Premier Ministre Msunya. Pendant son séjour à Dar es-Salaam, il s'est également entretenu avec le Chef d'état-major de l'armée tanzanienne et l'Inspecteur général de la police. Le Gouvernement tanzanien a également indiqué, qu'à son avis, les réfugiés devraient rentrer au Rwanda et qu'il fallait poursuivre les efforts en vue de créer, à l'intérieur du pays, des conditions favorisant le rapatriement volontaire des réfugiés.

34. Comme indiqué plus haut, à l'heure actuelle 310 officiers de police tanzaniens assurent la sécurité dans les camps. Le Gouvernement a indiqué qu'il serait disposé à porter les effectifs à 500 mais aurait, pour ce faire, besoin d'un appui logistique et opérationnel de sources extérieures. Un appui limité est déjà fourni à cette fin par le Gouvernement néerlandais par l'intermédiaire du HCR.

2. Arrangements contractuels

35. Le Secrétariat a exploré une autre possibilité, à savoir l'instruction et la supervision des forces de sécurité locales par un organisme privé travaillant sous contrat. Dans le cadre de cet arrangement, les forces locales seraient instruites par une équipe de 50 instructeurs internationaux, dont 10 resteraient sur place après la phase d'instruction initiale pour apporter un complément de formation sur le tas. Quarante experts internationaux supplémentaires seraient nécessaires pour contrôler l'opération et pour assurer les fonctions de liaison et de coordination. On estime que pour chaque groupe de personnel local, le

programme d'instruction durerait un mois, et que, dans les deux mois suivant le début de l'opération, le premier groupe pourrait être déployé sur son théâtre d'opération. Au bout de quatre mois, toutes les forces locales auraient été formées et déployées dans les camps situés au nord et au sud du lac Kivu.

36. La possibilité d'entreprendre une telle opération, notamment l'apport d'un soutien logistique et autre aux forces de sécurité locales, a été discutée avec le HCR. Toutefois, les premières estimations financières font apparaître qu'une opération de cette nature serait coûteuse. De plus, elle devrait être entièrement financée par des contributions volontaires et le HCR ne pense pas pouvoir mobiliser les ressources nécessaires, d'autant plus que certains gouvernements donateurs potentiels ont fait savoir qu'ils n'étaient pas favorables à cette approche.

C. Mesures de sécurité par l'intermédiaire du HCR

37. Les diverses options décrites ci-dessus ne semblant pas viables, du moins à ce stade, j'ai récemment eu de nouvelles consultations sur le problème de la sécurité dans les camps de réfugiés, en particulier dans ceux du Zaïre, avec le Haut Commissaire des Nations Unies pour les réfugiés, Mme Sadako Ogata. À l'issue de ces consultations, il a été décidé que le HCR reprendrait les pourparlers engagés par mon Représentant spécial avec le Gouvernement du Zaïre en vue de conclure des arrangements appropriés, dans le cadre du mandat du HCR en matière de protection des réfugiés et d'aide humanitaire, pour renforcer la sécurité dans les camps. J'ai informé le Premier Ministre du Zaïre de cette décision et j'ai exprimé l'espoir que ces pourparlers aboutiraient, sans retard, à la conclusion et à la mise en oeuvre d'arrangements acceptables aux deux parties pour renforcer la sécurité des réfugiés rwandais au Zaïre.

38. Le HCR a dépêché un Envoyé spécial à Kinshasa à cette fin. Il me tiendra au courant de la progression des pourparlers, et j'informerai à mon tour le Conseil de sécurité. Il étudiera aussi les moyens de mieux épauler le Gouvernement tanzanien pour lui permettre de renforcer la sécurité qu'il assure actuellement dans les camps. En ce qui concerne les camps de réfugiés au Burundi, le HCR a indiqué que, pour le moment, les mesures décrites au paragraphe 7 ci-dessus permettaient d'assurer la sécurité de façon satisfaisante. La MINUAR, pour sa part, continuera à coordonner étroitement son action avec celle du HCR pour faciliter le rapatriement volontaire des réfugiés au Rwanda dans des conditions de sécurité.

IV. OBSERVATIONS

39. L'ampleur et la complexité des problèmes qui se posent dans les camps de réfugiés rwandais, en particulier ceux situés au Zaïre, sont sans précédent. Il n'est donc pas surprenant que la recherche d'une solution appropriée à ces problèmes soit aussi laborieuse. Comme le démontre le présent rapport, les options visant à renforcer la sécurité dans les camps par le biais d'une opération de maintien de la paix, sous une forme ou sous une autre, ne semblent pas viables, du moins pour le moment.

40. Les opérations de maintien de la paix servent essentiellement à la gestion et à la résolution des conflits. Il est vrai que ces dernières années, elles ont connu une évolution importante aux plans quantitatif et qualitatif. Toutefois, elles n'ont pas été conçues et elles n'ont généralement pas été utilisées pour assurer la sécurité dans des camps de réfugiés. En fait, traditionnellement, c'étaient les pays hôtes qui assumaient la responsabilité d'assurer la sécurité des réfugiés se trouvant sur leur territoire, avec il est vrai un certain appui de la part de la communauté internationale.

41. Je comprends donc que les États Membres répugnent à rechercher dans une opération de maintien de la paix une solution aux problèmes de sécurité dans les camps. Il est cependant indubitable que les civils innocents, qui ont fui le Rwanda en raison d'une guerre civile dévastatrice et qui sont quotidiennement en butte à l'intimidation et à la violence dans les camps, méritent que la communauté internationale ne cesse de leur prêter attention et assistance, là où ils se trouvent actuellement et pour les aider à retourner dans leur pays. En outre, le personnel des organismes humanitaires, qui risque sa vie pour que les réfugiés puissent bénéficier d'une assistance de base, doit, pour s'acquitter efficacement de sa tâche, se voir assurer des conditions de sécurité suffisantes. J'exhorte donc la communauté internationale à appuyer les efforts que déploie le HCR, en coopération avec les Gouvernements du Zaïre et de la République-Unie de Tanzanie, pour mettre en place dans les camps des arrangements de sécurité satisfaisants, et à faire montre de générosité de façon que le HCR dispose des ressources nécessaires à cette fin.

42. Il est indispensable de renforcer la sécurité dans les camps pour créer des conditions propices au rapatriement volontaire des réfugiés. Toutefois, comme je l'ai souligné dans mon rapport du 18 novembre, tout effort en vue d'assurer la sécurité dans les camps serait vain s'il ne s'accompagne pas de la prise de mesures au Rwanda pour faire en sorte que les réfugiés puissent retourner chez eux sans craindre des représailles ou des persécutions et pour promouvoir une véritable réconciliation nationale entre tous les segments de la société rwandaise. Jusqu'à présent, le Gouvernement rwandais, qui a pris le pouvoir dans un pays traumatisé et en ruine, dont les infrastructures sont pratiquement anéanties et dont les habitants sont gravement perturbés, a été privé ne serait-ce que du minimum de ressources pour commencer à restaurer des conditions normales. Les engagements pris lors de la récente table ronde sur le Rwanda et en réponse à l'appel global interinstitutions font naître quelque espoir que ce processus peut désormais démarrer. Cela, à son tour, ouvrirait des perspectives de relance du processus politique et de mise en place du cadre voulu pour la prise de mesures en vue de régler les problèmes de sécurité dans les camps et de permettre le rapatriement des réfugiés au Rwanda, comme suggéré dans la déclaration du Président du Conseil de sécurité en date du 30 novembre 1994.

43. La réunion au sommet des dirigeants de la sous-région, qui a eu lieu à Nairobi le 7 janvier 1995, a apporté une utile contribution à la définition d'un tel cadre. Cette réunion a rassemblé les Présidents du Burundi, du Kenya, de l'Ouganda, de la République-Unie de Tanzanie, du Rwanda et de la Zambie ainsi que le Premier Ministre du Zaïre. Mon Représentant spécial pour le Rwanda y a également participé. Les dirigeants de la région ont insisté sur la nécessité d'améliorer la sécurité dans les camps de réfugiés et les conditions à l'intérieur du Rwanda afin de créer un environnement favorable au rapatriement

volontaire des réfugiés. À cet égard, ils ont déclaré soutenir la mise en place et l'entrée en fonction du Tribunal international pour le Rwanda, la séparation des réfugiés innocents et de ceux soupçonnés de s'être rendus coupables de crimes de génocide et l'éloignement des camps de réfugiés de ceux qui se livrent à des actes d'intimidation, ainsi que la mise en place de couloirs de sécurité entre les camps de réfugiés et la frontière rwandaise et de couloirs de sécurité et de points de transit à l'intérieur du Rwanda. Ils ont félicité le Gouvernement rwandais des mesures qu'il a prises jusqu'à présent pour mettre en place une administration largement représentative et l'ont instamment prié d'accroître ses efforts en ce sens dans l'esprit de l'accord de paix d'Arusha. Ils ont en outre exhorté le Gouvernement rwandais à établir des mesures de confiance supplémentaires afin d'encourager le retour volontaire des réfugiés. Les dirigeants régionaux ont également demandé à la communauté internationale d'accroître son soutien économique en faveur du redressement et de la reconstruction du Rwanda.

44. Les progrès réalisés au sommet régional du 7 janvier devraient faciliter les travaux de la Conférence régionale d'assistance aux réfugiés, rapatriés et personnes déplacées dans la région des Grands Lacs qui sera convoquée par l'Organisation de l'unité africaine et le HCR à Bujumbura à la mi-février. Une réunion préparatoire a eu lieu à Addis-Abeba le 9 janvier. J'espère que cette conférence permettra de progresser davantage sur la voie de la création des conditions nécessaires pour que les réfugiés et les personnes déplacées puissent rentrer dans leurs foyers dans la sécurité et la dignité, et qu'elle ouvrira la voie à la tenue d'une conférence de portée plus étendue visant à trouver des solutions à long terme pour promouvoir et assurer la paix, la sécurité et le développement dans la sous-région. Des consultations préliminaires avec les gouvernements intéressés sont actuellement en cours en vue de dégager un consensus sur les questions à aborder lors d'une telle conférence.

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

I. INTRODUCTION

1. The present report is submitted in pursuance of paragraph 3 of Security Council resolution 925 (1994) of 8 June 1994, in which the Council decided to extend the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) from 29 July 1994 until 9 December 1994. Since that time, I have reported to the Council on the situation in Rwanda on 3 August (S/1994/924) and 6 October (S/1994/1133), and on security in the Rwandese refugee camps on 18 November (S/1994/1308). I have also provided the Council with oral briefings on developments in Rwanda and on the situation concerning the Rwandese refugees. The present report provides an update on the situation as at 21 November, as well as recommendations for the continuing role of the United Nations in Rwanda.

II. POLITICAL ASPECTS

2. During the reporting period, the situation in Rwanda has witnessed both positive and negative developments. The Broad-Based Government of National Unity continues to place emphasis on creating conditions that would allow the more than 2 million Rwandese refugees and the 1.5 to 2 million displaced persons within the country to return to their homes and to rebuild their lives in a safe environment. In that regard, it is concentrating its efforts on ensuring public security, restoring the civil administration and reconstructing the country's social and economic infrastructure. However, in the aftermath of the civil war, with the near total destruction of Rwanda's infrastructure, few trained people available and limited financial and material resources, the Government is facing severe obstacles in achieving those objectives.

3. While unstable and insecure conditions still prevail in many parts of the country, there are some initial signs of progress. Private sector activities are being revived, with shops, markets and service industries reopening and agricultural activity increasing. Schools are also starting to reopen.

4. The Government has also publicly advocated the fair treatment of returning refugees and displaced persons, as well as reconciliation between all political

groups. The President, Vice-President and Prime Minister continue to address mass rallies in major towns advocating reconciliation, peace and justice. These commitments were reiterated in President Bizimungu's address to the General Assembly on 6 October 1994 (see A/49/PV.21) and during his informal meeting with members of the Security Council on the same day.

5. A further measure towards national reconciliation has been the incorporation of over 2,000 soldiers of the former Rwandese Government Forces (RGF) into the Rwandese Patriotic Army (RPA). In the provinces, all the prefects except one have been drawn from the civilian sector. In the south-west, two prefects of the former administration have been reappointed. As noted in my report of 18 November (S/1994/1308), my Special Representative is deploying UNAMIR political information officers to the provinces to assist government and community leaders in promoting national reconciliation and in restoring civil administration.

6. As yet, however, in contrast to the growing vitality of the private sector, the reactivation of public sector activities remains constrained by a severe lack of resources. While a cabinet exists, government ministries do not function adequately, as the civil war resulted in the massive departure of government administration, police and judicial cadres. While efforts have been made to assist the Government in terms of basic resources, government activities continue to be impeded by a lack of supplies such as telephones, computers, means of transport, office equipment and fuel. Cash reserves continue to be inadequate to pay salaries or to meet other essential payments. These problems have been a major factor in the Government's inability to translate public pronouncements concerning nation-building into concrete programmes and actions.

7. The return to normal conditions in Rwanda has also been inhibited by the lack of resources to restore power, water, telecommunications and municipal services or to start dealing with the nearly 1 million mines that are estimated to have been planted in the countryside.

8. Owing to the lack of adequate finances to restore the public sector, the army continues to staff some civilian sectors of governance. It performs almost all police and gendarmerie functions, as well as prison services, in addition to manning some administrative posts in the provinces. The Government's inability to meet adequately the salaries of public servants or to establish effective security over all parts of the country has also led to incidents of frustration and banditry, which undermine the climate of security and stability it is trying to establish. In that connection, there have been reports that over 60 members of the RPA have been disciplined for acts of misconduct, some involving summary reprisals.

9. While the lack of financial resources has been a major factor in impeding activities towards national reconciliation, there are some reasons to believe that the Government could do more, even within its meagre resources, to ensure that all Rwandese are part of the political process. The President of Rwanda has assured my Special Representative that efforts are continuing to make the Government more inclusive by inviting into it some members of the Mouvement républicain national pour le développement (MRND), which is the only major political party not presently represented in it. However, the Rwandese

Parliament is scheduled to meet on 25 November with representation only from those political parties mentioned in the Arusha Agreement which are presently participating in the Government, as well as the army and the gendarmerie, and the seats originally allocated to the MRND will be filled by other parties.

10. The extensive displacement of the Rwandese population has created a growing problem of land tenure and rival claims to property rights. Almost 400,000 long-standing refugees have returned home since mid-July and are claiming property they once held. Some refugees who fled more recently are returning home to find their property now held by others. On 7 November, the Rwandese Minister of Information outlined the Government's official position with regard to repatriation and national reconciliation and, in that connection, stressed the Government's firm resolve to protect the homes and property of each citizen and to distribute land to new returnees so as to facilitate and help ensure their proper and orderly resettlement. He emphasized that the wrongful occupation of another person's home or property was not only unacceptable but unlawful. The Rwandese President and Cabinet have reaffirmed that policy at numerous rallies.

11. There are signs, however, that despite public pronouncements the Government is finding it increasingly difficult to implement this policy. Some recently returning refugees who have tried to reclaim their property rights have reportedly either been denounced as criminals and arrested or simply frightened away. Such reports have filtered back to the refugee camps and have been a factor in the slow pace of repatriation to Rwanda.

12. In my report of 18 November (S/1994/1308), I recounted, in detail, the security concerns in the Rwandese refugee camps, especially those in Zaire, and I provided the Security Council with a number of options it might wish to consider in addressing the issue. The security situation in the camps continues to worsen. As a result, some non-governmental organizations have recently withdrawn their operations from the camps and others are considering withdrawal, as the militia's increasing control over the distribution of relief supplies makes the safe delivery of such supplies to needy refugees virtually impossible. Furthermore, there are growing indications that the former Government and militia are stockpiling relief supplies for their own purposes.

13. There is also evidence that the former RGF is actively recruiting and training new troops, mainly from refugee camps in Zaire, but also from the camps in the United Republic of Tanzania. In addition, the former RGF and the militia, also operating from refugee camps, appear to be intensifying their propaganda campaign against the new Government and, in particular, the RPA. Such activities create concern that they are preparing for resumed confrontation.

14. In my report of 6 October (S/1994/1133), I stressed the importance of providing factual and objective information on the situation both in the refugee camps and in Rwanda, as well as on United Nations activities in the country. To that end, UNAMIR is in the process of establishing a broadcasting facility. At present, it has two 100-watt transmitters, one to cover the city of Kigali and the other to cover the western part of the country. Full-scale test transmissions, lasting several hours a day, commenced on 12 November, using the

transmitter currently installed at the UNAMIR compound in Kigali. While this low-power facility can cover only a 20-kilometre radius around Kigali, more powerful transmitters capable of covering the entire country, as well as the refugee camps, are expected to be installed by the end of the year. The financial requirements, including the necessary staffing, will be included in the next budget proposal to the General Assembly. It should be noted, however, that despite repeated efforts, the Government has still not approved UNAMIR's request for formal authorization to broadcast and for a frequency allocation. I hope the Government will respond positively to those requests in the near future.

III. HUMAN RIGHTS ASPECTS

15. The various United Nations human rights mechanisms engaged in the Rwandese situation continued to be active during the period under review. The Special Rapporteur, Mr. René Dégni-Ségui, visited Rwanda from 15 to 22 October and also travelled to the United Republic of Tanzania and Zaire. The Commission of Experts visited Rwanda from 29 October to 10 November. The human rights field operation in Rwanda launched by the United Nations High Commissioner for Human Rights has now been able to establish seven regional offices and, by mid-November, about 60 human rights officers and special investigators, out of a planned total of 147, had arrived in Rwanda. Another 40 human rights observers and teams of forensic experts are expected by the end of December.

16. The Special Rapporteur and the Commission of Experts have been pursuing their tasks as defined by their respective mandates. Following his latest visit to Rwanda, the Special Rapporteur submitted his third report (A/49/508-S/1994/1157). In accordance with Security Council resolution 935 (1994) of 1 July 1994, the Commission is expected to submit its final report to me by 30 November 1994. I also expect to receive the findings of the Special Rapporteur and of the Commission of Experts on their investigations of alleged reprisal killings by RPA forces. It will be recalled, in that connection, that in my report of 6 October (S/1994/1133), I stated that, in the course of a mission to assess conditions for the safe return of refugees, the Office of the United Nations High Commissioner for Refugees (UNHCR) had obtained information that appeared to indicate that soldiers of the RPA might have been engaged in systematic killings of members of the majority community in Rwanda. I also stated that the Special Rapporteur and the Commission of Experts would undertake a thorough investigation of those allegations.

17. It is increasingly recognized that the mere presence and visibility of United Nations human rights personnel are having a positive effect in the communities where they are deployed, especially as a deterrent against human rights violations. I share the Security Council's view, reflected in its presidential statement of 14 October (S/PRST/1994/59), that human rights monitors and their speedy deployment would help foster a climate of confidence and contribute to creating a more secure environment, which, in turn, could encourage refugees to return to their homes in Rwanda. Voluntary contributions have enabled the United Nations to deploy over a third of its target of 147 monitors. However, sustained and increased assistance is necessary to permit the full deployment of the operation and the effective discharge of its

important mission. I appeal to the international community to provide the financial assistance required.

18. By its resolution 955 (1994) of 8 November 1994, the Security Council decided to establish an international tribunal for the sole purpose of prosecuting persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and of neighbouring States, between 1 January and 31 December 1994.

19. It is vital for the international community, as well as for Rwanda, which originally requested the establishment of an international tribunal (see S/1994/1115), that justice be administered effectively and as expeditiously as possible in order to deter further violations and to contribute to the processes of national reconciliation and restoration and maintenance of peace. As requested by the Council, I am actively pursuing the completion of practical arrangements for the effective functioning of the International Tribunal, and in particular its investigations/prosecutorial unit in Kigali, the appointment of a Deputy Prosecutor unit and support and administrative staff, and the election of judges. In that regard, the High Commissioner for Human Rights has placed the services of the special investigations unit, established within the framework of the human rights field operation, at the disposal of the Prosecutor of the International Tribunal, with a view to pursuing the investigative work initiated under the mandate of the Special Rapporteur and the Commission of Experts. As the operation evolves and more information becomes available, I will submit recommendations regarding possible locations for the seat of the Tribunal. I am confident that Member States and intergovernmental and non-governmental organizations will respond to the Security Council's appeal for contributions of the funds, equipment, staff and the other services required to ensure the smooth establishment and functioning of the Tribunal.

