

MIR

CODE CABLES - OUTGOING

12 JAN - 17 APR 1996

[2 STRICTLY CONFIDENTIAL]

EL/WG APR 2009

PLEASE RETAIN
ORIGINAL ORDER

UN ARCHIVES

SERIES S-1120

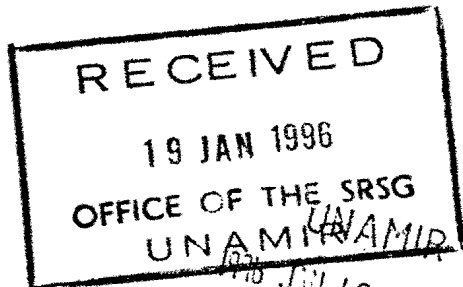
BOX 65

FILE 1

ACC. 1998/0278

F/IN-205

(TWO)



PRIORITY
RESTRICTED

18 JAN 1996 18 06:15

OUTGOING FAX NO: A - 2/GP No VI	DTG: 18 JANUARY 1996
TO: AS PER DISTRIBUTION	FROM: SITUATION CENTRE UN HQ - DPKO
FAX NO: 9-011-331-4306-7641 3-3090	FAX NO: (212)-963-9053 (PLAIN) (212)-963-9852 (CRYPTO)
SUBJECT: SITUATION CENTRE DAILY REPORT FOR UNAMIR	
ATTN: FORCE COMMANDER UNAMIR MR. ZOUAIN CHIEF OF UNESCO	DRAFTER: <i>[Signature]</i>
TOTAL NUMBER OF TRANSMITTED PAGES INCLUDING THIS PAGE: 2	

1. PLEASE FIND THE DAILY UNAMIR REPORT PRODUCED BY THE SITUATION CENTRE.
2. REFER ANY QUESTIONS TO THE DUTY ROOM CLERK ON 3-2690.
3. REGARDS.

Vu
19-1-96
ws

Reçu le 19 JAN. 1996

WAFAXES'dailyfax.2

SRCR FC CRU Spokesman

DPKO SITUATION CENTRE REPORT
UNAMIR - RWANDA
 Time: 0800 Hours NYT 18 January 1996

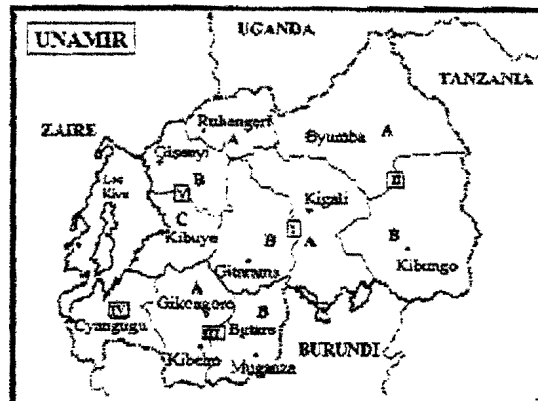
HIGHLIGHTS

- The Secretary-General called for a "major initiative" to avert ethnic tragedy in Burundi.

POLITICAL

On 17 January, the Belgian parliamentary committee adopted a draft law, to allow a request to transfer three men suspected of involvement in Rwanda's genocide. (REUTER)

Radio Rwanda reported that the Rwandan Prime Minister, who is on an official visit to various European countries, was received in Switzerland by the President. The Prime Minister was assured that a Swiss delegation will visit Rwanda in early February, to prepare a report which will be presented to the Swiss Federal Council, who will then decide on the modalities of future cooperation.



BURUNDI: On 17 January, the Secretary-General called for a "major initiative" to avert ethnic tragedy in Burundi. The Secretary-General reaffirmed his proposals for the deployment of an international standby force in the region and the need to "promote dialogue embracing all elements of the Burundi political spectrum." The Secretary-General also said that he had asked his Special Representatives in Burundi, to try and promote dialogue between the warring factions. His statement was contained in a letter addressed to members of the Security Council based on the report submitted by UNHCR Ogata on her return from Burundi.

Burundian military spokesman Minani said that a strike call by Tutsi militia on 17 January was largely ignored after strike leaders were put under house arrest. (REUTER)

MILITARY

On 17 January, the Rwanda Ministry of Defence announced that in the next two years it plans to demobilize some 50,000 troops of the Rwandan Patriotic Army and the Former Government forces of Rwanda. The ministry plans to cut the present RPA force by 50 percent, to about 30,000 troops, leaving 10,000 positions for members of the former Government's army to be integrated into the RPA. However the Government has not stated the number of Former Government forces it intends to incorporate into the RPA. It is seeking \$175 million in donor assistance to carry out the demobilization process. Informed sources note that the process is predicated on the Hutu troops feeling secure enough to disarm and return to Rwanda within the next two years.