IV. MILITARY ASPECTS

20. During the reporting period, UNAMIR reached its full authorized strength of 5,500 all ranks. Present deployment of the force is as follows:

(a) Sector 1 (north-east): The deployment of the 331-strong Nigerian company is now complete. Forty military observers are also deployed throughout the sector (see map in the annex);

(b) Sector 2 (south-east): Two platoon groups (Ghana and Nigeria) continue to operate in the Sector, which is to be reinforced by the end of November by a company from Ghana. Depending on the security situation in Sector 4 and the consequent need for troops in that Sector, it is expected that deployment in Sector 2 will eventually be brought to battalion strength. Forty-three military observers operate in the Sector;

(c) Sector 3 (south): The independent infantry company from Malawi operating in Sector 3 (165 all ranks) has recently been reinforced by a second 200-strong independent company (Mali). Forty-three military observers continue to patrol the Sector;

(d) Sector 4 (south-west): Sector 4 has been subdivided as a result of insecurity in the area. The Ghanaian battalion continues to operate in subsector 4A (Gikongoro) and the Zambian battalion (currently 324 all ranks) is expected to be fully deployed to that subsector by the end of November. The inter-African contingent (487 all ranks from Chad, the Congo, Guinea-Bissau, the Niger and Senegal) and the Ethiopian battalion (810 all ranks) continue to conduct operations in subsectors 4B (Kibuye) and 4C (Cyangugu) respectively. Approximately 80 military observers are deployed in Sector 4;

(e) Sector 5 (north-west): Deployment of the Tunisian battalion (826 all ranks) to Sector 5 is now complete. Forty-three military observers are deployed in the sector;

(f) Sector 6 (Kigali City): An advance party of 319 all ranks of the Indian contingent was deployed on 10 November 1994. Deployment of the battalion is expected to be completed in December 1994. The UNAMIR Force Headquarters and the Military Observer Group Headquarters are located in the sector. Specialized elements from Canada (communications, logistics and medical); the United Kingdom of Great Britain and Northern Ireland (logistics, engineering and medical); and Australia (field hospital) also operate in Sector 6.

21. As indicated in my report of 6 October (S/1994/1133), the deployment of the UNAMIR force has been uneven, with rather slow deployment from May through mid-July and a steady build-up beginning in late July and continuing through the reporting period. This has affected the Mission's ability to provide adequate logistic support to troops deployed during the period of more rapid build-up, as well as its overall ability to carry out its mandate effectively. While the United Nations and the troop-contributing countries, with the support of several Member States, have overcome many logistic constraints, there were unforeseen delays in transport arrangements and in the provision of equipment needed to supply and support the contingents.

22. In order to ensure that all contingents have the equipment and logistic support necessary to carry out their functions effectively, a commercial service contract has provided some logistic support for UNAMIR since August 1994. Although it is expected that an increased level of support will be provided by the contractor with the scheduled withdrawal of the British and Canadian contingents (by 1 December 1994 and the end of January 1995, respectively), total dependence on commercial arrangements for logistic support is not advisable in the current security situation in Rwanda. For that reason, efforts are being made to secure the retention of a small military logistics element of about 150 personnel. I hope that Member States will be prepared to extend the necessary support to those efforts.

23. In my report of 6 October, I noted that, with the induction of new contingents, I expected the UNAMIR force strength to exceed the authorized level temporarily. As at mid-November, the force strength stood at 5,606 all ranks. With the withdrawal of the British contingent and the full deployment of the Indian and Zambian contingents, it is expected that the force strength will reach approximately 5,860 all ranks by the end of 1994. However, given expected withdrawals and rotations, it will gradually be reduced to its authorized level

during the first months of 1995. The number of military observers remains at the authorized strength of 320.

24. During the period under review, UNAMIR continued to assist with the transport of refugees and internally displaced persons returning voluntarily to their homes, while maintaining protection for populations at risk in various areas and at displaced persons camps in Rwanda. UNAMIR is currently working with the humanitarian agencies and the Government of Rwanda to develop and implement a strategy to close the displaced persons camps in Rwanda gradually by ensuring the voluntary return of the occupants to their homes. Against the background of escalating security incidents, UNAMIR troops and observers have also intensified their monitoring, observation and patrol duties.

25. The problem of restrictions imposed on the movement of UNAMIR personnel, which I described in my report of 6 October, has improved somewhat during the reporting period. However, the insistence of local RPA commanders that UNAMIR must obtain formal written authority through the Minister of Defence for all deployments has frequently delayed and sometimes prevented UNAMIR from effectively fulfilling its mandate. Furthermore, UNAMIR patrols are occasionally denied access to specific areas without satisfactory reason or explanation. In order to resolve this issue, UNAMIR is working with the authorities in Kigali to finalize arrangements for regular meetings between the chiefs of staff and operations officers of UNAMIR and the RPA, respectively, with a view to enhancing coordination between them.

V. CIVILIAN POLICE

26. As at 15 November, 80 of the 90 police observers authorized for UNAMIR were deployed to the mission area. As indicated above, since no real police force or gendarmerie remained in place when the Government was established on 19 July, police functions were entrusted to an embryonic gendarmerie consisting mainly of RPA soldiers. At the request of the Government, UNAMIR initiated a training programme in basic routine and investigative police work. In his statement of 14 October, the President of the Security Council welcomed, inter alia, the assistance being provided by UNAMIR to the Government of Rwanda's efforts to establish a new integrated police force and encouraged UNAMIR to continue that assistance.

27. The civilian police component of UNAMIR is presently training candidates nominated by the Government to serve in the two services that make up Rwanda's police structure, namely, the Gendarmerie nationale and the Police communale. UNAMIR has already helped train 102 gendarmes (99 cadets and 3 instructors), who graduated on 5 November and are now deployed around the country. During a 16-week intensive programme, which began on 21 November, UNAMIR envisages the training of 300 more cadets. In addition, 100 cadets chosen from those already trained are scheduled to undergo a further 12-week intensive course to qualify as future instructors.

28. The civilian police component is also involved in efforts to restore and reform the penal system within the framework of the implementation of the Rwanda Emergency Normalization Plan, which outlines the priority areas requiring both

technical and financial assistance. Following a request from the judicial authorities concerned, UNAMIR civilian police visited Kigali prison in early November. They found that the facility, which was originally built for 2,000 prisoners, currently holds over 5,000 people, including 111 women and 95 children, with a mortality rate of 5 persons per day. It is reported that similar conditions prevail in prisons in the cities of Butare and Gitarama. The main requirements to restore Rwanda's prisons are in the areas of accommodation, health, sanitation, bedding, clothing and security.

29. In order to meet its expanding responsibilities, UNAMIR's civilian police component requires more French-speaking observers. The Secretariat is continuing intensive efforts to obtain additional police observers with the necessary language qualifications to enable the UNAMIR civilian police component to reach its authorized strength.

VI. HUMANITARIAN ASPECTS

30. The present humanitarian situation within Rwanda presents the international community with a pressing and unusually complex crisis. In the conventional sense, the emergency within Rwanda has abated, though at least 1.5 to 2 million displaced persons remain dependent upon assistance from aid agencies. However, the country at large faces a clear emergency as government institutions find themselves unable to sustain the nation's basic infrastructure and provide for the welfare of its people. Society in its broadest sense is under threat.

31. Surrounding the State of Rwanda are over 2 million Rwandese refugees in camps along the borders in Zaire, Burundi and the United Republic of Tanzania. The voluntary return of those refugees is critical to the normalization of the situation in Rwanda. Yet, as noted above, violent harassment and misinformation in the refugee camps, especially in Zaire, prevent many of the bona fide refugees from returning home.

32. The situation of the internally displaced persons in Rwanda parallels that of the refugees on the country's borders. The urgent need to bring internally displaced persons back to their home communities is thwarted by intimidation within the camps and fear of reprisals. The humane settlement of the internally displaced persons, as I stated in my report of 6 October (S/1994/1133), is not only an issue of humanitarian concern, but also one of immediate practical consequence. There is a perception in areas hosting camps of internally displaced persons that those within the camps have better lives than those outside. This is generating increased tension between local and camp populations. At the same time, the camp sites occupy much-needed farmland and are increasingly an ecological hazard. Furthermore, if many within the camps do not soon return to their home areas, they will miss the planting season and the country will consequently become even more dependent on food aid. Finally, an effective programme to resettle internally displaced persons would contribute to an atmosphere conducive to the repatriation of refugees.

33. My Special Representative in Rwanda has made every effort to work with government authorities, United Nations agencies, non-governmental and other concerned organizations to develop an immediate strategy for addressing the

issue of the internally displaced persons. In close collaboration with the Government, and through the United Nations Emergency Relief Coordinator, he is in the process of finalizing an integrated humanitarian response to address the crisis. This response is designed to draw upon the assets and capacities of all participating organizations, including UNAMIR, in order to initiate settlement programmes for internally displaced persons before the beginning of the rainy season. Such settlement programmes, which will be developed jointly by relevant government authorities and the international humanitarian community in Rwanda, will be monitored by the human rights observers deployed by the High Commissioner for Human Rights.

34. In several critical areas throughout the country, both returnee programmes and recovery activities continue to be hampered by the presence of land-mines. Efforts are now under way to identify those areas and to intensify mine-awareness campaigns. Nevertheless, it is clear that more must be done as regards mine awareness and de-mining. The cruel mutilation and loss of life caused by mines, particularly amongst children, is intolerable.

35. International and other concerned organizations continue to provide much-needed assistance to the displaced and other vulnerable sectors of society. Specific efforts are being made to address the plight of unaccompanied children and to pursue family-tracing programmes, as well as to develop psychological support for the severely traumatized. At the same time, more traditional assistance continues to be provided. Renewed efforts to launch AIDS-awareness and prevention programmes are under way. Seeds and tools are being provided, through the Ministry of Agriculture, to assist some 3.5 million people in Rwanda. Food assistance is being maintained and water projects, in rural as well as urban areas, are rapidly being implemented. Education programmes are under way to fill gaps until a normal education system can be restored.

36. It is important to underline the efforts of many humanitarian organizations immediately to strengthen the capacity of the Government. Efforts are being made to restore some semblance of institutional structure through the provision of vehicles and basic office equipment, quick disbursement of funds to re-establish the generation of electricity and similar activities. For example, the Government's central pharmacy is now functioning and the Ministry of Health is increasing its capacity, with the installation of a cold-chain store, to take charge of vaccine distributions.

37. All these efforts must be seen in the context of the enormous challenges that face any effective normalization programme. As indicated earlier, the need to stabilize the very society of Rwanda underlies the humanitarian crisis faced by the Government of Rwanda and the international humanitarian community. To do this, the international community will have to provide the support needed to ensure that the army does not become a disruptive social force. At the same time, if the human rights of the internally displaced and returnees from outside Rwanda are to be protected on a lasting basis, rapid assistance must be provided to restore the country's police force and judicial system. The Government's capacity to generate revenue must be enhanced. In parallel, government authorities concerned with the welfare of the Rwandese people must be restored.

38. There will be several opportunities for the international community to respond to this humanitarian challenge. My Special Representative has formulated and presented to potential donors a Rwanda Emergency Normalization Plan outlining areas in which such assistance is urgently needed. At the request of the Government, the United Nations Development Programme (UNDP) is assisting in the organization of a round-table meeting to be held on 14 and 15 December at Geneva. The meeting will give the Government and the international donor community an opportunity to reach agreement on an overall policy framework, as well as to consider basic rehabilitation requirements. Within that dialogue, the views of Government with regard to humanitarian activities throughout 1995 will be an essential feature. The round table will precede the issuance of a United Nations consolidated inter-agency appeal scheduled to be launched in the second week of January 1995. The appeal, which will be the product of the joint efforts of the Government, United Nations agencies and other concerned organizations, will focus principally upon specific emergency requirements as well as short-term recovery needs. It is intended to link the appeal with the medium- and longer-term needs for rehabilitation of those responsible for development.

39. In that connection, it should be recalled that, in pursuance of Security Council resolution 925 (1994), of 8 June 1994, a trust fund has been established to finance humanitarian relief and rehabilitation programmes in Rwanda. The trust fund is a useful channel for contributions to meet the immediate needs of the Government of Rwanda. Unfortunately, only one major donor has made a substantial contribution to the fund. I urge others to do the same.

VII. FINANCIAL ASPECTS

40. In my report to the General Assembly at its forty-ninth session (A/49/375 and Corr.1 and Add.1), I requested the Assembly to provide the necessary resources for the maintenance of UNAMIR, should the Security Council decide to extend the mandate of the Mission beyond 9 December 1994. The Assembly is currently seized of the matter.

41. As at 17 November 1994, unpaid assessed contributions to the UNAMIR special account since the inception of the Mission amounted to $17.6 million. The total unpaid assessed contributions for all peace-keeping operations at that date amounted to $1.5 billion. This shows clearly the financial difficulties with which the United Nations is faced.

VIII. OBSERVATIONS AND RECOMMENDATIONS

42. Clearly, the situation in Rwanda remains critical and the country continues to face daunting problems. While I am encouraged by the Government's efforts, in cooperation with the international community, to stabilize the situation, new threats and challenges continue to emerge that may complicate further an already difficult situation and jeopardize the limited progress made thus far. In particular, the creeping militarization of the refugee camps has created a painful dilemma for the international community. While the humanitarian crisis represented by the plight of the refugees, as well as the internally displaced

persons, remains a matter of the utmost concern, it is unacceptable that humanitarian assistance provided for bona fide refugees is being used to threaten not only the security of the refugee camps but the stability of Rwanda. In my report of 18 November (S/1994/1308), I set out ideas on action that could be taken to address the problem of insecurity in the camps and ensure that the humanitarian efforts to protect the refugees and bring about their eventual safe and voluntary repatriation would not be fatally undermined.

43. The Government of Rwanda has reassured me of its resolve and determination to promote conditions conducive to safe and voluntary repatriation and national reconciliation. I call on the Government to ensure that that resolve is translated into concrete action and programmes, notwithstanding its present lack of adequate financial resources. In my report of 18 November, I outlined a two-pronged approach to achieve the environment necessary for national reconciliation and sustainable peace. That approach included options to address security in the refugee camps and, at the same time, measures to help the Government create conditions in Rwanda under which large-scale repatriation and reintegration of refugees and internally displaced persons could take place.

44. The Rwanda Emergency Normalization Plan, as well as the forthcoming UNDP-sponsored round-table meeting and the consolidated inter-agency appeal, give the international community ample opportunity to respond to the Government's need for assistance for the rehabilitation and reconstruction of Rwanda. Such efforts towards normalizing and stabilizing the situation inside Rwanda could help attract refugees and displaced persons back home, thus contributing to the process of national reconciliation and consolidating the newly achieved peace. I firmly believe, however, that if the current unsettled situation is not addressed promptly by both the Government and the international community, the residual problems and emerging threats may not only endanger what has been achieved thus far, but could push Rwanda backward and revive the spectre of renewed conflict.

45. I would also like to underline the importance of the efforts of the Governments in the region and the Organization of African Unity (OAU), both among themselves and in cooperation with the United Nations, to find durable solutions to the problems of Rwanda. It will be recalled, in this context, that the General Assembly, in its resolution 49/7 of 25 October 1994, endorsed the convening of a regional conference on assistance to refugees, returnees and displaced persons, which will be organized jointly by OAU and UNHCR. In addition, the Security Council's recent decision, in its resolution 955 (1994), to establish an international tribunal to prosecute perpetrators of genocide and other violations of international humanitarian law during the recent conflict in the country may help to deter future violations of human rights and promote peace and national reconciliation. I welcome the Government of Rwanda's assurance of its readiness to cooperate with the tribunal despite its negative vote in the Security Council.

46. In his statement of 14 October (S/PRST/1994/59), the President of the Security Council stressed the importance the Council attaches to the role of UNAMIR, whose neutral and independent presence is crucial to creating conditions of security in Rwanda. UNAMIR is firmly in place, as a focal point of the international community's effort in Rwanda, to provide the coordinated

leadership necessary to move forward the overall process of peace and reconciliation.

47. Ultimately, however, it is the people of Rwanda themselves who must solve the problems of their country. The international community can only assist. I call on the Government to ensure that all Rwandese play a part in the reconciliation and nation-building process through open dialogue between all groups. Close cooperation and coordination with the international community is also an essential factor in achieving stability.

48. Given the progress that has been made and the challenges that remain ahead, I recommend that the mandate of UNAMIR be extended for a further six months, that is, until 9 June 1995. During that period, UNAMIR would continue its present functions and strengthen its good offices role in order to facilitate more expeditious movement towards peace and national reconciliation. It would also continue to support current efforts towards a regional approach to the problems created by the crisis in Rwanda. As I recommended in my report of 18 November, such a regional approach should include the convening of an international conference to identify long-term solutions that will ensure peace, security and development in the subregion.

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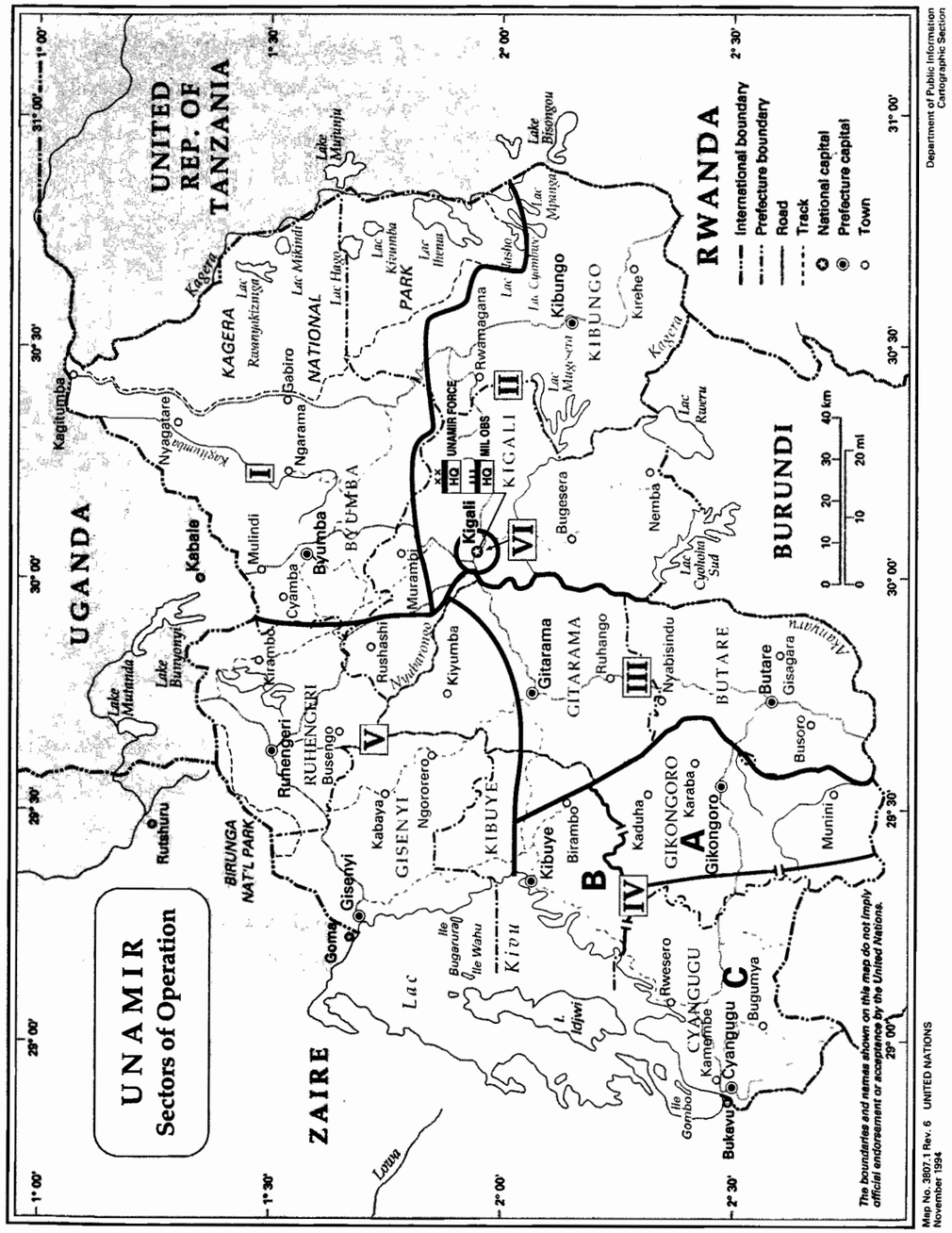
Annex



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RAPPORT INTÉRIMAIRE DU SECRÉTAIRE GÉNÉRAL SUR LA MISSION D'ASSISTANCE DES NATIONS UNIES AU RWANDA

I. INTRODUCTION

1. Le présent rapport est présenté en application du paragraphe 3 de la résolution 925 (1994) du Conseil de sécurité, en date du 8 juin 1994, dans lequel le Conseil a décidé de proroger le mandat de la Mission d'assistance des Nations Unies au Rwanda (MINUAR) du 29 juillet 1994 au 9 décembre 1994. Depuis lors, j'ai rendu compte au Conseil de la situation au Rwanda le 3 août (S/1994/924) et le 6 octobre (S/1994/1133) et de la sécurité dans les camps de réfugiés rwandais le 18 novembre (S/1994/1308). J'ai également tenu le Conseil oralement informé de l'évolution de la situation au Rwanda et de la situation concernant les réfugiés rwandais. Le présent rapport donne des renseignements à jour sur la situation au 21 novembre et contient des recommandations sur le rôle futur de l'Organisation des Nations Unies au Rwanda.