FOR INTERNAL USE ONLY - NO FURTHER DISSEMINATION

HUMANITARIAN

On 17 January, a total of 651 returnees arrived in RUYENZI from BUTARE and NAKAMIRA. Seventeen returnees were dispatched by UNHCR to KIGALI. A total of 665 returnees were still waiting to be evacuated from the camp.

BURUNDI: On 18 January, the UNHCR reported that fierce fighting has forced the closure of the Mugano camp, a Rwandan refugee camp in northeast Burundi, sending 15,000 refugees fleeing towards the Tanzanian border. (REUTER)

UN RESTRICTED

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F/2-109

(TWO)

UNAMIR

1996 JAN 12 P 5:12

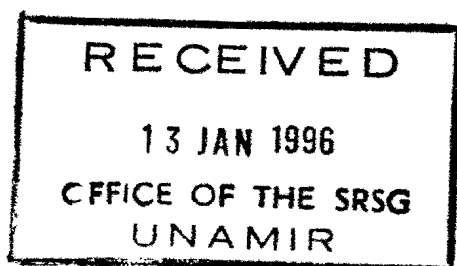
PRIORITY
RESTRICTED

Vu
WS

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copy ED
13-1-96



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SRSG FC CAO SLOVENIA

Reçu le 13 JAN. 1996

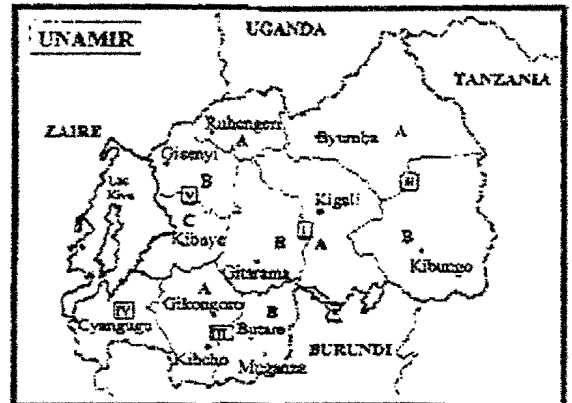
DPKO SITUATION CENTRE REPORT
UNAMIR - RWANDA
 Time: 0800 Hours NYT 12 January 1996

POLITICAL

On 11 January, the SRSB accompanied Judge Goldstone to meet with the President and Prime Minister. Judge Goldstone briefed the leaders on developments in the Tribunal.

On 11 January, Belgium said it was treating as "top priority" a formal request by a UN tribunal to hand over the three men charged with involvement in Rwanda's genocide. (REUTER)

Burundi: On 12 January, Tanzanian commander General Mboma warned that his army will no longer tolerate incursions by Burundian troops on the pretext of pursuing rebels. (AFP)



MILITARY

The overall military situation was reported as stable.

HUMANITARIAN

On 11 January, Doctors Without Borders (MSF) reported that cholera has broken out in BUJUMBURA because of a lack of clean water. "There are currently 30 cases of cholera being treated in tents erected outside the Maramvya Health Centre, about six kms north of Bujumbura" said MSF spokesman Le Sage. (REUTER)

On 11 January, a total of 1092 refugees returned to Rwanda, 518 from Zaire, 534 from Burundi and 40 from Uganda.

LOGISTICS

On 11 January, the force reserve stock levels were:

Water	35 days
Rations	16 days
Fuel	20 days
Mogas	44 days
Jet fuel	105 days

24/ 113
1760

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA



11/3

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

MOST IMMEDIATE

OUTGOING CODE CABLE

TO: GOULDING, UNATIONS, NEW YORK

FROM: KHAN, UNAMIR, KIGALI

Shahany J. Geron

DATE: 17 APRIL 1996

NO.: MIR 821

NO. OF PAGES: 3

SUBJECT: Your visit

1. Thank you for your code cable 1093 of 16 April on the above subject.
2. All arrangements have been made for Mr. Dimetros, UNAMIR's Liaison Officer, to meet you at Nairobi airport on 18 April. Accommodation in Nairobi for the night of 18 April will be at Intercontinental Hotel.
3. As there will be no UNAMIR flight after the 19th of April, your return to Nairobi on 26 April will be via KENYA Airways.
4. Accommodation in Kigali has been arranged at Hotel Umubano/Meridien. As regards your trip to Burundi, the only possibility would be via commercial airlines as we have no UNAMIR flight to Bujumbura.
5. Please find attached the schedules of flights to Nairobi and Bujumbura.
6. Best regards.

1996 APR 18 A 7:51
UNAMIR

FLIGHT SCHEDULE IN AND OUT OF KIGALI

P2/3

UNDAYS

{1} CAMEROON AIRLINES

DEPARTURE

DEPARTS NAIROBI AT 09:00 HRS
DEPARTS KIGALI 10:00 HRS

ARRIVAL

ARRIVES KIGALI AT 09:15 HRS
ARRIVES NAIROBI AT 12:15 HRS

TUESDAYS

{2} KENYA AIRWAYS

DEPARTURE

DEPARTS NAIROBI AT 14:00 HRS
DEPARTS KIGALI 16:45 HRS

ARRIVAL

ARRIVES KIGALI 16:00 HRS
ARRIVES NAIROBI AT 19:05 HRS

{3} UGANDAN AIRLINES

DEPARTS NAIROBI AT 14:30 HRS
DEPARTS ENTEBBE AT 16:15 HRS

ARRIVES ENTEBBE AT 15:35 HRS
ARRIVES KIGALI AT 16:00 HRS

{4} AIR RWANDA

DEPARTS KIGALI AT 08:00 HRS
DEPARTS NAIROBI AT 12:00 HRS

ARRIVES NAIROBI AT 11:20 HRS
ARRIVES KIGALI AT 13:20 HRS

THURSDAYS

DEPARTURE

{5} AIR RWANDA

DEPARTS KIGALI AT 08:00 HRS
DEPARTS NAIROBI AT 12:00 HRS

ARRIVAL

ARRIVES NAIROBI AT 11:20 HRS
ARRIVES KIGALI AT 13:20 HRS

FRIDAYS

DEPARTURE

{6} KENYA AIRWAYS

DEPARTS NAIROBI AT 14:00 HRS
DEPARTS KIGALI AT 15:15 HRS

ARRIVAL

ARRIVES KIGALI AT 14:30 HRS
ARRIVES NAIROBI AT 19:20 HRS

{7} UGANDA AIRLINES

DEPARTS KIGALI AT 12:35 HRS
LEAVES ENTEBBE AT 15:05 HRS

ARRIVES ENTEBBE AT 14:20 HRS
ARRIVES NAIROBI AT 16:10 HRS.

74492

9492

74931

73852

P3/3

Flights Kigali to Bujumbura

AIR BURUNDI	Wednesday	1600
	Friday	1520
	Sunday	1700
AIR RWANDA	Monday	1400
	Thursday	0900
	Saturday	1230
ETHIOPIAN AIRLINES	Saturday	1300

Flying time is 40 minutes and cost is \$80



UNAMIR - MINUAR

UNAMIR

1996 APR 15 P 5:49

OUTGOING CODE CABLE

MOST IMMEDIATE

UNAMIR

1996 APR 15 P 6:21

CH-112

1/3

TO: GOULDING, UNATIONS, NEW YORK

INFO: ANNAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Vu
WS

Shaharyar M. Khan

DATE: 15 APRIL 1996

NO.: MIR-818

NO. OF PAGES: 3

SUBJECT: DUSAIDI'S LETTER

1. Reference my code cable no. 799 enclosing speaking notes after my visit with Dusaidi who has now replied in a self-explanatory letter (attached). You will note that the tone and substance of his letter are abrasive.

2. I shall be meeting him tomorrow and hope to iron out some of the issues before you arrive. However, I feel it is important that you have, in advance, a copy of Dusaidi's letter. Ssekande arrives tonight.

Best wishes.

REPUBLIQUE RWANDAISE
REPUBLIC OF RWANDA



VICE-PRESIDENCE DE LA REPUBLIQUE ET
MINISTRE DE LA DEFENSE NATIONALE
CABINET DU VICE-PRESIDENT

OFFICE OF THE VICE-PRESIDENT
AND MINISTER OF DEFENCE
B.P 23 KIGALI

RECEIVED

15 APR 1996

OFFICE OF THE SRSG
UNAMIR

CPA 112 2/3

12th April, 1996,

H.E. Ambassador Shaharyar Khan,
Special Representative of the United Nations Secretary General,
UNAMIR,
KIGALI.