II. PERSPECTIVES POLITIQUES

2. Au cours de la période considérée, la situation au Rwanda a connu des rebondissements aussi bien positifs que négatifs. Le Gouvernement d'unité nationale à base élargie continue de mettre l'accent sur la création de conditions qui permettent aux plus de 2 millions de réfugiés rwandais et aux personnes déplacées à l'intérieur du pays, dont le nombre s'établit entre 1,5 million et 2 millions, à regagner leurs foyers et à se refaire une vie dans un environnement sûr. À cet égard, le Gouvernement concentre tous ses efforts sur les moyens d'assurer l'ordre public, de rétablir l'administration civile et de reconstruire l'infrastructure économique et sociale du pays. Toutefois, au lendemain de la guerre civile, l'infrastructure du pays ayant été presque entièrement détruite, peu de personnes formées restant sur place et les ressources financières et matérielles étant limitées, le Gouvernement se heurte à de graves obstacles sur la voie de la réalisation de ces objectifs.

3. L'instabilité et l'insécurité persistent dans maintes régions du pays, mais on assiste à des premiers signes de progrès. Le secteur privé reprend petit à petit ses activités, ouvrant des magasins, des marchés et des industries de services et relançant l'activité agricole. Les écoles ont commencé à rouvrir leurs portes.

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4. Le Gouvernement a aussi publiquement recommandé que les réfugiés et les personnes déplacées qui regagnent leurs foyers soient traités de façon équitable et préconisé la réconciliation entre tous les groupes politiques. Le Président, le Vice-Président et le Premier Ministre continuent de prendre la parole lors de grands rassemblements organisés dans les principales villes, prônant la réconciliation, la paix et la justice. Ces engagements ont été réaffirmés par le Président Bizimungu lorsqu'il a pris la parole devant l'Assemblée générale le 6 octobre 1994 (voir A/49/PV.21) et lors de sa réunion informelle avec les membres du Conseil de sécurité, le même jour.

5. Une autre mesure sur la voie de la réconciliation nationale a été l'incorporation de plus de 2 000 soldats des anciennes Forces gouvernementales rwandaises (FGR) à l'Armée patriotique rwandaise (APR). Dans les provinces, tous les préfets sauf un sont des civils. Dans le sud-ouest, deux préfets de l'ancienne administration ont été reconduits dans leurs fonctions. Comme je le notais dans mon rapport du 18 novembre (S/1994/1308), mon Représentant spécial a commencé à déployer des spécialistes des affaires politiques de la MINUAR dans les provinces pour y aider les pouvoirs publics et les responsables des collectivités locales à promouvoir la réconciliation nationale et rétablir l'administration civile.

6. Pour l'instant, toutefois, à la différence de la vitalité croissante du secteur privé, la relance des activités du secteur public continue d'être limitée, les ressources nécessaires faisant grandement défaut. Bien qu'un gouvernement soit en place, les ministères ne fonctionnent pas de façon satisfaisante, la guerre civile ayant entraîné un départ massif des cadres de l'administration, de la police et des organes judiciaires. Bien que des initiatives aient été prises pour aider le Gouvernement à se procurer les ressources de base, celui-ci ne parvient pas à fonctionner convenablement par manque de fournitures, notamment de téléphones, d'ordinateurs, de moyens de transport, de matériel de bureau et de carburant. Les réserves de trésorerie ne permettent toujours pas de verser les traitements ou de procéder à d'autres paiements essentiels. Ces problèmes expliquent en grande partie l'incapacité du Gouvernement de traduire en programmes et activités concrets ses déclarations publiques concernant l'édification de la nation.

7. Le retour à la normale, au Rwanda, a également été entravé par le manque de ressources nécessaires pour rétablir l'approvisionnement en électricité et en eau, les télécommunications et les services municipaux ou pour commencer à résoudre le problème des mines dont près d'un million auraient été posées dans les campagnes.

8. Faute de ressources suffisantes pour rétablir le secteur public, l'armée continue à accomplir certaines tâches civiles dans l'administration. Les militaires, qui occupent certains postes administratifs dans les provinces, s'acquittent aussi de la presque totalité des fonctions de police et de gendarmerie et administrent les services pénitentiaires. L'incapacité du Gouvernement de verser la totalité des traitements des fonctionnaires ou d'assurer, de façon efficace, la sécurité dans toutes les régions du pays a aussi été à l'origine d'un certain nombre d'incidents (manifestations de frustration et banditisme), qui sapent le climat de sécurité et de stabilité que

les dirigeants essaient d'instaurer. À ce propos, des mesures disciplinaires auraient été prises à l'encontre de plus 60 membres de l'APR qui auraient commis des actes répréhensibles, notamment des actes de représailles sommaires.

9. Le manque de ressources financières constitue certes le principal obstacle au bon déroulement des activités de réconciliation nationale, mais il y a lieu de croire que le Gouvernement pourrait faire plus, même avec les maigres ressources dont il dispose, pour assurer la participation de tous les Rwandais au processus politique. Le Président rwandais a donné à mon Représentant spécial l'assurance que les efforts se poursuivent pour rendre le Gouvernement plus représentatif en invitant à se joindre à lui certains membres du Mouvement républicain national pour le développement (MRND), seul grand parti politique qui n'y est actuellement pas représenté. Toutefois, le Parlement rwandais devrait se réunir le 25 novembre avec les seuls représentants des partis politiques mentionnés dans l'Accord d'Arusha qui participent actuellement au Gouvernement, ainsi que de l'armée et de la gendarmerie, et les sièges initialement attribués au MRND seront pourvus par des représentants d'autres partis.

10. Les déplacements massifs de la population ont créé un problème dont l'ampleur ne fait que croître, celui de la propriété foncière et des revendications antagoniques formulées en matière de droits de propriété. Près de 400 000 réfugiés de longue date ont regagné leurs foyers depuis la mi-juillet et réclament la restitution de leurs biens. Certains réfugiés qui avaient fui plus récemment ont constaté, en regagnant leurs foyers, que d'autres occupaient leur propriété. Le 7 novembre, le Ministre rwandais de l'information a exposé la position officielle du Gouvernement en ce qui concerne le rapatriement et la réconciliation nationale et, à ce propos, a souligné la ferme volonté du Gouvernement de protéger le foyer et la propriété de chaque citoyen et de distribuer des terres aux nouveaux rapatriés afin de faciliter leur réinstallation et de veiller à ce qu'elle se déroule de façon satisfaisante et dans l'ordre. Il a souligné qu'il était non seulement inacceptable mais illégal, pour qui que ce soit d'occuper la maison ou la propriété d'une autre personne. Le Président rwandais et le Gouvernement ont réaffirmé cette politique à l'occasion de nombreux rassemblements.

11. Il semble toutefois que, malgré ces déclarations publiques, le Gouvernement éprouve de plus en plus de difficultés à appliquer cette politique. Certains réfugiés qui sont rentrés récemment au pays et ont tenté de recouvrer leurs droits de propriété auraient soit été dénoncés comme des criminels et arrêtés ou seraient tout simplement repartis après avoir été intimidés. Ces nouvelles sont parvenues jusqu'aux camps de réfugiés et sont un facteur parmi d'autres qui explique la lenteur du processus de rapatriement.

12. Dans mon rapport du 18 novembre (S/1994/1308), j'ai rendu compte, dans le détail, de l'inquiétude que suscitait la sécurité dans les camps de réfugiés rwandais, en particulier ceux au Zaïre, et j'ai proposé au Conseil un certain nombre d'options qu'il pourrait envisager pour résoudre ce problème. La sécurité dans les camps continue de se détériorer. Il en résulte que certaines organisations non gouvernementales ont récemment mis fin à leurs activités dans les camps et que d'autres envisagent de le faire, étant donné que les miliciens contrôlent de plus en plus la distribution des secours, rendant ainsi

pratiquement impossible leur acheminement, dans des conditions de sécurité, aux réfugiés qui en ont besoin. En outre, il semble se confirmer que les membres de l'ancien gouvernement et les miliciens stockent des fournitures de secours à leurs fins personnelles.

13. On constate également que les anciennes FGR recrutent activement de nouveaux éléments, essentiellement dans les camps de réfugiés au Zaïre, mais aussi dans ceux situés en République-Unie de Tanzanie, et assurent leur formation. En outre, les anciennes FGR et les miliciens, se servant des camps de réfugiés comme base d'opérations, semblent intensifier leur campagne de propagande contre le nouveau gouvernement et, en particulier, l'APR. Ces activités sont préoccupantes car elles semblent indiquer que les intéressés se préparent à de nouveaux affrontements.

14. Dans mon rapport du 6 octobre (S/1994/1133), j'ai souligné à quel point il importait de fournir des informations factuelles et objectives sur la situation dans les camps de réfugiés et au Rwanda ainsi que sur les activités de l'ONU dans le pays. À cette fin, la MINUAR est en train d'installer un service de radiodiffusion. À l'heure actuelle, elle dispose de deux émetteurs de 100 watts dont l'un couvre la ville de Kigali et l'autre la région occidentale du pays. La MINUAR a commencé le 12 novembre des essais de radiodiffusion pendant plusieurs heures par jour, en utilisant l'émetteur actuellement installé dans l'enceinte de son quartier général à Kigali. Cette installation de faible puissance ne peut émettre que dans un rayon de 20 kilomètres autour de Kigali, mais des émetteurs plus puissants capables de couvrir tout le territoire du pays, ainsi que les camps de réfugiés, devraient être installés d'ici la fin de l'année. Les ressources financières et les effectifs nécessaires seront indiqués dans le prochain projet de budget qui sera présenté à l'Assemblée générale. Il convient toutefois de noter que, malgré la multiplication des démarches, le Gouvernement n'a toujours pas approuvé la demande d'autorisation officielle de diffuser des programmes et d'attribution d'une fréquence que lui a adressée la MINUAR. J'espère que le Gouvernement donnera une suite favorable à cette demande dans un proche avenir.

III. DROITS DE L'HOMME

15. Les différents mécanismes des Nations Unies chargés de veiller au respect des droits de l'homme au Rwanda ont poursuivi leurs activités au cours de la période considérée. Le Rapporteur spécial, M. René Dégni Séguy, a séjourné au Rwanda du 15 au 22 octobre et s'est également rendu en République-Unie de Tanzanie et au Zaïre. La Commission d'experts a séjourné au Rwanda du 29 octobre au 10 novembre. Dans le cadre de l'opération qu'il mène sur le terrain au Rwanda dans le domaine des droits de l'homme, le Haut Commissaire des Nations Unies aux droits de l'homme a pu établir sept bureaux régionaux et, à la mi-novembre, une soixantaine de spécialistes des droits de l'homme et d'enquêteurs spéciaux sur les 147 prévus, étaient arrivés au Rwanda. Quarante autres observateurs ainsi que des équipes d'experts en médecine légale sont attendus d'ici la fin décembre.

16. Le Rapporteur spécial et la Commission d'experts ont poursuivi les tâches inscrites dans leurs mandats respectifs. À l'issue de sa dernière visite au Rwanda, le Rapporteur spécial a présenté son troisième rapport (A/49/508-

S/1994/1157). Conformément à la résolution 935 (1994) du Conseil de sécurité, en date du 1er juillet 1994, la Commission devrait présenter son rapport final d'ici le 30 novembre 1994. Je compte également recevoir du Rapporteur spécial et de la Commission d'experts les conclusions de leurs enquêtes sur les meurtres qui auraient été commis en guise de représailles par des éléments de l'APR. On se souviendra, à ce propos, que dans mon rapport du 6 octobre (S/1994/1133), je déclarais que, dans le cadre d'une mission chargée d'évaluer dans quelle mesure les conditions permettaient aux réfugiés de rentrer chez eux en toute sécurité, le Haut Commissariat des Nations Unies pour les réfugiés (HCR) avait obtenu certains renseignements selon lesquels des soldats de l'APR se seraient livrés à des meurtres systématiques de membres de la communauté majoritaire au Rwanda. Je signalais également que le Rapporteur spécial et la Commission d'experts mèneraient une enquête approfondie sur ces allégations.

17. On admet de plus en plus que la simple présence et la visibilité des spécialistes des droits de l'homme de l'Organisation des Nations Unies ont un effet positif dans les collectivités où ils sont déployés, notamment en tant que facteur de dissuasion des violations des droits de l'homme. Je partage l'avis du Conseil de sécurité, tel qu'il a été exposé dans la déclaration de son président en date du 14 octobre (S/PRST/1994/59), selon lequel le déploiement rapide d'observateurs des droits de l'homme contribuerait à créer un climat de confiance et à instaurer de meilleures conditions de sécurité, ce qui, à son tour, encouragerait peut-être les réfugiés à regagner leurs foyers au Rwanda. Grâce à des contributions volontaires, l'ONU a pu déployer plus du tiers des 147 observateurs prévus. Toutefois, une assistance soutenue et accrue est nécessaire pour permettre à l'opération d'atteindre sa vitesse de croisière et de bien s'acquitter de son importante mission. J'invite donc la communauté internationale à fournir l'assistance financière nécessaire.

18. Par sa résolution 955 (1994) du 8 novembre 1994, le Conseil de sécurité a décidé de créer un tribunal international chargé uniquement de juger les personnes présumées responsables d'actes de génocide ou d'autres violations graves du droit international humanitaire commis sur le territoire du Rwanda et les citoyens rwandais présumés responsables de tels actes ou violations commis sur le territoire d'États voisins, entre le 1er janvier et le 31 décembre 1994.

19. Il est essentiel, aussi bien pour la communauté internationale que pour le Rwanda, qui a été le premier à demander la création du tribunal international (voir S/1994/1115), que justice soit faite, de façon efficace et aussi rapidement que possible, afin d'éviter de nouvelles violations et de contribuer au processus de réconciliation nationale et de rétablissement et de maintien de la paix. Comme l'a demandé le Conseil, je m'emploie activement à prendre des dispositions pratiques en vue du fonctionnement effectif du Tribunal international et, en particulier, de son bureau chargé de l'instruction et des poursuites à Kigali, de la nomination d'un procureur adjoint et du personnel administratif et d'appui, ainsi que de l'élection des juges. À cet égard, le Haut Commissaire aux droits de l'homme a mis les services du Groupe spécial d'enquête, créé dans le cadre de l'opération qu'il mène sur le terrain au Rwanda dans le domaine des droits de l'homme, à la disposition du Procureur du Tribunal international, en vue de poursuivre les travaux d'enquête commencés par le Rapporteur spécial et la Commission d'experts en vertu de leur mandat. À mesure que l'opération progressera et que davantage de renseignements seront

recueillis, je présenterai des recommandations concernant les pays qui pourraient accueillir le siège du Tribunal. Je suis convaincu que les États Membres et les organisations intergouvernementales et non gouvernementales répondront à l'appel lancé par le Conseil de sécurité et apporteront les contributions (fonds, matériel, personnel et autres services) nécessaires à la création et au fonctionnement du Tribunal.

IV. ASPECTS MILITAIRES

20. Pendant la période considérée, l'effectif autorisé, à savoir 5 500 personnes, tous grades confondus, a été atteint. La Force est actuellement déployée comme suit :

a) Secteur 1 (nord-est) : Le déploiement de la compagnie nigériane, qui compte 331 personnes est maintenant terminé. En outre 40 observateurs militaires sont déployés dans le Secteur (voir la carte en annexe);

b) Secteur 2 (sud-est) : Deux sections (Ghana et Nigéria) continuent d'opérer dans ce secteur et seront renforcées d'ici à la fin de novembre par une compagnie ghanéenne. Si la situation en matière de sécurité et d'effectifs nécessaires dans le Secteur 4 le permet, c'est finalement l'équivalent d'un bataillon qui sera déployé dans le Secteur 2. Il y a 43 observateurs militaires dans ce secteur;

c) Secteur 3 (sud) : La compagnie d'infanterie indépendante du Malawi (165 hommes, tous grades confondus), qui opère dans le Secteur 3 vient d'être renforcée par une deuxième compagnie indépendante qui compte 200 hommes (Mali). De plus, 43 observateurs militaires continuent de patrouiller le Secteur;

d) Secteur 4 (sud-ouest) : Le Secteur 4 a été subdivisé en raison du manque de sécurité. Le bataillon ghanéen continue d'opérer dans le sous-secteur 4A (Gikongoro) et le bataillon zambien (qui compte actuellement 324 hommes, tous grades confondus) devra être pleinement déployé dans ce sous-secteur d'ici à la fin novembre. Le contingent interafricain (487 hommes, tous grades confondus, du Congo, de la Guinée-Bissau, du Niger, du Sénégal et du Tchad) et le bataillon éthiopien (810 hommes, tous grades confondus) continuent leurs opérations dans les sous-secteurs 4B (Kibuye) et 4C (Cyangugu) respectivement. Environ 80 observateurs militaires sont déployés dans le Secteur 4;

e) Secteur 5 (nord-ouest) : Le déploiement d'un bataillon tunisien (826 hommes, tous grades confondus) dans le Secteur 5 est maintenant terminé. On compte 43 observateurs militaires dans ce secteur;

f) Secteur 6 (Kigali) : Un premier groupe (319 hommes, tous grades confondus) du contingent indien a été déployé le 10 novembre 1994 et le déploiement du bataillon devrait être terminé en décembre 1994. C'est dans ce secteur que se trouvent le quartier général de la Force de la MINUAR et le siège du Groupe d'observateurs militaires. Des éléments spécialisés du Canada (transmissions, logistique et appui médical), du Royaume-Uni (logistique, génie et appui médical) et de l'Australie (hôpital de campagne) opèrent également dans ce secteur.

21. Comme je l'ai dit dans mon rapport du 6 octobre (S/1994/1133), le déploiement de la MINUAR s'est fait à un rythme irrégulier, assez lentement entre le mois de mai et la mi-juillet, puis progressant régulièrement pendant toute la période considérée. Ceci a permis à la Mission de fournir l'appui logistique voulu aux troupes déployées et, de façon générale, de dûment s'acquitter de son mandat. Si l'ONU et les États qui fournissent des contingents ont pu, avec l'appui de plusieurs États Membres, surmonter de nombreux obstacles logistiques, il y a eu des retards imprévus dans le transport des contingents et dans l'acheminement du matériel nécessaire aux contingents.

22. Afin d'assurer à tous les contingents l'appui (matériel et logistique) dont ils ont besoin pour s'acquitter efficacement de leurs fonctions, depuis août 1994, l'appui logistique est fourni en partie sous contrat commercial. Alors que, du fait du retrait des contingents britannique et canadien (avant le 1er décembre 1994 et fin janvier 1995 respectivement), l'entrepreneur devrait accroître l'appui logistique qu'il fournit, il n'est pas souhaitable, dans la situation actuelle en matière de sécurité au Rwanda, d'être entièrement tributaire d'arrangements commerciaux. C'est pourquoi un effort est fait pour obtenir qu'un petit élément logistique militaire, de 150 personnes environ, soit maintenu. J'espère que les États Membres seront disposés à appuyer ces efforts.

23. Dans mon rapport du 6 octobre, j'ai noté qu'avec la mise en place de nouveaux contingents, l'effectif de la MINUAR devrait dépasser temporairement le niveau autorisé. À la mi-novembre, la Force comptait 5 606 personnes, tous grades confondus. Le retrait du contingent britannique et le plein déploiement des contingents indien et zambien devraient porter l'effectif à 5 860 hommes environ, tous grades confondus, à la fin de 1994. Toutefois, les retraits et les relèves prévus devraient très facilement ramener l'effectif de la Mission au niveau autorisé dès les premiers mois de 1995. Le nombre d'observateurs militaires reste de 320, comme prévu.

24. Pendant la période considérée, la MINUAR a continué d'aider au transport des réfugiés et des personnes déplacées retournant à leurs foyers de leur plein gré, en même temps qu'elle a protégé les populations exposées, dans différentes régions et dans les camps de personnes déplacées au Rwanda. La MINUAR travaille actuellement avec des organismes humanitaires et avec le Gouvernement rwandais à définir et appliquer une stratégie de fermeture progressive des camps de personnes déplacées au Rwanda, grâce au retour librement consenti des intéressés à leurs foyers. Dans le contexte d'une escalade des incidents concernant la sécurité, les troupes de la MINUAR et les observateurs ont aussi intensifié leurs fonctions de surveillance et d'observation et leurs patrouilles.