Your Excellency,

We have now reviewed the draft proposal you submitted to us on 10/4/1996. The United Nations Secretary General's draft is a proposal for a Status of Mission Agreement and not a proposal that clearly defines the mandate of the proposed United Nations office in Rwanda, the modalities of fulfilling that mandate, its duration as well as the size of its personnel. The government of Rwanda expects to sign the Status of Mission Agreement only after discussing a proposal on the United Nations office itself.

During our meeting on 10/4/1996, I once again raised with you the issue of debts owed by UNAMIR to the government, private institutions and individual Rwandese citizens. We expect UNAMIR to settle all its debts before winding up its mission on 19/4/1996.

To avoid any delays in payments, please make out cheques directly to the institutions with which UNAMIR entered into contract. All cheques could be handed to the INTERMINISTERIAL COMMITTEE ON UNAMIR which will ensure their distribution to the appropriate beneficiaries.

Since my last letter of 7/3/1996, in which I gave you details of UNAMIR's debts, I have received more claims. I am therefore submitting to you a revised list:

1. Income tax Dept.	434,897,122 FRW.
2. Properties occupied by UNAMIR:	
✓ Mabanza Commune	2,314,122 FRW.
✓ Cyangugu Municipal Buildings	1,316,520 FRW.
✓ Mt. Cyangugu	1,637,600 FRW.
✓ Runyombyi Sec. School	1,083,760 FRW.

021-112 3/3

Munini Commune
Airport Helicopter Hangar
Airport Building occupied by Ghan Battalion
Kigali Tech. School
E.S.M

1,253,270 FRW.
47,221,645 FRW.
8,107,385 FRW.
19,934,963 FRW.
16,292,106 FRW

TOTAL

533,058,493 FRW

3. National University Butare	US\$. 150,161.00
4. PetroRwanda	US\$. 88,865.80
5. ORTPN	US\$. 252,000.00
6. Kigali Central Hospital	69,100 → US\$. 70,000.00
7. 100 Hills Cars Sarl.	US\$. 56,933
8. SONARWA (lease Trafipro)	US\$. 188,671.00
9. SONARWA (Car Insurance)	US\$. <u>122,541.40</u>

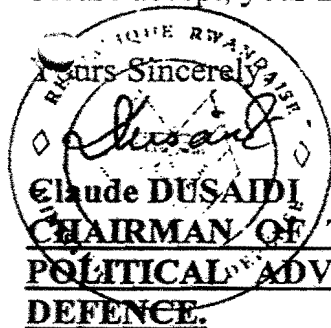
TOTAL

US\$. 929,172.20

The Rwanda government trusts that these and any other debts owed to Rwandese Citizens will be paid before the complete withdrawal of UNAMIR to avoid litigation.

Finally, your Excellency, as I have informed you and Ambassador Kouyate when I met him in Ethiopia in February 1996, the Government of Rwanda has never waived taxes for Companies contracted to UNAMIR. These taxes must therefore be duly paid to the Income Tax Department to avoid litigation or any other embarrassing measures that the Income Tax Department might be obliged to take to recover its dues.

Please accept, your Excellency, my compliments and highest regards.



c.c. H.E. The President
H.E. The Vice President
H.E. The Prime Minister
Hon. Min. of Foreign Affairs
Hon. Min. of Finance



UNAMIR - MINUAR

UNAMIR

OUTGOING CODE CABLE

UNAMIR CRW-110

1/1

1996 APR 13 P 1:21

1996 APR 13 P 1:29

TO: ANNAN/MEDILI, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar M. Khan

DATE: 13 April 1996

NO.: MIR - 811

✓

NO. OF PAGES: 1

WS

SUBJECT: OAU Request for car/equipment

1. During his last visit to Kigali, the OAU Secretary-General Dr. Salim A. Salim requested me to "loan" some equipment (one vehicle and one computer) for the OAU office in Kigali which is headed by Ambassador Joe Felli. Now that we are disposing off our equipment, it would be possible to accommodate the OAU request.

2. However, strictly speaking UN equipment can only be disposed off according to the three categories stated in our correspondence on this issue. OAU does not fall within these categories. Nevertheless, OAU has been particularly supportive of UNAMIR throughout its tenure in Rwanda and I would strongly recommend that, as an exception, we may gift one vehicle and one computer to the OAU Office in Kigali.

Best wishes.



UNAMIR - MINUAR

UNAMIR

1996 APR 12 P 4: 55

UNAMIR
1996 APR 12
OUTGOING CODE CABLE
5:06

CH-109

1/1

TO: GOULDING, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar M. Khan

DATE: 12 APRIL 1996

NO.: MIR - 805

NO. OF PAGE: 1

SUBJECT: Your visit

1. Reference your code cable no. 1051.
 2. Confirming that your are booked on UN flight leaving Nairobi at 0915 on 19th arriving Kigali approximately 10.30. We are making appropriate programme for your visit. I shall stay until 20th April and will be able to brief you in detail.
 3. I would recommend Ssekande accompanying you for reasons stated in paragraph 4.
- Best wishes.



ED

UNAMIR - MINUAR

OUTGOING CODE CABLE
UNAMIR

1996 APR 11 11:05
MOST IMMEDIATE

CH-108 6/4

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

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

DATE: 11 April 1996

NO.: MIR - 799

NO. OF PAGES: 4

SUBJECT: Meeting with Dusaidi - 10 April 1996

Shaharyar M. Khan
1996 APR 11 11:05
UNAMIR

1. I met Dusaidi and made the points contained in my speaking notes (attached). His replies were as follows:

Mandate

2. Dusaidi stated that he would be conveying his Government's reply shortly. My judgement is that Rwanda's difficulty is with UNOR's ability to deliver on Rwanda's request for increased resources rather than the "national reconciliation" issue which the Rwandan Permanent Representative raised in New York. The national reconciliation issue has not been mentioned in negotiations here in Kigali. In fact Dusaidi has repeatedly referred to the Foreign Minister's letter as Rwanda's basic position.

Equipment

3. I told Dusaidi that the offer was now formal and gave him a list of equipment that would be ready to transfer to GOR. Dusaidi replied that his team would inspect the items and inform us of the equipment the Government wished to keep by Monday 15 April. Dusaidi said he did not anticipate any problem with a rear party staying on in Rwanda.

Reçu le 12 AVR. 1996

Belgian Village

4. Dusaidi stated he foresaw a problem in handing over the complex to the Belgian Ambassador rather than to GOR. I replied that since we had leased the premises from the Belgian Government we were honour bound to return it to them. I recognized that GOR and Belgium had a dispute over the future use of the Belgian Village. This was a matter that needed to be resolved between them. I suggested that Dusaidi and the Belgian Ambassador should decide on the modalities of the take-over.

5. A large contingent of RPA guards has now been posted outside the Belgian Village ostensibly to guard against possible intruders but in effect to demonstrate GOR's determination to take over the Belgian Village after we hand over.

Amahoro Hotel

6. ICTR and GOR have reached an agreement on the rental for the Amahoro Hotel at US\$5.5 per sq. metre which amounts to US\$29/30,000 per month. This will enable the ICTR to take-over the building along with our communication system. It also saves us from an immense dislocation problem. ICTR has already agreed to allow UNOR's office to operate from Amahoro Hotel.

Trafipro

7. Our warehouse, vehicle storage and Radio are currently located at Trafipro. UNHCR are near to agreement to take over the lease of Trafipro. However it is essential that UNAMIR retain an additional monthly lease of Trafipro in order to clear the equipment and other administrative issues. I strongly recommend a monthly extension of our lease of Trafipro.

Taxation

8. Dusaidi repeated his earlier comments to me on the taxation issue so that we are back to square one. Even though Dusaidi is averse to a further meeting with Mr. Ssekande, I feel another visit by Mr. Ssekande possibly as a member of the UNHQ delegation to Kigali may lead to the finalisation of this thorny problem. The Executive Director Mr. De Souza and CAO Ms. Mathew could assist him.

Settlement of Dues for damages

9. Dusaidi informed me that some claims for damages by UNAMIR for premises occupied were outstanding. I informed Dusaidi that most of the claims had been settled while others were being negotiated. I told him that even after 19 April UNAMIR would continue to negotiate and settle outstanding claims from Nairobi.

Radio Staff

10. The contract for our local staff and technicians employed by the Radio Unit runs out at the end of this week. I strongly recommend a one month extension as, otherwise, once the staff disperse we shall have great difficulty in starting up the Radio again. I hope that during the negotiations the Radio issue will be finalised and that Radio UN Rwanda can begin broadcasting again.

Best regards.