25. Le problème des restrictions imposées aux déplacements des soldats de la MINUAR, que j'avais signalé dans mon rapport du 6 octobre, s'est quelque peu atténué pendant la période sur laquelle porte le présent rapport. Toutefois, comme les chefs de corps locaux de l'APR continuent d'exiger que la MINUAR obtienne du Ministère de la défense une autorisation officielle pour toutes les opérations de déploiement, il y a eu des retards et, parfois, la MINUAR n'a pas pu s'acquitter efficacement de son mandat. De plus, il arrive que, sans raison ou sans explication satisfaisante, l'on interdise à des patrouilles de la MINUAR l'accès à certaines zones. Afin de régler cette question, la MINUAR travaille

avec les autorités à Kigali à mettre au point des modalités de réunions régulières entre les chefs de personnel et officiers des opérations de la MINUAR et de l'APR en vue d'une meilleure coordination.

V. POLICE CIVILE

26. Au 15 novembre, 80 des 90 observateurs de police autorisés pour la MINUAR ont été déployés dans la zone de la Mission. Comme indiqué ci-dessus, il ne subsistait pas de véritables forces de police ou de gendarmerie lorsque le Gouvernement a été établi le 19 juillet, et les fonctions de police ont été confiées à une gendarmerie embryonnaire composée essentiellement de soldats de l'APR. À la demande du Gouvernement, la MINUAR a lancé un programme de formation aux tâches courantes et au travail d'enquête de la police. Dans sa déclaration du 14 octobre, le Président du Conseil de sécurité s'est notamment félicité du concours apporté par la MINUAR au Gouvernement rwandais pour l'aider à mettre sur pied une nouvelle force de police intégrée et il a encouragé la MINUAR à continuer dans cette assistance.

27. La composante police civile de la MINUAR forme actuellement des candidats désignés par le Gouvernement pour être intégrés aux deux corps que comprend la police rwandaise, à savoir la gendarmerie nationale et la police communale. La MINUAR a déjà participé à la formation de 102 gendarmes (dont trois instructeurs), qui ont obtenu leur diplôme le 5 novembre et son maintenant déployés dans le pays. Elle envisage de former 300 gendarmes supplémentaires dans le cadre d'un programme intensif de 16 semaines qui a commencé le 20 novembre. En outre, 100 des gendarmes déjà formés devraient suivre un cours intensif de 12 semaines pour devenir instructeurs.

28. La police civile de la MINUAR participe également au relèvement et à la réforme du système pénitentiaire dans le cadre du plan de normalisation d'urgence du Rwanda, lequel définit les domaines prioritaires en matière d'assistance financière et technique. À la demande des autorités judiciaires compétentes, la police civile de la MINUAR a visité la prison de Kigali au début du mois de novembre. Elle a constaté que l'établissement, construit pour accueillir 2 000 détenus, en abritait actuellement plus de 5 000, dont 111 femmes et 95 enfants, et que le taux de mortalité y était de cinq personnes par jour. La situation serait la même dans les prisons de Butare et de Gitarama. Pour remettre les prisons rwandaises en état, une action est nécessaire dans les domaines du logement, de la santé, de l'hygiène, du couchage, de l'habillement et de la sécurité.

29. Pour faire face à l'accroissement de ses responsabilités, la police civile de la MINUAR a besoin de plus d'observateurs francophones. Le Secrétariat continue à faire des efforts énergiques afin d'obtenir des observateurs de police supplémentaires ayant les connaissances linguistiques nécessaires pour permettre à la police civile de la MINUAR d'atteindre son effectif autorisé.

VI. ASPECTS HUMANITAIRES

30. Actuellement, la situation humanitaire au Rwanda représente pour la communauté internationale une crise aiguë d'une complexité inhabituelle. À proprement parler, l'urgence est aujourd'hui moindre au Rwanda, même si au moins

1,5 à 2 millions de personnes déplacées demeurent tributaires de l'assistance des organismes d'aide. Il est toutefois évident que l'ensemble du pays est dans une situation d'urgence, car les institutions étatiques ne sont pas en mesure de maintenir les infrastructures de base du pays et d'assurer le bien-être de la population. La société au sens le plus large est menacée.

31. Aux frontières de l'État rwandais, plus de 2 millions de réfugiés rwandais se trouvent dans des camps au Zaïre, au Burundi et en République-Unie de Tanzanie. Le retour volontaire de ces réfugiés est crucial pour la normalisation de la situation au Rwanda. Cependant, comme on l'a noté ci-dessus, les actes de violence visant à intimider et à désinformer pratiqués dans ces camps de réfugiés, en particulier au Zaïre, dissuadent de nombreux réfugiés de bonne foi de rentrer dans leurs foyers.

32. La situation des personnes déplacées à l'intérieur du Rwanda est comparable à celles des réfugiés se trouvant aux frontières du pays. Leur retour rapide dans leurs communautés d'origine est entravé par les actes d'intimidation à l'intérieur des camps et la crainte de représailles. Comme je le déclarais dans mon rapport du 6 octobre (S/1994/1133), la réinstallation des personnes déplacées à l'intérieur du pays n'est pas seulement un impératif humanitaire, mais aussi un problème aux conséquences pratiques immédiates. L'idée est répandue dans la population des régions accueillant les camps où vivent les personnes déplacées à l'intérieur du pays que l'on vit mieux à l'intérieur de ces camps qu'à l'extérieur. Ceci provoque de plus en plus de tensions entre la population locale et celle des camps. Dans le même temps, les camps occupent des terres agricoles dont on aurait grand besoin et, de plus en plus, constituent un risque écologique. En outre, si les personnes qui se trouvent à l'intérieur des camps ne rentrent pas rapidement et en grand nombre dans leurs régions d'origine, elles manqueront la saison des plantations et le pays deviendra en conséquence encore plus tributaire de l'aide alimentaire. Enfin, un programme efficace de réinstallation des personnes déplacées à l'intérieur du pays contribuerait à créer une atmosphère propice au rapatriement des réfugiés.

33. Mon Représentant spécial au Rwanda n'a ménagé aucun effort pour mettre au point, de concert avec les autorités gouvernementales, les organismes des Nations Unies, les organisations non gouvernementales et d'autres organisations concernées, une stratégie d'application immédiate pour faire face au problème des personnes déplacées à l'intérieur du pays. En collaboration étroite avec le Gouvernement, et par l'intermédiaire du Coordonnateur des secours d'urgence, il est en train de mettre la dernière main à un programme intégré d'action humanitaire pour faire face à la crise. Cette action doit mettre à profit les acquis et les capacités de toutes les organisations participantes, y compris la MINUAR, afin de lancer des programmes de réinstallation des personnes déplacées à l'intérieur du pays avant le commencement de la saison des pluies. Ces programmes de réinstallation, qui seront élaborés en commun par les autorités étatiques compétentes et la communauté humanitaire internationale au Rwanda, seront supervisés par les observateurs des droits de l'homme déployés par le Haut Commissaire aux droits de l'homme.

34. Dans plusieurs régions d'importance critique du pays, la présence de mines continue de constituer un obstacle à l'exécution des programmes de réinstallation et des activités de relèvement. On s'efforce actuellement de

recenser ces régions et d'intensifier les campagnes de sensibilisation à la présence de mines. Néanmoins, il est clair qu'il faut faire davantage en matière de sensibilisation et de déminage. Les mutilations cruelles et les pertes de vies humaines causées par les mines, en particulier parmi les enfants, sont intolérables.

35. Les organisations internationales et autres organisations concernées continuent de fournir aux personnes déplacées et autres secteurs vulnérables de la société l'assistance dont ceux-ci ont grand besoin. Des efforts particuliers sont déployés pour soulager la détresse des enfants séparés de leurs familles et pour exécuter des programmes de recherche des familles, tout en fournissant un appui psychologique à ceux qui sont le plus gravement traumatisés. Dans le même temps, l'assistance traditionnelle augmente. De nouveaux efforts sont en cours pour lancer des programmes de sensibilisation et de prévention en ce qui concerne le sida. Des semences et des outils sont fournis par l'intermédiaire du Ministère de l'agriculture pour aider quelque 3,5 millions de personnes au Rwanda. L'aide alimentaire est maintenue et des projets hydrauliques sont rapidement exécutés dans les zones rurales et urbaines. Des programmes sont en cours dans le domaine de l'enseignement pour combler les lacunes jusqu'à ce qu'un système d'enseignement normal soit rétabli.

36. Il est important de souligner les efforts déployés par de nombreuses organisations humanitaires pour renforcer la capacité du Gouvernement dans l'immédiat. Des efforts sont en cours pour rétablir un semblant de structures institutionnelles par la fourniture de véhicules et de matériel de bureau de base, et par des décaissements rapides de fonds pour faire redémarrer la production d'électricité et des activités similaires. C'est ainsi que la Pharmacie centrale du Gouvernement a rouvert ses portes et que le Ministère de la santé, grâce à l'installation d'une chaîne du froid, est de plus en plus à même de s'occuper des distributions de vaccins.

37. Tous ces efforts doivent être perçus dans le contexte des obstacles énormes que devra surmonter tout programme de normalisation efficace. Comme on l'a déjà indiqué, le règlement de la crise humanitaire à laquelle sont confrontés le Gouvernement rwandais et la communauté humanitaire internationale est subordonné à la stabilisation de la société rwandaise. Pour contribuer à cette stabilisation, la communauté internationale devra fournir l'appui nécessaire pour que l'armée ne devienne pas un facteur de perturbation sociale. Dans le même temps, si l'on veut protéger durablement les droits de l'homme des personnes déplacées à l'intérieur du pays et des réfugiés rentrant au Rwanda, il est nécessaire de fournir rapidement une assistance au Gouvernement pour l'aider à rétablir la police et le système judiciaire rwandais. Il faut renforcer la capacité du Gouvernement de générer des recettes. Parallèlement, les administrations s'occupant du bien-être de la population rwandaise doivent être rétablies.

38. La communauté internationale aura plusieurs occasions de relever ce défi humanitaire. Mon Représentant spécial a élaboré et présenté aux donateurs potentiels un plan de normalisation d'urgence du Rwanda indiquant les domaines dans lesquels une assistance est nécessaire d'urgence. À la demande du Gouvernement, le Programme des Nations Unies pour le développement (PNUD) prête son concours à l'organisation d'une table ronde qui doit se tenir les 14

et 15 décembre à Genève. Cette table ronde donnera la possibilité au Gouvernement et à la communauté internationale des donateurs de se mettre d'accord sur un cadre d'action général, ainsi que d'examiner les besoins fondamentaux en matière de relèvement. Les vues du Gouvernement en ce qui concerne les activités humanitaires devant être menées en 1995 constitueront un élément essentiel de ce dialogue. La table ronde précédera l'appel interinstitutions commun des Nations Unies en faveur du Rwanda, qui doit être lancé durant la deuxième semaine de janvier 1995. Cet appel, fruit des efforts communs du Gouvernement, des organismes des Nations Unies et des autres organisations concernées, sera axé essentiellement sur les besoins d'urgence précis ainsi que sur les besoins du relèvement à court terme. Il est prévu de fonder également cet appel sur les ressources dont les responsables du développement auront besoin à moyen et à long terme pour le relèvement du pays.

39. À cet égard, on se souviendra qu'en application de la résolution 925 (1994) du Conseil de sécurité, en date du 8 juin 1994, un fonds d'affectation spéciale a été créé pour financer les programmes de secours humanitaire et de relèvement au Rwanda. Ce fond d'affectation spéciale facilite l'utilisation des contributions pour satisfaire les besoins immédiats du Gouvernement rwandais. Malheureusement, un seul donateur important a versé une contribution substantielle au fonds. Je demande instamment aux autres d'en faire autant.

VII. ASPECTS FINANCIERS

40. Dans le rapport que je lui ai présenté à sa quarante-neuvième session (A/49/375 et Corr.1 et Add.1), j'ai demandé à l'Assemblée générale de prévoir les ressources nécessaires pour couvrir les dépenses de la MINUAR au-delà du 9 décembre 1994, au cas où le Conseil de sécurité déciderait de proroger le mandat de la Mission. L'Assemblée est actuellement saisie de la question.

41. Les contributions attendues mais non versées au compte spécial de la MINUAR depuis le lancement de la Mission représentaient au total 17,6 millions de dollars au 17 novembre 1994. À la même date, le total pour l'ensemble des opérations de maintien de la paix s'élevait à 1,5 milliard de dollars, ce qui illustre bien les difficultés financières auxquelles se heurte l'Organisation des Nations Unies.

VIII. OBSERVATIONS ET RECOMMANDATIONS

42. Il est clair que la situation reste critique au Rwanda et que le pays est toujours aux prises avec de redoutables problèmes. Si l'on trouve des encouragements dans les efforts que font les autorités publiques, avec la collaboration de la communauté internationale, pour stabiliser la situation, de nouvelles menaces et de nouveaux problèmes ne cessent de surgir, qui risquent de compliquer encore une situation déjà difficile et de compromettre les quelques progrès que l'on a faits jusque-là. Le sourd mouvement de militarisation des camps de réfugiés en particulier a mis la communauté internationale dans une alternative douloureuse. Alors que la crise humanitaire que représente le sort des réfugiés et des personnes déplacées continue d'inspirer les plus vives inquiétudes, elle ne peut accepter que l'aide humanitaire apportée aux véritables réfugiés serve non seulement à affaiblir la sécurité dans les camps mais aussi à mettre en péril la stabilité même du Rwanda. Dans mon rapport du

18 novembre (S/1994/1308), j'ai présenté quelques réflexions sur ce que l'on pourrait faire pour régler le problème de l'insécurité dans les camps et éviter que ne soit définitivement compromise l'action humanitaire engagée pour protéger les réfugiés et les faire enfin rentrer de plein gré dans leurs foyers dans des conditions satisfaisantes de sécurité.

43. Le Gouvernement rwandais m'a de nouveau donné l'assurance de sa ferme volonté d'instaurer les conditions propices au rapatriement volontaire sans risques et à la réconciliation nationale. J'en appelle à ce gouvernement pour qu'il veille à traduire cette détermination en actes et en programmes concrets, même s'il manque pour l'heure de ressources financières. J'ai défini dans mon rapport du 18 novembre une approche à double volet qui permettrait d'instaurer un climat favorable à la réconciliation nationale et à une paix durable. Cette approche recouvre plusieurs solutions de règlement du problème de la sécurité dans les camps et diverses mesures qui aideraient en même temps le Gouvernement à instaurer des conditions permettant le rapatriement en masse et la réinsertion à grande échelle des réfugiés et des personnes déplacées.

44. Le plan de normalisation d'urgence du Rwanda, la prochaine table ronde organisée par le PNUD et l'appel interinstitutions commun offrent amplement à la communauté internationale l'occasion de venir en aide au Gouvernement rwandais pour la restauration et la reconstruction de son pays. Son effort de normalisation et de stabilisation à l'intérieur pourrait encourager à rentrer chez eux réfugiés et personnes déplacées, ce qui irait dans le sens de la réconciliation nationale et du raffermissement de la paix qui vient de s'établir. Je n'en reste pas moins convaincu que si le problème de l'instabilité actuelle n'est pas promptement réglé par le Gouvernement rwandais et la communauté internationale, les difficultés qui restent à résoudre et les risques qui commencent d'apparaître non seulement compromettront ce qui a déjà été réalisé, mais pourront faire régresser le pays et ressusciter le spectre de nouvelles hostilités.

45. Je tiens également à souligner l'importance de l'action des gouvernements de la région et de l'Organisation de l'unité africaine (OUA), agissant soit de leur côté soit en collaboration avec l'ONU, pour régler durablement les problèmes du Rwanda. On n'aura pas oublié à ce propos que l'Assemblée générale a, dans sa résolution 49/7 du 25 octobre 1994, approuvé la réunion d'une conférence régionale sur l'aide aux réfugiés, aux rapatriés et aux personnes déplacées, qui sera co-organisée par l'OUA et le HCR. Ni que le Conseil de sécurité a institué il y a peu, par sa résolution 955 (1994) un tribunal international chargé de juger les personnes présumées responsables d'actes de génocide ou d'autres violations graves du droit international humanitaire pendant le récent conflit dans le pays, initiative qui contribuera sans doute à prévenir de nouvelles atteintes aux droits de l'homme et à promouvoir la paix et la réconciliation nationale. Je me félicite que le Gouvernement rwandais se soit déclaré disposé à collaborer avec le Tribunal, même s'il a voté contre le projet au Conseil de sécurité.

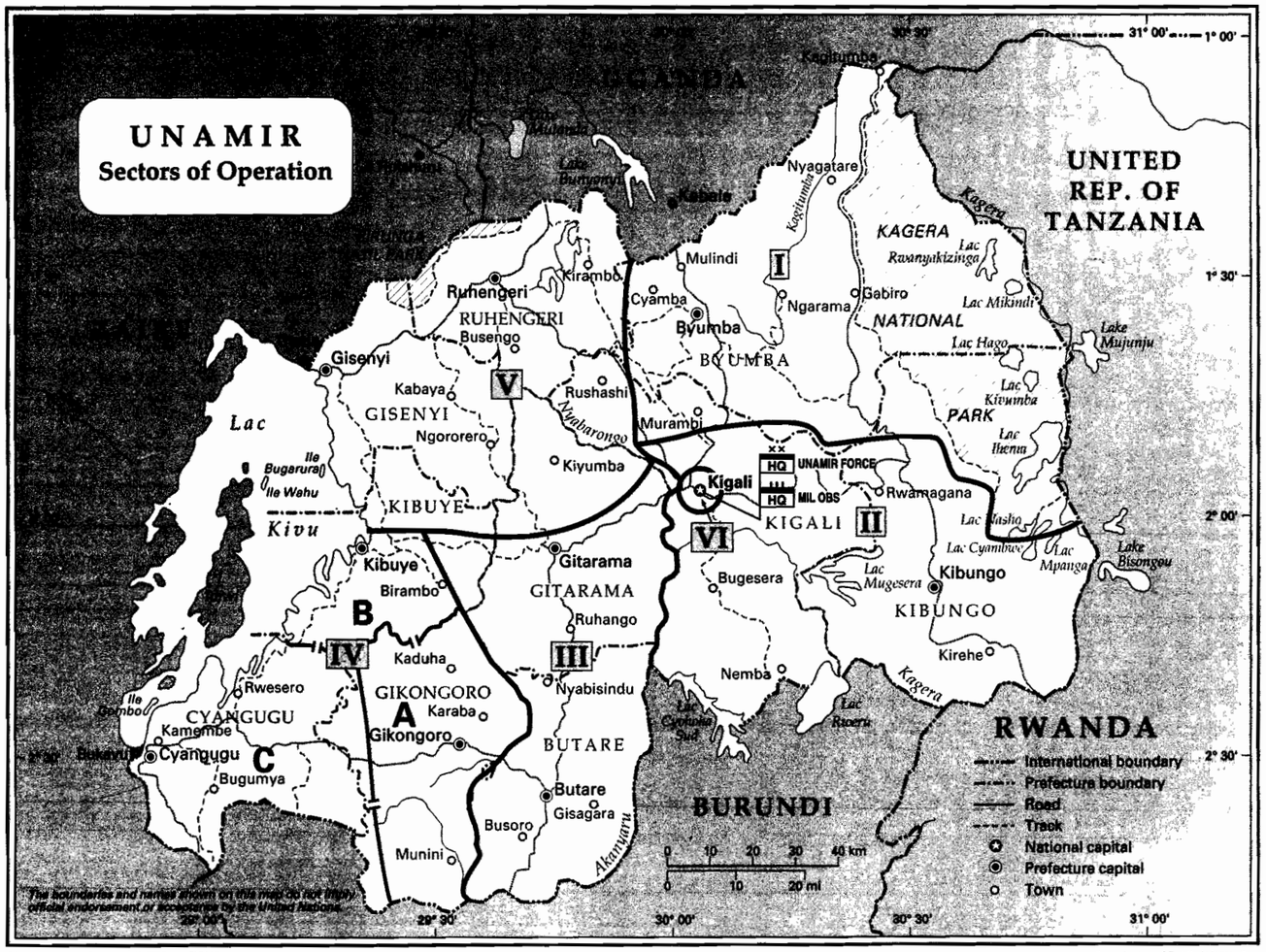
46. Dans sa déclaration du 14 octobre (S/PRST/1994/59), le Président du Conseil de sécurité a souligné l'importance que le Conseil attache au rôle de la MINUAR, dont la présence neutre et indépendante est essentielle à l'instauration de conditions de sécurité au Rwanda. La MINUAR a fermement établi sa présence, en

tant que point de ralliement de l'action internationale au Rwanda et en tant que maître d'oeuvre veillant activement à la coordination de la dynamique d'ensemble de la paix et de la réconciliation.

47. Mais c'est en fin de compte au peuple rwandais lui-même de résoudre les problèmes que connaît son pays. La communauté internationale ne peut que le seconder. Je demande au Gouvernement de faire en sorte, grâce à l'instauration d'un dialogue ouvert entre tous les groupes, que tout Rwandais ait un rôle à jouer dans la réconciliation et l'édification de la nation. D'étroites relations de coopération et de coordination avec la communauté internationale seront également un facteur décisif de stabilisation.

48. Compte tenu des progrès déjà acquis et des problèmes auxquels il faut s'attendre, je recommande de proroger de six mois, c'est-à-dire jusqu'au 9 juin 1995, le mandat de la MINUAR. Pendant cette période, la Mission continuera d'assumer ses fonctions actuelles et exercera plus activement ses bons offices pour rendre plus rapide et plus facile le mouvement vers la paix et la réconciliation nationale. Elle continuera de même à soutenir le travail entrepris pour dégager une approche régionale du problème créé par la crise au Rwanda. Comme je l'ai recommandé dans mon rapport du 18 novembre 1994, cette approche régionale passerait par l'organisation d'une conférence internationale chargée de définir les solutions à long terme qui permettraient d'assurer la paix, la sécurité et le développement dans la sous-région.

Annexe



Map No. 3807.1 Rev. 6 UNITED NATIONS
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UNITED NATIONS

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REPORT OF THE SECRETARY-GENERAL ON SECURITY IN THE RWANDESE REFUGEE CAMPS

I. INTRODUCTION

1. The present report is submitted in pursuance of the statement of the President of the Security Council dated 14 October 1994 (PRST/1994/59), which noted the Council's concern at the plight of the millions of Rwandese refugees and displaced persons, reiterated the view that their return to their homes was essential for the normalization of the situation in Rwanda and deplored the continuing acts of intimidation and violence within the refugee camps, which were designed to prevent the refugee population there from returning home.

2. In my report on the situation in Rwanda dated 6 October (S/1994/1133), I indicated that, as a result of his visit to Zaire from 12 to 14 September, my Special Representative for Rwanda, Mr. Shaharyar Khan, concluded that the most effective way of ensuring the safety of the refugees and their freedom to return to Rwanda would be the separation of political leaders, former Rwandese government forces and militia from the rest of the refugee population. I also noted, however, that that would be a difficult and complex undertaking, especially as those to be separated would be likely to resist, and incite others to resist, any attempt to relocate them. In order to address more fully the problems associated with separating the former Rwandese government forces' political leaders, military and militia from the refugees, and to evaluate the logistic and other requirements involved, a joint Zairian/United Nations working group was established, composed of officials of the Government of Zaire, the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Development Programme (UNDP). A technical team from the United Nations Assistance Mission for Rwanda (UNAMIR) was sent to Zaire to join the working group. In my report of 6 October, I also indicated that my Special Representative had recommended that attention be focused, as a matter of priority, on the camps in Zaire, where the problems were significantly more acute than in those established in the United Republic of Tanzania. Accordingly, the present report addresses mainly the issue of security in the camps located in Zaire.

3. In his statement of 14 October, the President of the Security Council that the Council looked forward to receiving a further report from me [illegible]

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issue, based, inter alia, on the findings of the UNAMIR technical team participating in the joint Zairian/United Nations working group. The joint working group was established at Kinshasa on 26 September and concluded its site visits on 11 October. The UNAMIR technical team returned to Kigali on 14 October and subsequently submitted its report to my Special Representative.

4. Following consultations between the Secretariat and UNHCR on possible options for addressing the security situation in the camps, I convened a high-level meeting at Geneva on 8 November, which focused on various aspects of the crisis in Rwanda and most importantly on the situation in the refugee camps. The meeting was attended by the United Nations High Commissioner for Refugees and the United Nations High Commissioner for Human Rights, the Executive Director of the World Food Programme, the Under-Secretaries-General for Political Affairs and for Humanitarian Affairs, the Legal Counsel, one of my special advisers, my Special Representatives for Rwanda and Burundi, my Special Humanitarian Envoy for Rwanda and Burundi, the Military Adviser in the Department of Peace-keeping Operations and a representative of the United Nations Children's Fund (UNICEF).

5. The meeting concluded that the most urgent problems were the security in the camps and the Government's need for support to enable it to carry out its functions. It was agreed that those problems must be addressed under an overall strategy leading to the repatriation and reintegration of refugees and internally displaced persons. The meeting also concluded that longer-term efforts, including efforts on a regional basis, towards national reconciliation, rehabilitation and reconstruction of the country should contribute to the resolution of the more urgent problems related to the safe return of refugees and internally displaced persons.

II. PRESENT SITUATION IN THE RWANDESE REFUGEE CAMPS IN ZAIRE

A. Conditions in the camps

6. An estimated 1.2 million people fled Rwanda over a four-day period in mid-July to the Kivu region of Zaire, in one of the largest and most sudden movements of refugees in modern history. UNHCR estimates that there are 850,000 refugees in north Kivu, in the Goma areas of Mugunga, Kibumba and Katale, and about 370,000 in south Kivu, in the Bukavu and Uvira areas. The camps, which sprawl over miles, are overcrowded, chaotic and increasingly insecure. The refugees live in makeshift huts and are completely dependent on United Nations and relief agencies for basic needs assistance.

7. The former Rwandese political leaders, Rwandese government forces soldiers and militia control the camps, though the degree of control varies from area to area. They are determined to ensure by force, if necessary, that the refugees do not repatriate to Rwanda. They also make it difficult for relief agencies to carry out their work in safety, because they attempt to control the agencies' activities in the camps and prevent relief supplies from reaching those [illegible] It is believed that these elements may be preparing for an armed invasion of Rwanda and that they may be stockpiling and selling food distributed by the agencies in preparation for such an invasion [illegible]

cross border incursions. Security is further undermined by general lawlessness, extortion, banditry and gang warfare between groups fighting for control of the camps. As a result of these threats to security, non-governmental organizations responsible for the distribution of relief supplies in the camps have begun to withdraw.

8. There are approximately 230 Rwandese political leaders in Zaire, including former ministers, senior civilian and military officials, members of parliament and other political personalities, many of whom live in good conditions in hotels and houses outside the refugee camps. With their dependants, they amount to about 1,200 persons. These leaders exert a hold on the refugees through intimidation and the support of military personnel and militia members in the camps.

9. Estimates of the number of former Rwandese government forces personnel in Zaire differ but they probably amount to about 50,000 persons, including dependants. In south Kivu, they are located in two separate military camps. In north Kivu, on the other hand, they are living among the refugees and are often indistinguishable from them, since many no longer wear uniform. It seems to be their intention to regain power in Rwanda and there are reports of continuing military activity by them along the Zairian/Rwandese border in Kanganiro and Kamanyola. However, they have not so far been as significant a factor for insecurity in the camps as have the militia.

10. The militia have a significant presence in the camps in the Goma area, where they control access into and out of the camps and resort openly to intimidation and force to stop refugees who are inclined to return to Rwanda. Like the Rwandese government forces personnel, they possess firearms, as the Zairian authorities were unable to disarm all the Rwandese government forces and militia personnel when they sought refuge in Zaire in July 1994. They also possess vehicles and communication equipment. It is difficult to determine their exact number as they neither wear uniform nor carry any insignia that would distinguish them from the rest of the refugee population. However, an estimate of their number can be made by reference to the militia's pre-war organization. Each of the 147 communes in Rwanda had between 100 and 150 organized militia, which would represent a total of between 14,700 and 22,050 personnel. Allowing for war attrition, this number may have fallen as low as 10,000 when the refugee camps were established but, in view of the political activity in the camps, it could have risen since that time.

11. There is little information available on the former Presidential Guard, which is estimated to consist of 800 men located in both Goma and Bukavu. There are reports that it may be housed in clandestine camps.

B. Factors impeding repatriation

12. In August and early September, an estimated 200,000 refugees [illegible] Rwanda. This movement, however, was interrupted by the [illegible] political leaders opposed to voluntary repatriation. Since September [illegible] number of refugees returning home has fallen drastically, [illegible] of refugees continue to trickle back to Rwanda [illegible]

militia and dissuasion by political leaders. During the same period, some 400,000 refugees of mainly Tutsi origin, many of whom had been in exile in Uganda and Burundi for decades, have returned to Rwanda and, in many cases, settled on land belonging to those who have fled most recently, thus creating another problem relating to property rights. The Government has set up a land commission to resolve that problem but it is unable to provide alternative solutions for those refugees, because of a lack of funds.

13. The refugees' fear of reprisals by the Government for atrocities committed against Tutsis and moderate Hutus seems to be another main reason for their hesitancy about returning to Rwanda. While this fear has been exacerbated by efforts on the part of political leaders, Rwandese government forces elements and militia to dissuade the refugees from returning home, it also appears to be rooted in the history of the relationship between Hutus and Tutsis in Rwanda. In expressing their distrust of the Government, refugees have also indicated a desire for their security to be guaranteed by a neutral body or for their own leaders to participate in the new Government.

14. In the light of the above, the UNAMIR technical team sought the views of the political and military leaders in the camps on conditions that would enable them to allow refugees the freedom of choice to return to Rwanda. These conditions included negotiations with the new Government; involvement of the exiled leadership in all negotiation processes; involvement of the United Nations in facilitating negotiations between the Government and the leadership in exile; revival of acceptable elements of the Arusha Accord; power-sharing; setting up of an international tribunal that would address not only the atrocities and acts of genocide committed after the events of 6 April 1994, but also alleged massacres committed by forces of the Rwandese Patriotic Front (RPF) since 1990; organization of early elections; security guarantees, especially for the safe return of all refugees; and guarantees for the repossession by the refugees of their property.

III. MEASURES FOR THE ESTABLISHMENT OF SECURE CONDITIONS IN THE CAMPS

A. Initial measures

15. In response to a request from the Government of Zaire, consideration has been given, in consultation with UNHCR, to measures aimed at providing immediate, but temporary, assistance to the Zairian security forces in protecting humanitarian operations in the camps. These measures would promote bilateral arrangements between the Government of Zaire and other Governments for the deployment of security experts to train and monitor the local security forces. An assessment mission would formulate recommendations on the number of security experts required and their organization, management and modus operandi. The mission would also estimate the financial support to be provided to the local security forces.

16. In this connection, it is relevant that UNHCR is already assisting the Government of the United Republic of Tanzania to strengthen [illegible] to provide security in the camps through the provi[illegible]

logistic support. An assessment of the additional support that the Government of the United Republic of Tanzania may require in this regard will be made as soon as possible. Such measures would not, by themselves, be sufficient to address the more difficult problems in the camps in Zaire. If adopted in Zaire, they would need to be taken in conjunction with and in support of one of the options described below.

17. Efforts to improve security in the camps should also be supported by a public information campaign that would provide factual information on the situation both in the camps and in Rwanda. To this end, as indicated in my report of 6 October, UNAMIR is building a broadcasting capacity that can reach the camps. However, the Government of Rwanda has yet to grant the necessary authorizations for UNAMIR to begin broadcasting and for a frequency allocation. It is important that these authorizations should be forthcoming soon.

B. Deployment of a United Nations peace-keeping operation

18. In order to improve security, one option would be to deploy a United Nations peace-keeping force to the camps in Zaire, with the consent of the Government of Zaire, as is the established practice for such operations. The task of such a force would be to provide security for international relief workers, protection for the storage and delivery of humanitarian assistance and safe passage to the Rwandese border for those refugees who wish to return. From the border, UNAMIR troops would then provide assistance in returning the refugees to their home communities. Such a force would have a mandate separate from that of UNAMIR but would be under the operational control of, and supported logistically by, UNAMIR.

1. First phase

19. In the first phase, two well-trained and well-equipped mechanized battalions would spearhead the operation in the camps north of Lake Kivu. Each battalion would establish secure areas within large camp sites, providing safe conditions for the refugees in those areas. The force would establish screening procedures to keep weapons out of the secure areas. Humanitarian assistance operations would be intensified within these secure areas. The aim during this first phase would be to create conditions conducive to the voluntary repatriation to Rwanda of as many refugees as possible from each secure area. This, of course, would depend on the establishment within Rwanda of conditions under which the refugees could return to their homes in safety and dignity.

20. Within each secure area, local security units would be formed and trained to take over the security functions being performed by the peace-keeping force when reasonably secure conditions were deemed to have been created. At that time, the United Nations contingents would move forward to create similar secure areas in other locations. In planning such movement, consideration would be given to the likely impact of ongoing operations on conditions and attitudes in the camps that were to be secured in subsequent operations.

21. The local security units would include guards from either the Zairian security forces or former Rwandese gendarmerie present in the camps (who were proved not to have been involved in the atrocities), depending upon the situation in the particular area. Security experts, as envisaged in paragraph 15 above, would be made available (either as United Nations civilian police or through a private security firm) to train and monitor the local units in carrying out their security duties. The requisite equipment and financial assistance would also be provided for the local security units. The intention would be to ensure that the local security unit in each area would be capable of providing reasonable security, under the supervision of a minimal number of United Nations personnel, until the remaining refugees could be repatriated during the second phase of the operation, after which the area would be closed.

2. Second phase

22. In the second phase, lightly equipped motorized units would be deployed in the areas rendered secure during the first phase. Their main task would be to escort refugees to the Rwandese border and, in the meantime, to ensure that these areas continued to enjoy secure conditions. In this phase, self-contained company groups would be deployed to each secure area, cumulatively reaching battalion level. As the areas were closed upon completion of repatriation, each company group would be rotated to another secure area which was ready to move into the second phase.

23. Under this option, it is estimated that a force of 3,000 all ranks would be required. A parallel operation, launched simultaneously in the area south of Lake Kivu, where conditions are marginally better, could have a stabilizing effect on Burundi where the situation is still very fragile. To conduct such an operation, an additional 2,000 troops would be required.

24. After progressively establishing security in the camps both north and south of Lake Kivu, the mechanized battalions would be withdrawn from the force. The second phase units would also be gradually withdrawn as secure areas were closed down. This operation would be fully coordinated with the measures for rengthening security conditions in the camps mentioned in paragraph 15 above.

25. The incremental approach to establishing security proposed under this option is unavoidable as the dimensions of the problem are such as to make it impossible to address all refugee camps at the same time. Depending on the situation in the camps and the rate of repatriation, it is estimated that, given a force strength of 3,000 all ranks, it would take 24 to 30 months to complete the operation. However, with the additional 2,000 troops mentioned in paragraph 23, it is estimated that the duration of the operation could be reduced by about 10 months.

C. Action under Chapter VII of the Charter

26. The option outlined above does not provide for the separati[illegible] political leaders, former Rwandese government forces troops an[illegible] rest of the camp population, which, as indicated in my report [illegible]

considered to be the most effective way of ensuring the safety of refugees and their freedom to exercise their right to return to Rwanda. That report also noted that the Government of Zaire had expressed its commitment to addressing the refugee crisis and to improving security in the camps. To this end, it has indicated that the military and militia elements could be moved to new camps at a distance from the present refugee camps. It has also indicated that it would prefer the political leadership of the former Government of Rwanda to be located in third countries, although they could stay in Kinshasa while awaiting relocation.

27. The political leaders, the military hierarchy of the Rwandese government forces and the militia have made evident their opposition to either their removal from Goma and Bukavu or their separation from the refugee population prior to an overall settlement of the conflict. It is difficult to determine how far these groups would resist attempts to relocate them. Given their xpressed opposition, however, and their proven propensity for violence, it can be assumed that they would not move voluntarily and would be likely to use force to resist being moved.

28. Should it be decided to undertake the separation of former political leaders, military and militia, the operation would also be undertaken in phases. In the first phase, while the new camps were being prepared, a strong, well-trained and well-equipped force would be deployed inside the existing refugee camps with the initial mandate of ensuring the security of international relief workers and the delivery of humanitarian assistance. During the second phase, once the new camps were established, the former political leaders, Rwandese government forces personnel and militia would be moved to the new sites, on a voluntary basis if possible, with force being used only where voluntary separation was resisted.

29. The UNAMIR technical team visited several sites recommended by the Government of Zaire, most of them in remote locations. The team analysed in detail the logistic difficulties that would have to be overcome in order to move the political leaders, Rwandese government forces personnel and militia to these new camps. The team concluded that the camps would require considerable frastructure repair (airfields, roads, buildings, etc.), which would take at least six months to complete from the date of commissioning.

30. Taking all these factors into consideration, especially the likelihood that forcible action would be required, it is evident that this would be a risky, complex and very expensive endeavour. Given the need to provide security in both the existing camps and in the new sites to which the Rwandese government forces personnel and militia would be moved, it is estimated that a force level of two brigade groups (10,000-12,000 men), operating under a Chapter VII mandate, would be required. A United Nations force could conceivably be established for this purpose, either linked to UNAMIR or, preferably, as a separate operation. However, it will be recalled how difficult it was for the United Nations to obtain the necessary troops for the expansion of UNAMIR. It is, thus, clear that the United Nations could not be assured of obtaining expeditiously the personnel required to establish a force capable of undertaking this operation. Should the Security Council favour the establishment of such operation, it may therefore wish to authorize a Member State or a group of

Member States, to take the lead in organizing it, using all necessary means to achieve the aims outlined above.

IV. CONCLUDING OBSERVATIONS

31. The preceding section of this report has identified three major military options for tackling the problem of security in the camps, namely:

(a) A United Nations peace-keeping operation, set up in accordance with normal procedures, to establish security progressively in the camps, area by area, over a period of time;

(b) A United Nations force, set up under Chapter VII of the Charter, to separate the former political leaders, military personnel and militia from the ordinary refugee population of the camps, thereby ensuring their security;

(c) A multinational force, authorized by the Security Council under Chapter VII of the Charter but not under United Nations command, to carry out the functions set out in subparagraph (b) above.

Other measures which could be associated with any of the above options would be the provision of foreign security experts to train and monitor the local security forces and appropriate public information campaigns.

32. In considering the above options, it is important to bear in mind that any operation conducted without parallel efforts towards national reconciliation in Rwanda will be futile. Indeed, it might merely have the effect of intensifying extremist activities in the refugee camps in Zaire and also those in other countries bordering Rwanda. It is evident that national reconciliation will require both a political understanding between the former leadership of the country and the present Government and the establishment of conditions in the camps, and in Rwanda itself, conducive to the return of the refugees. Neither is imminent. Any operation that encouraged the repatriation of refugees who were then not able to return to their home communities would merely add to the 1.5 to 2 million persons who are already internally displaced persons inside Rwanda and should therefore be avoided.

33. I am convinced that the first step must be a determined effort by the international community to improve security in the Rwandese refugee camps, especially those in Zaire. On the basis of the information provided by my Special Representative and of the preparatory work undertaken by the Secretariat, I feel that the peace-keeping operation envisaged above (paragraph 31 (a)) may be, under the present circumstances, the most realistic way of achieving a progressive improvement of security in the camps. This will be a difficult, complex and, to some extent, unprecedented enterprise. Should the Security Council favour such an approach, it would be essential that Member States be prepared to provide, in a timely manner, the full human, financial [illegible] logistic resources which would be required to carry it out effective[illegible]

34. In determining the measures that need to be taken [illegible] wish to keep in mind that establishing se[illegible]

seen as only the first step in an overall strategy to establish long-term security and durable peace in Rwanda. A two-pronged approach must be adopted of addressing security issues in the camps and, at the same time, helping the Government to create conditions in Rwanda under which large-scale repatriation and reintegration of refugees and internally displaced people can take place. This twin approach is the only means of achieving the environment necessary for national reconciliation and sustainable peace.

35. The Government must assume its responsibilities for establishing the conditions necessary for the return of refugees to Rwanda in safety and dignity. However, in the wake of the cataclysm that has overtaken Rwanda, it finds itself without even the minimal resources to run an administration, much less reconstruct a shattered country and nation. The Government has indicated its commitment to creating conditions for the safe repatriation of refugees and has requested assistance from the international community for this purpose. This will require the rehabilitation of the basic economic and social infrastructure. Measures to be taken inside Rwanda must include the establishment of a fair and effective judicial system and the issue of property rights. As mentioned above, large numbers of longer-term refugees are returning to Rwanda and, in some cases, are occupying the land of those who have recently fled. The Government needs immediate and major financial and technical assistance from the international community to reintegrate the earlier refugees who are now returning and to ensure that those who recently left the country are able to reclaim their properties upon their return.

36. The Government and the international community must be equally committed to cooperating with one another in ensuring that special measures are taken in regard to security, the maintenance of law and order, the administration of justice, economic and social rehabilitation and national reconciliation for the benefit of all Rwandese, especially in those communities to which refugees and displaced people will return. In this regard, about 60 human rights monitors have been deployed in the country to monitor the conditions of returning refugees and internally displaced people. Furthermore, UNAMIR is planning to deploy political affairs officers to its five sectors of operation, specifically to assist the Government, through the local administrations, in promoting national reconciliation and re-establishing civil administration and to facilitate coordination between the activities of UNAMIR and those of other United Nations agencies and programmes.

37. As noted in my report of 6 October, it is fully recognized how difficult it is for the Government to undertake nation-building activities when it suffers from a severe lack of basic resources, including cash reserves. While the international community is calling on it to undertake such activities, the Government is becoming increasingly frustrated with the international community's slow pace in providing the resources necessary for it to do so. Furthermore, there are signs that the security situation in the country is becoming unstable as the Government is not in a position to strengthen local civil administrations or even to pay the salaries of its army. [illegible] there is increasing tension between the Rwandese military and UNAMIR and incidents obstructing UNAMIR's ability to carry out its mandate are becoming more frequent. It is therefore essential for the international community to provide immediate assistance to the Government [illegible]

take the measures necessary to help improve the situation in the country and create the conditions necessary to encourage refugees to return.

38. My Special Representative has formulated and presented to potential donors a Rwanda emergency normalization plan, outlining areas in which such assistance is urgently required. At the request of the Government of Rwanda, UNDP has begun consultations with the donor community leading to a round-table meeting designed to establish a policy framework and to formulate reconstruction and rehabilitation requirements, a process that should also assist the international community to identify areas requiring immediate response. Finally, the Department of Humanitarian Affairs is preparing a new consolidated inter-agency appeal which will cover both continuing emergency requirements and short-term rehabilitation needs. The international community is urged to respond in an adequate and timely manner to these initiatives as part of a comprehensive approach to the problem of Rwanda. In this connection, I would like to recall that, pursuant to Security Council resolution 925 (1994), a trust fund has been established to finance humanitarian relief and rehabilitation programmes in Rwanda. The Trust Fund could serve as a useful conduit for contributions to meet the immediate needs of the Government of Rwanda.

39. Given the crucial importance of establishing secure conditions in the Rwandese refugee camps in Zaire, as well as the pressing need for financial and technical assistance to reach the Government of Rwanda, it is my intention to concentrate all the efforts of the United Nations system on these immediate priorities. Once progress has been made on these two fronts, I shall work with the Organization of African Unity (OAU) to address the wider problems of the subregion.

40. The first step in that direction will be the convening of the regional conference on assistance to refugees, returnees and displaced persons in the Great Lakes region, which was decided upon by the Assembly of Heads of State and Government of OAU at its thirtieth ordinary session, held at Tunis in June 1994. This conference was recently endorsed by the General Assembly (resolution 49/7) and is to be jointly organized by OAU and UNHCR at Bujumbura in the near future.

41. I believe that, at a later stage, a broader conference should be convened jointly by the United Nations and OAU to address a range of political and other issues, including national reconciliation and land-related questions, in order to identify long-term solutions which will ensure peace, security and development in the subregion. Work has begun in the Secretariat to define the scope and modalities of such a conference and I have asked my Special Humanitarian Envoy, Mr. Robert Dillon, who is currently visiting the region, to explore the matter with the countries concerned.

UNITED NATIONS

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6 October 1994

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

I. INTRODUCTION

1. The present report is submitted in pursuance of paragraph 17 of Security Council resolution 925 (1994) of 8 June 1994, by which the Council requested me to report by 9 August and by 9 October 1994 on progress made by the United Nations Assistance Mission for Rwanda (UNAMIR) in the discharge of its mandate, the safety of populations at risk, the humanitarian situation and progress towards a cease-fire and political reconciliation.

2. Since my last report on the situation in Rwanda, dated 3 August 1994 (S/1994/924), the Secretariat has provided the Security Council with oral updates on relevant developments, especially with regard to the Mission's support for humanitarian operations, efforts to accelerate the return of refugees, progress made in the deployment of the expanded UNAMIR and the UNAMIR take-over from Operation Turquoise.

II. POLITICAL ASPECTS

As members of the Security Council are aware, since the cease-fire declared on 18 July 1994, the fighting in Rwanda has all but ceased. The Broad-based Government of National Unity (BBGNU), installed at Kigali on 19 July, has established control over the whole of the national territory. While over two million Rwandese refugees remain in the neighbouring countries, the Government has undertaken efforts, in coordination with my Special Representative and other United Nations officials on the ground, to encourage their safe and voluntary return to Rwanda. At the same time, there is steady progress in efforts to normalize the situation inside Rwanda, with the gradual re-establishment of such basic services as water, electricity and communications facilities, particularly at Kigali. The Government has also begun to put civilian administrative structures in place at the central, provincial and local levels. My Special Representative has circulated to donor countries, United Nations agencies and non-governmental organizations, a Rwanda Emergency Normalization Plan, outlining the priority services for which both technical and financial assistance are required.

4. While initial progress has been made in normalizing the situation, the Government is faced with the arduous task of rebuilding a country where the social and physical infrastructure has been almost totally destroyed and where a deep mistrust continues to prevail between the various political and ethnic groups that make up Rwandese society. The Government has a difficult road ahead in establishing safety and security for all and in creating a climate where those who have participated in the genocide can be held accountable while others rebuild their lives without fear of revenge or retribution. Furthermore, the Government suffers from a severe lack of basic resources, including cash reserves to pay the salaries of its civil servants, banks having been looted during the fighting. This is a serious problem, as civil servants and the military may turn to other means of ensuring an income.

5. In order to create stability and lasting peace in Rwanda, the Government ems to recognize the need to include all its citizenry, regardless of ethnicity, within its administrative and security structures. The President of Rwanda has assured my Special Representative that efforts are continuing to make the Government more inclusive by inviting some members of the Mouvement républicain national pour le développement (MRND), which is the only major political party not presently represented in the BBGNU, to join the Government. However, these efforts have not yet produced positive results.

6. In a further effort towards national reconciliation, members of the former Rwandese Government Forces (RGF) are being encouraged to join the new national army. These soldiers have the choice of registering at specified centres, set up by the Government, or with UNAMIR personnel deployed in the country. It seems, however, that the response to this government initiative remains limited.

7. In order to promote national reconciliation and assure the population that their civil and human rights will be respected, the Government has continued to organize mass rallies in several cities, including Ruhengeri, Kibungo, Byumba, Kibuye, Gikongoro, Cyangugu and Butare. Through these rallies, the Government has attempted to address the population's concerns with regard to such issues as property rights and the fair treatment by the Rwandese judicial system of those used of crimes against humanity.

8. During the month of August, members of the Government made several visits to refugee camps in Zaire in an attempt to encourage the refugees to return voluntarily to their places of origin. Those efforts have caused some increase in the numbers of returning refugees. Some 360,000 refugees have returned to Rwanda spontaneously since the cease-fire on 18 July. The Government has expressed its concern about the presence in the camps of elements who continue to incite people to flee from Rwanda and to threaten those in the camps from returning to their homes and farms in Rwanda. In September, reports and preliminary investigations pointed to the possibility that refugees returning to Rwanda might have been subjected to reprisals by government troops; further investigations are in progress (paras. 14 and 15 below).

9. The misinformation propagated during and after the hostilities is considered to have been a major factor in inciting the massacres and subsequent exodus of refugees into neighbouring countries. Information remains an important element in creating both stability in the country and a climate

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conducive to the safe and voluntary return of refugees and displaced persons. Rwanda has no newspapers or television, and radio is the only medium of information. UNAMIR, in association with concerned United Nations agencies, is therefore developing a broadcasting capability in order to provide the Rwandese people with factual information on the situation in their country, to assist in explaining UNAMIR's mandate and to disseminate information on humanitarian programmes. UNAMIR is currently installing at Kigali an FM broadcasting capability with a 20-kilometre range. Additional equipment, which would enable UNAMIR broadcasts to cover the whole country, is being procured and the necessary specialists recruited. UNAMIR has also asked the Rwandese authorities for formal authorization to begin broadcasting and for a frequency allocation. I hope the Government will respond positively to those requests in the near future.

III. HUMAN RIGHTS ASPECTS

10. A Commission of Experts was established on 26 July 1994 under Security Council resolution 935 (1994) of 1 July 1994 to examine and analyse information concerning grave violations of international humanitarian law committed in the territory of Rwanda, including evidence of possible acts of genocide. The Commission started its work on 15 August 1994 and visited Rwanda as well as Burundi, the United Republic of Tanzania and Zaire from 29 August to 17 September. In accordance with resolution 935 (1994), the Commission is to report its findings to me by 30 November 1994. I have, however, asked the Commission to expedite the preparation of its report. Accordingly, the Commission submitted to me on 30 September a preliminary report which I have made available to the Council (S/1994/1125).

11. During the Commission's visit to Rwanda, the Government urged the Commission to conclude its work expeditiously and also urged that an international tribunal, along the lines of that organized for the former Yugoslavia, be created. The Government expressed the view that the trial of hose accused of serious breaches of international humanitarian law and acts of genocide by an external impartial body would help promote peace and reconciliation among the parties and contribute to the stabilization of the situation in Rwanda. The Government has given assurances that it will make every effort to prevent summary trials, revenge executions and other acts of violence and that it will arrest those accused of such crimes.

12. On 25 May 1994, the Commission on Human Rights, in its resolution S-3/1, appointed a Special Rapporteur to report on the root causes of the recent atrocities and on the ongoing human rights situation in Rwanda. Under this mandate, the United Nations High Commissioner for Human Rights has deployed human rights officers to Rwanda to assist the Special Rapporteur in the implementation of his functions. Following the establishment of the Commission of Experts, I reported to the Security Council, on 26 July 1994 (S/1994/879), that the Commission would be based at Geneva and benefit from the resources of the High Commissioner for Human Rights and, in particular, those already made available to the Special Rapporteur. Subsequently, it became apparent that a much larger number of human rights staff would be required to deal with the extremely complex situation in Rwanda. Therefore, the High Commissioner for

Human Rights, on 2 August 1994, launched an appeal to the international community for voluntary contributions to expand human rights activities in the field. As at 30 September 1994, the High Commissioner had deployed 31 human rights officers to Rwanda. In accordance with an agreement reached with the Government during his second visit to the country on 19 and 20 August 1994, he intends to increase that number to 147 as soon as possible so as to cover each one of the communes in Rwanda.

13. The objective of the human rights field operation in Rwanda is to carry out investigations into violations of human rights and humanitarian law; to monitor the ongoing human rights situation and, through the presence of human rights officers, help redress existing problems and prevent possible human rights violations from occurring; to cooperate with other international agencies in re-establishing confidence and thus facilitate the return of refugees and displaced persons and the rebuilding of civil society; and to implement programmes of technical cooperation in the field of human rights, particularly in the area of administration of justice. Following a request from the High Commissioner, UNAMIR is providing assistance within its existing resources in order to enable the human rights officers already deployed to become fully operational. That assistance will continue as further human rights staff are deployed.

14. The United Nations High Commissioner for Refugees sent a mission to Rwanda in August to assess how far conditions existed for the safe return to that country of refugees who had fled to Burundi, the United Republic of Tanzania and Zaire. In the course of its work, the mission of the Office of the United Nations High Commissioner for Refugees (UNHCR) obtained certain information that appeared to indicate that soldiers of the RPF might have been engaged in systematic killings of members of the majority community in Rwanda.

15. On 16 September, the High Commissioner briefed senior officials of the United Nations on the matter. On the basis of that briefing, I directed that the allegations should be immediately taken up with the Government of Rwanda. This was done by the Under-Secretary-General for Peace-keeping Operations, Mr. Kofi Annan, who was in Rwanda on mission at that time, and my Special Representative for Rwanda, Mr. Shaharyar Khan. The Government of Rwanda undertook to investigate the matter urgently and a team consisting of four government ministers, representatives of UNAMIR and UNHCR and a United Nations human rights monitor, paid a visit on 23 September to some of the places where the killings were alleged to have taken place. Those allegations have been reported to the Commission of Experts and to the Special Rapporteur and arrangements are now being made for a thorough investigation to be carried out under the mandate of those two mechanisms.

IV. MISSION OF MY SPECIAL REPRESENTATIVE TO ZAIRE AND THE UNITED REPUBLIC OF TANZANIA

16. The presence of former RGF political leaders, military elements and militia in the Rwandese refugee camps, especially those in Zaire, have had a destabilizing effect on security in the camps and a number of violent incidents have occurred. Refugees suspected of favouring a return to Rwanda have

frequently been attacked. The humanitarian agencies are reviewing how they can continue to deliver assistance in this insecure environment. There are also signs that ex-RGF troops located in the camps may be preparing to make incursions into Rwanda.

17. In view of that situation, I instructed my Special Representative for Rwanda to undertake a mission to Zaire and the United Republic of Tanzania to explore with the authorities of both countries ways in which the problem can be addressed. Mr. Shaharyar Khan visited Zaire from 12 to 14 September and the United Republic of Tanzania on 16 September. In Zaire, he met with President Mobutu and Prime Minister Kengo Wa Dongo. In the United Republic of Tanzania, he was received by President Mwinyi.

18. My Special Representative has reported that the Government of Zaire expressed its commitment to address the refugee crisis and to improve security in the camps. The Government of the United Republic of Tanzania had already undertaken to move certain unruly elements away from places where refugees were located. On the basis of his discussions with the Governments of Zaire and the United Republic of Tanzania, my Special Representative has recommended that attention be focused, as a matter of priority, on the camps in Zaire where the problems are significantly more acute than in the United Republic of Tanzania.

19. The population of the camps in Zaire fall into the following categories: (a) political leaders, estimated at approximately 50 heads of family; (b) uniformed military elements of the RGF, estimated at 16,000 and accompanied by their families, bringing the total to approximately 80,000; (c) militia, whose number is unknown since they have mingled with the refugees; and (d) ordinary refugees, estimated at about 1 million persons.

20. It was agreed with the Zairian authorities that the only effective way of ensuring the safety of the refugees and their freedom to exercise their right to return to Rwanda would be the separation of those in categories (a), (b) and (c) from the rest of the population of the refugee camps. The militia (category (c)) represent the greatest threat for the refugees. However, their separation from the others would be a difficult and complex undertaking, especially as they would be likely to resist, and incite others to resist, any attempt to relocate them. A strong security mechanism would be needed in order to protect both the refugees and those carrying out the operation. The separation of these persons is, however, the only means of providing security for the refugees and allowing them to choose freely to return to Rwanda.

21. While the Government of Zaire has indicated its desire to address these issues, it has also indicated that it would require substantial assistance from the international community both in financial and logistic support and in the provision of security for such an operation.

22. The Secretariat has examined my Special Representative's recommendations in consultation with UNHCR. In order to address more fully the problems of separating former RGF political leaders, military and militia from the others in the camps, and to evaluate the financial, logistic and security requirements, it was decided, during the visit of my Special Representative to Zaire, to establish a Joint Zairian/United Nations working group. The group, composed of

representatives of the Government of Zaire, UNAMIR, UNHCR and the United Nations Development Programme (UNDP), has already begun its work. A technical team from UNAMIR has been sent to Zaire to join the working group and will submit a report to my Special Representative as soon as possible.

V. MILITARY ASPECTS

23. Since the 18 July 1994 cease-fire and the formation of the BBGNU a day later, the military situation in Rwanda has been relatively calm. At that time, the armed forces of the new Government, the Rwandese Patriotic Army (RPA), had established control over the entire country, with the exception of a "humanitarian protection zone" in the south-west. That zone was under the control of Operation Turquoise, the multinational operation launched by the French Government in pursuance of Security Council resolution 929 (1994) of 22 June 1994.

24. UNAMIR maintained close cooperation at all levels with Operation Turquoise and developed a detailed plan for taking over from it on 22 August, the date of its scheduled withdrawal. On 10 August, UNAMIR began deploying troops in the zone and on 21 August it assumed responsibility from Operation Turquoise. Arrangements were made with the French Government for the continuation of logistic support until UNAMIR could assume full responsibility. The French Government has submitted to the Security Council a final report, which has been circulated as document S/1994/1100.

25. UNAMIR troops established a presence throughout the zone, ensuring stability and security and providing support for humanitarian relief operations. The Government of Rwanda also launched a concerted effort to reassure the population. As a result of those efforts, a major exodus of civilians to Zaire was averted.

26. The Government's civilian and military take-over of the south-western zone was fully coordinated with UNAMIR. The civil administration in the zone is being restored as a first priority and RPA troops are gradually being deployed there. The Government installed prefects at Kibuye, Gikongoro and Cyangugu on 6 and 7 September and in cooperation with UNAMIR deployed RPA platoons in each location. Through successive incremental deployments, those elements were increased to company- and battalion-size units. The gradual establishment of the Government's authority in the south-west zone has now been completed without incident.

27. At the same time, former RGF troops in the south-western zone are being encouraged to enlist in the new national army. In addition, a programme was started on 2 September to encourage elements of the local gendarmerie to surrender their arms voluntarily. UNAMIR has collected nearly 600 arms under the programme.

28. The RPA now operates throughout the country, conducting patrols and manning roadblocks and checkpoints to monitor personnel and vehicle movement. Occasionally, it conducts cordon and search operations for weapons or personnel checks. It also protects vital points, such as infrastructure and all major

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border crossings. Additionally, in the absence of a police force, RPA troops perform policing functions to the extent possible.

29. Relations between UNAMIR and the RPA have been cordial and cooperative. However, movement restrictions have sometimes been imposed on UNAMIR troops. The formal understanding between UNAMIR and the BBGNU, particularly with reference to the United Nations Status-of-Forces Agreement with Rwanda, is that there should be no restrictions on the movement or deployment of UNAMIR personnel and vehicles throughout Rwanda. However, as illustrated by the three-week delay in providing clearance to occupy accommodation and concurrently deploy troops in the north-east and south-east (sectors 1 and 2), as well as periodic, local limitations placed on movements of UNAMIR troops in the south and north-west (sectors 3 and 5), the reality on the ground is sometimes different. In addition, some local RPA commanders have sometimes indicated that they are under instructions to deny UNAMIR access to areas where RPA troops are deployed. When such incidents are brought to the attention of senior government officials, they are usually quickly resolved.

30. The rapid reinforcement of UNAMIR in early August has contributed significantly to the improvement of the security situation in Rwanda. In accordance with its mandate, UNAMIR has continued to provide security support to all humanitarian operations in Rwanda. It has also provided support in re-establishing basic services and in the provision of relief supplies. None the less, delays in reaching the full authorized force level are hampering UNAMIR's further efforts in that regard. As at 3 October, UNAMIR's troop strength consisted of 4,270 all ranks (out of its total authorized strength of 5,500). On 19 August, the new Force Commander, Major-General Guy Tousignant (Canada), took over from Major-General Romeo Dallaire (Canada).

31. As noted above, the successful deployment of UNAMIR troops in the former humanitarian protection zone (sector 4) has provided the stability necessary to commence the gradual introduction of RPA forces to the south-west of the country. In order to facilitate that introduction, however, it has been necessary for UNAMIR to concentrate its efforts in this potentially volatile area. Accordingly, the requirement to extend UNAMIR presence throughout Rwanda is yet to be fulfilled.

32. As stability in Rwanda improves, emphasis in UNAMIR activities is shifting from purely military security-related tasks to the support of humanitarian operations aimed at assisting the population in need and facilitating the return of refugees and displaced persons to their homes.

33. In the expectation that the remaining troops committed to UNAMIR will be deployed during the coming weeks, the Force Commander plans to deploy the force in six sectors, as indicated on the map annexed to the present report. The current and planned deployment schedules are as follows:

<u>Sector 1 (north-east)</u> Deployment of the Nigerian independent infantry company group is in progress.

Sector 2 (south-east)	Two platoon groups from Canada and Ghana currently operate in this sector (which presently includes Kigali). Planned deployment in the sector will consist of one infantry battalion (Ghana).
Sector 3 (south)	An independent infantry company from Malawi operates in the sector. Planned deployment will consist of two independent infantry companies, one each from Malawi and Mali.
Sector 4 (south-west)	Current deployment consists of the Ghanaian Battalion, a United Kingdom field ambulance capability, the Ethiopian battalion and the inter-African battalion, composed of troops from Chad, the Congo, Guinea-Bissau, the Niger and Senegal. Planned deployment will consist of three mechanized/motorized infantry battalions (Zambia, Ethiopia and the inter-African contingent).
Sector 5 (north-west)	Although not part of UNAMIR, a Canadian field ambulance capability is currently operating in this sector. Planned deployment will consist of one infantry battalion from Tunisia, which is scheduled to commence deployment in early October.
Sector 6 (Kigali City)	Planned deployment will consist of one composite infantry battalion from India. This battalion is scheduled to be fully deployed by the end of October.

34. The main objective of the UNAMIR deployment schedule is to promote security in all sectors and to create a climate conducive to the safe return of refugees and displaced persons, as well as to support humanitarian operations. The Force Headquarters continues to operate from Kigali along with specialized communications, logistics and medical support units from Canada, the United Kingdom and Australia respectively. The United Kingdom contingent is scheduled to withdraw by 1 December and the Canadian contingent by mid-January.

35. The deployment of UNAMIR has been a difficult process, as many contingents were in need of major equipment items and as the United Nations has neither the resources in stock nor an advance budget which would ensure that the required equipment could be made available in a timely manner. It was for this reason that, in paragraph 24 of my report of 13 May (S/1994/565), I underlined the necessity for Member States to agree to make arrangements on a bilateral basis to provide the troops, equipment and airlift required for UNAMIR. As this did not occur, the Secretariat was required to identify sources of equipment and to arrange for its transport. This was a time-consuming task, which significantly delayed deployment. It also restricted the initial operational capability of UNAMIR, as contingents were in some cases unfamiliar with equipment supplied to them. One way of achieving a more rapid response in such circumstances would be the extension of the standby forces concept to include equipment, whereby a Member State would hold equipment on standby at a high state of readiness for deployment on lease terms.

36. With the induction of new contingents, the UNAMIR force strength is expected to exceed temporarily the authorized level during the period from November 1994 to January 1995. However, as at February 1995, the expected withdrawal of some contingents and normal rotations will bring it back to its authorized level. The fact that UNAMIR will exceed its authorized strength for a short period will have no financial implications for its budget, as the excess expenditure would be offset by the savings resulting from a force strength below the authorized level up to October 1994.

37. The UNAMIR authorized strength of 320 military observers has been met and military observers are deployed in all sectors. They are engaged primarily in supporting humanitarian activities and liaising with the RPA.

VI. CIVILIAN POLICE

38. As indicated in the concept of operations set out in my report of 13 May to the Security Council (S/1994/565, chap. 4), it was initially envisaged that the main task of the civilian police component of the expanded UNAMIR would be to maintain liaison with the local civilian authorities on matters relating to public security, with a total authorized strength of 90 civilian police observers.

39. However, as a result of the civil war and the ensuing collapse of the country's administrative structures, no real police force or gendarmerie remained in place when the new Government was established on 19 July. Police functions were entrusted to an embryonic gendarmerie consisting mainly of RPA soldiers. At the same time, the Government sought the urgent assistance of UNAMIR in establishing a new, integrated, national police force. Given the importance to Rwanda's security and stability of creating a professional national police force, UNAMIR responded positively to that request, within its existing resources. Accordingly, on 16 August, UNAMIR initiated a training programme with 103 students selected by the Government as volunteers from different social and ethnic groups. The aim of the programme is to provide trainees with the basic knowledge of routine and investigative police work, thus enabling them to address the immediate law and order problems at Kigali. I recommend that the Security Council authorize UNAMIR to pursue these efforts.

40. The activities of the UNAMIR civilian police component have thus evolved from liaison with local authorities to assisting the Government in the creation of a new police/gendarmerie. The component is also charged with monitoring the activities of local police and gendarmerie, monitoring the activities of the civil authorities with regard to human rights violations and assisting UNAMIR military observers and troops in dealing with police matters.

41. The headquarters and training activities of the UNAMIR civilian police component are based at Kigali. A two-phase deployment of police observers is being implemented. Under phase I, which has been completed, police observers have been deployed at the civilian police headquarters, training centre and the prefectures of Kigali, Gikongoro, Cyangugu, Kibuye, Gitarama and Butare. Phase II will be executed once the full strength of police observers is reached.

Under this phase, civilian police monitors will be deployed in all prefectures of the country.

42. To date, the component has a total strength of 30 police observers, with 10 each from Ghana, Mali and Nigeria. More observers are scheduled to be deployed shortly, although the Secretariat is having difficulties in obtaining from Member States a sufficient number of French-speaking police personnel.

VII. HUMANITARIAN ASPECTS

43. Current estimates suggest that Rwanda's pre-war population of 7.9 million has fallen to 5 million. Estimates of internally displaced persons range from 800,000 to 2 million. There are more than 2 million refugees in Zaire, the United Republic of Tanzania, Burundi and Uganda. At the same time, it is estimated that more than 200,000 former refugees have returned to Rwanda from Burundi and Uganda. The victims of genocidal slaughter could number as many as 1 million.

44. The humanitarian demands of the Rwandan emergency continue to stretch the capacity of the international community. In addition to the refugee crisis at Goma, the humanitarian community has had to address several crucial issues: the withdrawal of Operation Turquoise from the south-west; assistance to the internally displaced people; the transition from emergency relief to rehabilitation; the humanitarian implications of human rights violations; and the need to examine the Rwanda crisis in a regional context.

45. Prior to the withdrawal of Operation Turquoise, there was extreme concern among the international community that fear of reprisals by the RPA would drive thousands of Hutus across the border into Zaire. With poor road conditions, large distances to the camp-sites and other logistic difficulties, the scenarios were recognized by the humanitarian community as being cataclysmic, with the potential for refugee movement exceeding even that to Goma.

46. Under the coordination of the United Nations Rwanda Emergency Office, the international community adopted a policy of confidence-building in the south-west to encourage the internally displaced not to flee across the borders. At the political level, the RPA agreed not to occupy the south-west until conditions had stabilized. The timely and large-scale influx of United Nations and non-governmental organization resources, combined with the deployment of UNAMIR troops into the area, defused the situation. Some 350,000 people did cross the border into camps around Bukavu in Zaire; however, the majority remained within Rwanda.

47. It is agreed that the return of refugees to Rwanda is the only lasting solution and that it is critical to the resumption of normal economic and social life. However, the intimidation of refugees by former militia and army elements in the camps and the fact that those former soldiers and militia have not been disarmed are serious obstacles to the implementation of a repatriation programme. UNHCR does not feel at the present stage that it is in a position to encourage refugees to return home, partially because of deteriorating security for the returnee candidates in the camps and also because of concerns about

security conditions in parts of Rwanda. UNHCR is none the less facilitating and assisting the return of spontaneous returnees.

48. As for the internally displaced persons, agreement has been reached among the humanitarian agencies to focus on facilitating their return to their areas of origin. By strengthening community capacity-building, providing rehabilitation support and improving security, the aim is to provide an attractive return option for those in the displaced persons' camps.

49. This policy of voluntary return of the internally displaced is vital. Many camps will become uninhabitable during the rainy season because of contamination of water supplies by sewage, inadequate shelter and poor access for relief convoys. In addition, if people stay in the camps, the fields are untended. Already the harvest has been missed and it is likely that the planting season will also be missed in many areas. This will mean that the international community will have to provide food aid for a second season. The resettlement of the displaced and the resumption of agricultural production are critical to the Government's efforts to rehabilitate the country. The longer people stay in camps, the longer rehabilitation is likely to take. There are now regular convoys carrying those who wish to return from Cyangugu in the south-west to Butare, Gikongoro and Kigali. Between 7 September and 23 September, some 3,337 people were transported home from Cyangugu. Returnees have also been transported from the north-west.

50. As the country strives to return to normalcy, increasing attention must be given to the transition from emergency relief to rehabilitation. The Government faces the huge challenge of rebuilding the country after a devastating war with almost no financial and human resources. It is vital that the international community provide quick and efficient rehabilitation assistance. In that connection, the Special Representative and the Under-Secretary-General for Humanitarian Affairs have distributed among donor countries, agencies and non-governmental organizations the Rwanda Emergency Normalization Plan, which outlines the initial areas requiring both financial and technical assistance. UNDP has begun initial projects to support the capacity-building of government ministries. Other United Nations organizations are contributing to the process in their respective areas of competence. As a result of those efforts, the infrastructure is improving. Essential services such as electricity and water supply have been restored at Kigali and services are being repaired around the country.

51. One major impediment for rehabilitation is the presence of mines. It is believed that there are 50,000 to 60,000 uncleared land-mines in Rwanda, with an average of two civilian mine casualties a day. United Nations de-mining experts have visited Rwanda to assess the scope of the problem. As the security situation stabilizes and de-mining can begin, the United Nations will coordinate with all concerned in providing assistance in that area.

52. Without reconciliation among the various parties to the conflict, it is likely that humanitarian operations will be protracted and difficult and will ultimately require greater commitments from the international community. This is directly linked to the human rights activities discussed in chapter III above.

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53. It is apparent that the Rwanda crisis and its spill-over into neighbouring countries has serious political, economic, social and environmental implications for Burundi, the United Republic of Tanzania, Zaire and Uganda. In order to examine the merits of a broader and more comprehensive regional approach to the Rwanda problem, I appointed Mr. Robert Dillon as my Special Humanitarian Envoy for Rwanda and Burundi. The Special Envoy made a visit to the area from 8 to 22 September and has submitted his recommendations to me.

54. The United Nations Consolidated Appeal for Persons Affected by the Crisis in Rwanda was launched on 22 July 1994. It requested a total of $435 million to enable United Nations organizations to carry out their humanitarian programmes. This figure was revised upwards in the light of increasing needs to $552 million. As at 1 September, contributions received amounted to $384 million, covering 70 per cent of the total requirement. Based on information received by the Department of Humanitarian Affairs, bilateral and other direct contributions for the Rwanda crisis, including those in response to the Appeal, bring the total contributions up to $762 million.

55. The response of the international community to the crisis in Rwanda has been encouraging and has served to avert what could have been a major humanitarian disaster in the south-west. It is essential that this support be maintained as we enter into a delicate period of reconciliation and rehabilitation. For its part, the United Nations will continue its efforts to provide an appropriate framework for coordination of humanitarian assistance and the transition to reconstruction and development.

VIII. FINANCIAL ASPECTS

56. By its resolution 48/248 of 5 April 1994, the General Assembly authorized me to enter into commitments for UNAMIR, at a rate not to exceed $9,082,600 gross ($8,881,000 net) per month for the period from 5 April to 31 October 1994. This authorization was subject to the decision of the Security Council to extend the mandate of the Assistance Mission beyond 4 April 1994. In its resolution 925 (1994) of 8 June 1994, the Council, inter alia, decided to extend the mandate of UNAMIR until 9 December 1994.

57. By its decision 48/479 B of 14 September 1994, the General Assembly authorized me to enter into commitments in the amount of $37,182,100 gross ($38,043,200 net) to meet the immediate operational requirements of UNAMIR for the period from 5 April to 30 September 1994, this amount being in addition to the full commitment authority of $62,367,187 gross ($60,982,867 net) already provided by resolution 48/248.

58. My report on the financing of UNAMIR to the General Assembly at its forty-ninth session includes the cost estimate for the period from 5 April to 9 December 1994 in the amount of $179.6 million, after taking into consideration voluntary contributions in kind of $4.5 million pledged by Member States. My report also estimates costs for the period from 10 December 1994 to 9 December 1995 at $20 million per month, based on the current authorized strength and mandate of UNAMIR. On the basis of this cost estimate, I have requested the Assembly to provide the necessary resources for the maintenance of

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UNAMIR, should the Security Council decide to extend its mandate beyond 9 December 1994.

59. As at 27 September 1994, unpaid assessed contributions to the UNAMIR special account since the inception of the Mission amounted to $30 million. The total unpaid assessed contributions for all peace-keeping operations at that date amounted to $1.9 billion.

IX. OBSERVATIONS AND RECOMMENDATIONS

60. There are signs that the situation in Rwanda is stabilizing and slowly returning to more normal conditions. Inevitably, there are serious obstacles to be overcome in the long road to recovery from the war and carnage that have devastated the country, inflicted trauma and hardship on its people and destroyed its institutions. The first priority remains the resolution of the massive humanitarian crisis, including the problems faced by the Rwandese refugees in Zaire and the United Republic of Tanzania. Acts of intimidation and violence within the refugee camps have inhibited the refugee population from choosing to return home. The Government is engaged in efforts to find a solution to these problems, with the support of United Nations agencies and programmes on the ground, coordinated by my Special Representative. Determined efforts will have to be made by the Government to create conditions under which the refugees and displaced persons can return to their homes in safety and dignity. Indeed, without the assurance that their human rights will be respected, it is unlikely that the refugees and displaced persons will return. In this regard, I have conveyed to the Government of Rwanda, through my Special Representative, the need to undertake broader efforts towards national reconciliation. I am encouraged that the Government has taken concrete steps in this direction and I urge the international community to support its efforts and encourage it to ensure that these efforts are both genuine and comprehensive.

61. I endorse the recommendation made by the Commission of Experts in its preliminary report that trials of individuals suspected of serious breaches of international humanitarian law, crimes against humanity and acts of genocide be carried out by an international criminal tribunal. The Commission considers it preferable that the jurisdiction of the International Criminal Tribunal for the Former Yugoslavia be expanded to cover international crimes committed in Rwanda from 6 April rather than to create a separate ad hoc international criminal tribunal. It is now for the Security Council to decide on the course of action to be adopted.

62. Among the many tasks facing the new Government and the Rwandese people is the reconstruction of the social and economic infrastructure of the country. Rwanda will require massive amounts of external technical and financial assistance on an urgent basis in order to create stability and re-establish basic services and a functioning economy. Donor agencies have undertaken the initial planning required before assistance can be released for reconstruction projects, and some small-scale rehabilitation of basic infrastructure is taking place. I urge donor Governments and international bodies to ensure that their programmes of assistance for Rwanda are implemented urgently. One aspect that is rapidly assuming the dimensions of an emergency is the Government's total

lack of funds to re-establish even the most rudimentary administration and pay its employees. It is essential that at least bridging assistance be devised to provide relief bilaterally or by international financial institutions. In that connection, I should like to appeal to bilateral donors to consider ways and means to help the Government resolve the problem of its arrears with the World Bank, so as to secure access to the resources of that institution. I should also like to urge Member States to contribute generously to the Trust Fund which I established on 14 July 1994 in order to finance humanitarian relief and rehabilitation programmes in Rwanda. It would also be helpful if Governments could share with the United Nations information about their bilateral programmes of assistance so that there can be a coordinated response to Rwanda's needs.

63. Long-term peace and stability in Rwanda require genuine reconciliation between all elements of Rwandese society. Refugees and displaced persons must have the opportunity to return to their homes in peace, safety and dignity. The human and civic rights of all Rwandese people must be respected. I urge the new Government to maintain an open dialogue with all other political interest groups in Rwanda, including former government officials, except for individuals who are found, through due process, to have been directly implicated in acts of genocide. This is the only way the country can achieve durable political stability, within the principles of the Arusha Accords.

64. The evolving developments in and around Rwanda strengthen the case for a broader approach to the question of national reconciliation and the other aspects of the crisis. The Council will recall that the Mission it dispatched to Burundi from 13 to 14 August 1994 recommended, *inter alia*, that an international conference be convened to look into the problems of the subregion. I shall continue to consult with all relevant parties with a view to determining how the United Nations could assist in the preparation and convening of such a conference.

Nations Unies S/PV.3405

Conseil de sécurité

Quarante-neuvième année

Provisoire

3405e séance

Jeudi 14 juillet 1994, à 18 h 30

New York

Président :	M. Marker	(Pakistan)
Membres :	Argentine	M. Cárdenas
	Brésil	M. Sardenberg
	Chine	M. Li Zhaoxing
	Djibouti	M. Olhaye
	Espagne	M. Yañez-Barnuevo
	États-Unis d'Amérique	M. Inderfurth
	Fédération de Russie	M. Sidorov
	France	M. Ladsous
	Nigéria	M. Gambari
	Nouvelle-Zélande	M. Keating
	Oman	M. Al-Khussaiby
	République tchèque	M. Rovensky
	Royaume-Uni de Grande-Bretagne et d'Irlande du Nord	M. Wood
	Rwanda	M. Bizimana

Ordre du jour

La situation concernant le Rwanda

Lettre datée du 14 juillet 1994, adressée au Président du Conseil de sécurité par le Chargé d'affaires par intérim de la Mission permanente de la France auprès de l'Organisation des Nations Unies (S/1994/823)

94-86059 (F)

Ce procès-verbal contient le texte des déclarations prononcées en [illegible] autres déclarations. Le texte définitif sera publié dans les [illegible] Les rectifications ne doivent porter que sur les textes [illegible] indiquées sur un exemplaire du procès-verbal, portant [illegible] intéressée et être adressées, dans un délai [illegible] Chef de la Section [illegible]

La séance est ouverte à 18 h 40.

Adoption de l'ordre du jour

L'ordre du jour est adopté.

La situation concernant le Rwanda

Lettre datée du 14 juillet 1994, adressée au Président du Conseil de sécurité par le Chargé d'affaires par intérim de la Mission permanente de la France auprès de l'Organisation des Nations Unies (S/1994/823)

Le Président *(interprétation de l'anglais)* : Le Conseil de sécurité va maintenant aborder l'examen de la question inscrite à son ordre du jour.

Le Conseil de sécurité se réunit en réponse à la demande contenue dans une lettre datée du 14 juillet 1994, adressée au Président du Conseil de sécurité par le Chargé d'affaires par intérim de la Mission permanente de la France auprès de l'Organisation des Nations Unies, document S/1994/823.

À l'issue de consultations entre les membres du Conseil, j'ai été autorisé à faire la déclaration suivante au nom du Conseil :

«Le Conseil de sécurité est alarmé par la poursuite des combats au Rwanda qui entraîne un exode massif des populations. Cette situation risque de déboucher à très bref délai sur une nouvelle catastrophe humanitaire et de menacer la stabilité de l'ensemble de la région, l'afflux de ces réfugiés affectant gravement les pays voisins.

Compte tenu de cette grave situation, le Conseil de sécurité :

Exige un cessez-le-feu immédiat et sans préalable et invite les parties à rendre compte au commandant de la force de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR) des dispositions qu'elles ont prises à cet effet;

Lance un appel pressant à la relance du processus politique dans le cadre de l'Accord de paix d'Arusha et invite les pays de la région, le Secrétaire général et son Représentant spécial et l'Organisation de l'unité africaine (OUA) à y contribuer activement;

Réaffirme le caractère humanitaire de la zone sûre au sud-ouest du Rwanda et exige que tous ceux que cela concerne respectent ce caractère. Il continuera à examiner cette affaire de très près;

Prie instamment les États Membres, les agences spécialisées et les organisations non gouvernementales de mobiliser toutes les ressources disponibles pour porter secours d'urgence aux populations civiles en détresse;

Appelle les États Membres à fournir les contributions nécessaires afin d'assurer le déploiement de la MINUAR renforcée dans les plus brefs délais.

Le Conseil de sécurité est déterminé à suivre de très près l'évolution de la situation au Rwanda et reste activement saisi de la question.»

Cette déclaration sera publiée en tant que document du Conseil de sécurité sous la cote S/PRST/1994/34.

Le Conseil de sécurité a ainsi achevé le stade actuel de son examen de la question inscrite à l'ordre du jour.

Le Conseil de sécurité reste activement saisi de la question.

La séance est levée à 18 h 45.

File: Security Council Documents

UNITED NATIONS

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Security Council

Distr.
GENERAL

S/1994/734
21 June 1994
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 20 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF FRANCE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The humanitarian situation in Rwanda is an ongoing disaster. The cease-fire is not being respected by the parties, and massacres of civilians are continuing on a large scale.

Security Council resolutions 918 (1994) and 925 (1994) give the United Nations Assistance Mission for Rwanda (UNAMIR) a mandate to intervene in order to put an end to this humanitarian catastrophe. France and Senegal fully subscribe to the objectives and methods advocated in those two resolutions.

No doubt, however, it will take some more time before UNAMIR as expanded in accordance with those resolutions can be operational; it will not be possible to transport and make operational the contingents to be supplied by States, and their equipment, until several weeks from now. This delay is liable to cost more thousands of lives in Rwanda and cause a geographical expansion of the area affected by the tragedy.

Against that background, the Governments of France and Senegal are prepared to send a force in without delay, so as to maintain a presence pending the arrival of the expanded UNAMIR. They are in contact with other Member States likely to join the operation. The objectives assigned to that force would be the same ones assigned to UNAMIR by the Security Council, i.e. contributing to the security and protection of displaced persons, refugees and civilians in danger in Rwanda, by means including the establishment and maintenance, where possible, of safe humanitarian areas. That objective naturally excludes any interference in the development of the balance of military forces between the parties involved in the conflict.

In the spirit of resolution 794 (1992) of 3 December 1992, our Governments would like, as a legal framework for their intervention, a resolution under Chapter VII of the Charter of the United Nations giving them a mandate to act until the expanded UNAMIR is deployed. As we see it, the interim force should be able to withdraw towards the middle of August at the latest, after handing over to UNAMIR when its reinforcements have been deployed.

Extended Page

I should be grateful if you would have this letter circulated as a Security Council document.

(Signed) Jean-Bernard MERIMEE
Ambassador
Permanent Representative

UNITED NATIONS

S

Security Council

Distr.
GENERAL

S/1994/728
20 June 1994

ORIGINAL: ENGLISH

LETTER DATED 19 JUNE 1994 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

1. Since the breakdown of the peace process in Rwanda in the wake of the tragic events of 6 April 1994, I have reported to the Security Council on several occasions, repeatedly stressing the need for an urgent and coordinated response by the international community to the genocide which has engulfed that country.

2. The Security Council initially decided, by its resolution 912 (1994) adopted on 21 April 1994, to adjust the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) and to reduce its strength to 270 all ranks. However, in my letter of 29 April to the President of the Security Council (S/1994/518), I pointed out that the situation had deteriorated to the point where it had become necessary to consider what further action the Council could take, or authorize Member States to take, in order to contribute to the restoration of law and order, to end the wanton violence and massacres of defenceless civilians and to promote a cease-fire.

3. On the basis of my report of 13 May (S/1994/565), the Security Council adopted resolution 918 (1994) on 17 May 1994, authorizing the expansion of the force level of UNAMIR up to 5,500 troops and expanding its mandate to contribute to the security and protection of civilians at risk as well as to provide security and support for humanitarian relief operations. The Council requested me, as a first phase, to immediately bring up to full strength the mechanized infantry battalion already in Rwanda, and further requested me to report as soon as possible on the next phase of UNAMIR's deployment.

4. On the basis of a further report which I submitted to the Security Council on 31 May (S/1994/640), following the visit of a special mission from Headquarters to Rwanda, the Council adopted resolution 925 (1994) on 8 June 1994, in which it endorsed my proposals for the simultaneous deployment of the first and second phases of the expanded operation and for the continuation of urgent preparations for the deployment of the third phase. As of 18 June, UNAMIR consisted of a total force of 503 all ranks (354 troops, 25 military staff personnel and 124 military observers) under the command of Major-General Romeo A. Dallaire. Two Canadian C-130 aircraft are also supporting the mission. I must again reiterate my admiration for the dedication and courage of all UNAMIR personnel, despite serious casualties.

5. In anticipation of the expansion of the mandate of UNAMIR, I had written, on 30 April, to a number of Heads of State in Africa to encourage them to provide troops, and to the Secretary-General of the Organization of African Unity (OAU), asking him to support my requests. I pursued my efforts through numerous contacts with Heads of State and Government during my visit to South Africa in early May, and with African leaders at the OAU Summit conference in Tunis earlier this month. At the same time, the Secretariat had already commenced efforts to secure the equipment and troops required by UNAMIR for the implementation of the first and second phases. Accordingly, over 50 potential contributing countries were approached.

6. To date, the United Nations has received offers for the following:

- Ethiopia: motorized infantry battalion (fully equipped);
- Ghana: mechanized infantry battalion (offer not yet confirmed and made on the condition that its equipment requirements are met);
- Senegal: mechanized infantry battalion (offer not yet confirmed and made on the condition that it be fully equipped);
- Zambia: motorized infantry battalion (on the condition that it be fully equipped);
- Zimbabwe: motorized infantry battalion (on the condition that it be fully equipped);
- Congo: infantry company (on the condition that it be fully equipped);
- Malawi: infantry company (on the condition that its equipment requirements are met);
- Mali: infantry company (on the condition that its equipment requirements are met);
- Nigeria: infantry company (on the condition that its equipment requirements are met);
- Italy: 1 aircraft (most probably C-130, not to fly into Rwandese airspace);
- Netherlands: 1 Fokker 27 aircraft (not to fly into Rwandese airspace);
- United Kingdom of Great Britain and Northern Ireland: 50 trucks for infantry and cargo;
- United States of America: 50 armoured personnel carriers (APCs);
- France, on a bilateral basis, has offered 20 million French francs to Senegal to cover the equipment requirements of 200 men.

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7. Some countries have indicated an interest, but have not yet made commitments, to provide the following:

- Australia: 1 medical company;
- Canada: a communication company;
- Italy: 20 water/fuel trucks;
- Romania: a surgical team;
- Russian Federation: 8 transport helicopters and a number of heavy transport cargo aircraft.

8. On the basis of the offers for troops and equipment received so far, and of the discussions between the Secretariat and the Governments concerned, the United Nations expects, in the best of circumstances, to complete the deployment of the first phase of UNAMIR in the first week of July 1994. This envisages bringing the depleted battalion presently in Kigali to its full strength, for which confirmation of the offer from Ghana is expected. Meanwhile, 10 APCs, which are being transferred from the United Nations Operation in Somalia (UNOSOM II), have already started arriving in Rwanda as part of the deployment of the first phase. In addition, the United States will start airlifting 50 APCs to Entebbe, Uganda, on 24 June.

9. The deployment schedule for the second phase of the expanded operation, which was intended to be synchronized with the first phase, cannot be determined at this time. Final confirmations of the resources required, namely two infantry battalions, a communications unit and other logistic support, have not yet been received from the Governments concerned. Moreover, the Secretariat has still not been able to secure offers for medical and other support units. In the absence of firm commitments for military logistic units, it will be necessary to seek a civilian contractor on an emergency basis. Such a contractual alternative already exists within UNOSOM II and it would be extended to UNAMIR until the necessary logistic support from Governments can be secured.

10. In the conditions prevailing in Rwanda, it is clear that additional troops can only be deployed once the necessary equipment to support them is on the ground and after the troops have been trained to use the equipment with which they may not be familiar. It also is noteworthy that, although Governments are expected to offer fully trained and equipped units for United Nations operations, almost all offers received from Governments are conditional in one way or another. The difficulties that the Secretariat has faced in securing resources for UNAMIR's expanded mandate show that there is no guarantee that the stipulated conditions can be met. Even if they can, protracted negotiations will be required, not only with the Governments making these conditional offers, but also with other Member States. In this context, it should be noted that none of those Governments possessing the capacity to provide fully trained and equipped military units have offered so far to do so for the implementation of the Security Council's resolutions to deal with the situation in Rwanda.

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11. In the light of the above, it is evident that, with the failure of Member States to promptly provide the resources necessary for the implementation of its expanded mandate, UNAMIR may not be in a position, for about three months, to fully undertake the tasks entrusted to it by those resolutions. Meanwhile, the situation in Rwanda has continued to deteriorate and the killing of innocent civilians has not been stopped. Furthermore, the parties have not yet come to an agreement for a cease-fire in the talks under UNAMIR auspices, nor have they respected the cease-fire to which they agreed at the recent OAU summit in Tunis.

12. In these circumstances, the Security Council may wish to consider the offer of the Government of France to undertake, subject to Security Council authorization, a French-commanded multinational operation in conjunction with other Member States, under Chapter VII of the Charter of the United Nations, to assure the security and protection of displaced persons and civilians at risk in Rwanda. Such an operation was one of the options envisaged in my letter of 29 April (S/1994/518) and a precedent exists for it in the United States-led operation Unified Task Force in Somalia (UNITAF) which was deployed in Somalia in December 1992. If the Council decides to authorize an operation on these lines, I consider it would be necessary for it to request the Governments concerned to commit themselves to maintain their troops in Rwanda until UNAMIR is brought up to the necessary strength to take over from the multinational force and the latter has created conditions in which a peace-keeping force operating under Chapter VI of the Charter would have the capacity to carry out its mandate. This would imply that the multinational force should remain deployed for a minimum period of three months.

13. The activities of the multinational force and UNAMIR would be closely coordinated by the respective force commanders, who would take into account the fact that the former would be operating under Chapter VII of the Charter. UNAMIR would continue to fulfil, to the extent permitted by the resources made available to it, its mandated responsibilities in and around Kigali and at the airport. It would also continue to assist in providing support for the delivery of humanitarian aid to accessible areas. During this period, UNAMIR would operate on the assumption that the parties will cooperate with the activities of the mission. However, in the event that the safety and security of UNAMIR personnel were to be jeopardized, I would immediately reassess the situation and make appropriate recommendations to the Security Council.

14. It is self-evident that the efforts by the international community to restore stability in Rwanda, both by halting the genocide and by securing a cease-fire, are directed to a resumption of the Arusha peace process. In this connection, as the Security Council is aware, my new Special Representative for Rwanda, Mr. Shaharyar M. Khan, plans to take up his assignment shortly.

15. I should be grateful if you would bring the contents of the present letter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

UNITED NATIONS

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Security Council

Distr.
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S/1994/728
20 June 1994

ORIGINAL: ENGLISH

LETTER DATED 19 JUNE 1994 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

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12. In these circumstances, the Security Council may wish to consider the offer of the Government of France to undertake, subject to Security Council authorization, a French-commanded multinational operation in conjunction with other Member States, under Chapter VII of the Charter of the United Nations, to assure the security and protection of displaced persons and civilians at risk in Rwanda. Such an operation was one of the options envisaged in my letter of 29 April (S/1994/518) and a precedent exists for it in the United States-led operation Unified Task Force in Somalia (UNITAF) which was deployed in Somalia in December 1992. If the Council decides to authorize an operation on these lines, I consider it would be necessary for it to request the Governments concerned to commit themselves to maintain their troops in Rwanda until UNAMIR is brought up to the necessary strength to take over from the multinational force and the latter has created conditions in which a peace-keeping force operating under Chapter VI of the Charter would have the capacity to carry out its mandate. This would imply that the multinational force should remain deployed for a minimum period of three months.

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15. I should be grateful if you would bring the contents of the present letter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

UNITED NATIONS

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Security Council

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S/1994/715
16 June 1994

ORIGINAL: ENGLISH

SECOND PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION UGANDA-RWANDA

I. INTRODUCTION

1. The present report is submitted in pursuance of paragraph 2 of Security Council resolution 891 (1993) of 20 December 1993, by which the Council decided to extend the mandate of the United Nations Observer Mission Uganda-Rwanda (UNOMUR) for a period of six months from 22 December 1993 to 21 June 1994. The present report covers the period since my last report to the Security Council on UNOMUR of 15 December 1993 (S/26878).

2. UNOMUR was established with the adoption of resolution 846 (1993) by the Security Council on 22 June 1993. The mission was mandated to deploy on the Ugandan side of the border with Rwanda in order to verify that no military assistance reached Rwanda, focusing primarily in that regard on transit or transport, by roads or tracks which could accommodate vehicles, of lethal weapons and ammunition across the border, as well as any other material that could be of military use.

II. DEPLOYMENT AND ACTIVITIES

3. As of 3 June 1994, UNOMUR consisted of 81 military observers from the following countries: Bangladesh (20), Botswana (9), Brazil (13), Hungary (4), Netherlands (10), Senegal (10) Slovakia (5) and Zimbabwe (10). In addition, the mission included 11 international civilian and 7 locally recruited staff performing a variety of substantive and administrative support tasks.

4. The drastic change in the overall situation in Rwanda, sparked by the deaths of the presidents of Rwanda and Burundi in a suspicious plane crash in Kigali on 6 April, and resulting in the resumption of hostilities in that country, affected not only the operations of the United Nations Assistance Mission for Rwanda (UNAMIR), but also UNOMUR's monitoring operations on Uganda's border with Rwanda. Prior to the resumption of hostilities in Rwanda, UNOMUR had restricted its monitoring activities in Uganda along the area of the border with Rwanda which was controlled by the Rwandese Patriotic Front (RPF). As pointed out in my report of 15 December (S/26878), UNOMUR's deployment and

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operational activities mainly covered two major and three secondary crossing sites stretching from Sabinio volcano in the west to Lubirizi in the east on the Ugandan side of the border (see attached map).

5. Following the resumption of the civil war in Rwanda, RPF was able to gain control of the entire border with Uganda. It therefore became evident that in order for UNOMUR to fulfil its mandate, the mission would be required to extend its observation and monitoring activities along the whole border, up to Mirama Hills on the eastern part of the Ugandan side of the border, a distance of some 170 kilometres from Sabinio volcano to the West. Moreover, it was not possible for UNOMUR to investigate in a credible manner the increasing number of allegations being received that troops and support equipment were crossing the Ugandan border into Rwanda without monitoring the entire border. While UNOMUR's movements to the areas in the north-east and west beyond the mission's original area of operation were not restricted, attempts were made to restrict UNOMUR patrols eastward in the Mirama Hills area. After discussions between the UNOMUR Acting Chief Military Observer and the Ugandan military authorities at Kampala on 2 May, UNOMUR received clearance to monitor this area by both ground and air patrols. Accordingly, with effect from 14 May 1994, UNOMUR has been able to monitor the entire border between Uganda and Rwanda.

6. UNOMUR carries out its tasks essentially through patrolling, monitoring and surveillance of the whole stretch of the operational area, involving both mobile and fixed observations as well as on-site investigations of suspected cross-border traffic. Since the resumption of the fighting in Rwanda, UNOMUR's surveillance activities have been especially vigorous and have enabled it to investigate to allegations of arms flows into Rwanda through its border with Uganda.

7. The recent extension of UNOMUR's monitoring activities to the whole border has necessitated the readjustment of tasks and the reassignment of military observers in the operational area. Consequently, the headquarters staff at Kabale has been reduced from 14 to 9 currently to permit the creation of additional monitoring teams, with the remaining headquarters personnel also participating, as appropriate, in patrolling and other monitoring assignments. To help meet the increased operational requirements, UNOMUR currently maintains seven observation posts and checkpoints manned on a 24-hour basis, as opposed to two previously.

8. In carrying out its monitoring mandate, UNOMUR is currently performing a number of specific tasks, including, inter alia:

(a) Fixed 24-hour manned observation through the two main crossing sites at Katuna and Cyanika and the secondary crossing points at Bigaga, Lubirizi, Kafunzo, Kashekye and Mirama Hills;

(b) Random day and night mobile patrols to cover routes or tracks which require surveillance;

(c) Random day and night foot patrols covering areas which [illegible] surveillance but are inaccessible by mobile/vehicle patrols;

(d) Random aerial day patrols involving the airlift by helicopters of military observers into areas of high elevation for a clearer view and observation of routes leading to the border;

(e) Random aerial day surveillance by helicopter of the border areas and routes. Such surveillance is often conducted by mission commanders and staff to monitor movements along the border and routes leading to the border.

9. The arrival in the mission area of three helicopters in early April has strengthened UNOMUR's overall operational capacity. However, ground features and weather conditions do not permit safe operations of civilian-contracted helicopters at night. Therefore, the helicopters are currently used primarily for daytime aerial surveillance, patrolling and reconnaissance. They are also used for emergency medical evacuation purposes and for rapid deployment of military observers to selected remote and difficult-to-reach observation posts to monitor suspected crossing sites by day or night.

10. I am glad to report that, in general, UNOMUR's activities in pursuance of its mandate have been effective. In my last report to the Council (S/26878), I noted that any clandestine cross-border traffic had decreased appreciably and that, at that time, movement was restricted and only along well-used routes across the border. I furthermore reported that there was no evidence of any significant traffic in armaments. Despite the resumption of hostilities in Rwanda, the situation of cross-border traffic from Uganda into Rwanda does not appear to have changed during the reporting period, and no movement of armaments or armed personnel has been detected by UNOMUR.

III. FINANCIAL ASPECTS

11. As indicated in my report on the financing of UNAMIR (A/48/837), the administrative costs related to the military observers and civilian personnel of UNOMUR, with effect from 22 December 1993, are included in the cost estimates for the maintenance of UNAMIR. The General Assembly, by its resolution 48/248 of 5 April 1994, authorized the Secretary-General to enter into commitments at a monthly rate not to exceed $9,082,600 gross per month for the period from 5 April to 31 October 1994, for the maintenance of both operations. Should the Council decide to continue the mandate of UNOMUR as recommended in paragraph 14 below, the resources required for its maintenance would be obtained from the level authorized by the Assembly in its resolution 48/248.

IV. OBSERVATIONS AND RECOMMENDATIONS

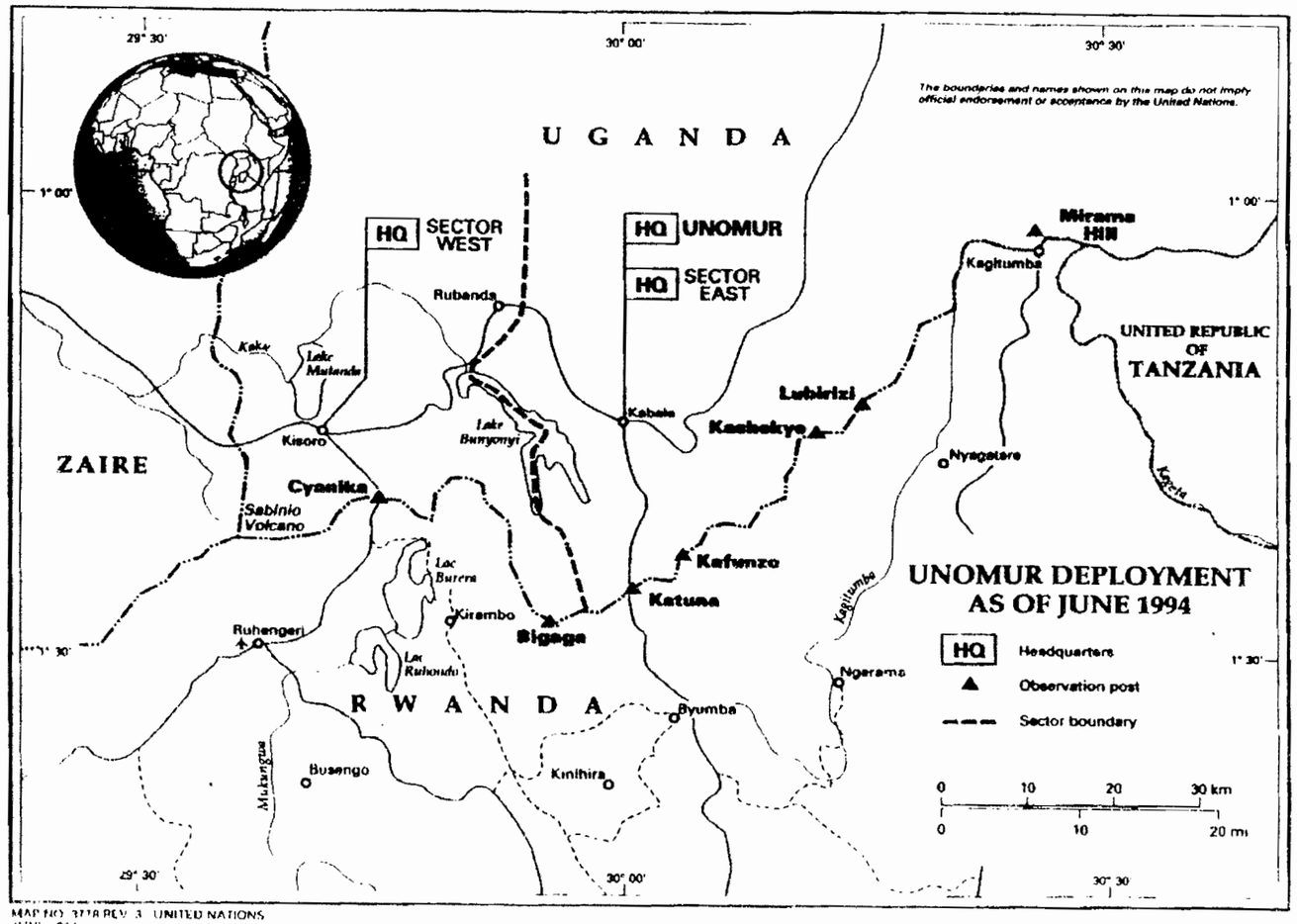
12. It is now nearly a year since the Security Council decided to establish UNOMUR and almost 10 months since the mission was fully deployed in its operational area. UNOMUR was intended to create an atmosphere conducive to a negotiated settlement of the Rwandese conflict and to underscore the importance that the international community attaches to the maintenance of peace and security in the region. This observer mission has continued to be a factor of stability in the area and has been particularly critical in recent months, as

UNAMIR has sought to defuse tensions resulting from the resumption of hostilities in Rwanda.

13. As a result of the dramatically changed situation in Rwanda, both the priorities and the requirements of the international community have evolved. It should be recalled in this connection that the Security Council, by its resolution 918 (1994) of 17 May 1994, decided to expand the strength of UNAMIR to 5,500 all ranks to enable it to contribute to the security and protection of persons at risk in Rwanda and to provide security and support for the distribution of relief supplies and humanitarian relief operations. Under resolution 918 (1994), the Council, acting under Chapter VII of the Charter of the United Nations, also decided to place an embargo on the delivery of arms, ammunition and related material to Rwanda. In addition, the Council established a Committee to coordinate with Member States on the action taken by them to implement the embargo.

14. Under these circumstances, there appears to be little rationale for monitoring one of Rwanda's borders and not the others. At the same time, however, the issue of arms flows is one of the major areas of concern in the cease-fire talks, which are being held under the auspices of UNAMIR. As UNOMUR's activities allow UNAMIR to address, at least to some degree, the issue of outside interference in the Rwandese civil war, I believe that UNOMUR should continue its monitoring activities until an effective cease-fire has been established. I therefore recommend that UNOMUR's mandate be renewed for a period of three months. During this period, the number of military observers would be reduced by phases, adjusting to operational requirements. UNOMUR would be closed down by 21 September. I would report on the completion of this process to the Security Council.

15. In conclusion, I would like to express my appreciation to the Government of Uganda for the cooperation and assistance it has extended to UNOMUR. I also wish to pay tribute to both the military and the civilian personnel of UNOMUR for the professionalism and dedication with which they have carried out their tasks.



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