Equipment

i) A list of items to be gifted to the Government of Rwanda (Column B iii) of Charts was handed over. There could be minor differences in the actual number of items delivered. This offer was now official.

ii) It was requested that delivery may be taken of the items and an official/site nominated for this process.

iii) Appreciation was expressed at the smooth out-flow of items to be transported out of Rwanda.

Rear Party

The Government of Rwanda was requested to agree to a small "rear party" to remain in Kigali for a short while in order to process the hand-over/documentation of equipment. This rear party (size and names to be communicated later) would be temporarily assigned as part of UNDP or ICTR. Visas for this rear party would be required.

UNOR Mandate

A formal letter from the Secretary-General was conveyed to the Government of Rwanda on the mandate for UNOR.

Belgian Village

UNAMIR would hand over the Belgian Village to the Belgian Embassy at 11 am on 15 April. A representative from the Rwandan Government would be requested to attend. It is further requested that RPA may guard the premises from 11 am, 15th April to avoid pilferage or unauthorised entry.

ROUTING SLIP		FICHE DE TRANSMISSION	
TO: A: Mr. Matthew			
FROM: DE: Wilfrid de Souza <i>WS</i>			
Room No. - No de bureau	Extension - Poste	Date	
		12/4/96	
FOR ACTION		POUR SUITE A DONNER	
FOR APPROVAL		POUR APPROBATION	
FOR SIGNATURE		POUR SIGNATURE	
FOR COMMENTS		POUR OBSERVATIONS	
MAY WE DISCUSS?		POURRIONS-NOUS EN PARLER ?	
YOUR ATTENTION		VOTRE ATTENTION	
AS DISCUSSED		COMME CONVENU	
AS REQUESTED		SUITE A VOTRE DEMANDE	
NOTE AND RETURN		NOTER ET RETOURNER	
FOR INFORMATION		POUR INFORMATION	

FOR YOUR INFORMATION.



ED

UNAMIR - MINUAR

OUTGOING CODE CABLE

UNAMIR

1996 APR 11 P 3:47

MOST IMMEDIATE

CR-107

P.1/2

TO: GOULDING/ANNAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar Khan

DATE: 11 April 1996

NO.: MIR - 798

NO. OF PAGES: 2

SUBJECT: Negotiations with the Rwandese Government about UNOR

1. Thank you for your code cable No.1038. I am glad the Secretary-General has approved your one-week negotiating visit to Kigali. I shall try and advance negotiations with GOR as much as possible so that you are able to finalise issues during your stay. In view of constraints mentioned in your message, I suggest the following:

a) We meet in Nairobi at your convenience anytime after 19 April. I shall wait for you in Nairobi where we have a "closing down" office. It would be awkward for me to stay on in Kigali beyond 19 April.

b) I would recommend that, apart from anyone accompanying you from New York, you may detail senior members of UNAMIR staff to accompany you, should you so desire.

c) We would need approval for a secretary, 2 cars and drivers for UNAMIR to be retained in Kigali for your visit. Our "rear group" to assist on equipment/administrative matters for which we await FALD approval, would also be available in Kigali.

Reçu le 12 AVR. 1996

CRD-107 b/h

2. I am also required to proceed to New York for a debriefing and have been informed that the Secretary-General would be leaving on a tour on 24 April. Since he is expected in Nairobi for the ACC Meeting towards the end of April, it may be convenient all round if I stay a few days longer for Secretary-General to receive me in Nairobi.

3. I am sending this fax in case, I am unable to reach you on the telephone.

Best regards.

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

UNAMIR
1996 APR -9 P 6:33

UNAMIR
1996 APR -9 P 6:50
OUTGOING CODE CABLE P 6:50
RW-106 1/3

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

INFO: KITTANI/GHAREKHAN/SEVAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI *Shaharyar Khan*

DATE: 9 APRIL 1996

NO.: MIR - 783

NO. OF PAGES: 3

SUBJECT: NEGOTIATION ON THE MANDATE

Vu
MS

1. With nine days left for UNAMIR, there are a number on uncertainties that need to be cleared up. I am sure all peace-keeping missions closing down meet these difficulties but some of them are avoidable and can be addressed through decisive action. I outline the problems below along with my recommendations.

Equipment

2. We still do not have a formal go ahead from Headquarters regarding the equipment that is to be gifted to the government of Rwanda. I have taken up the issue informally with Rwandan officials and as I anticipated, the government is indicating that they are being given "junk". I do not believe they will decline the equipment altogether but they are fortifying their stand on the taxation issue by stating that since their equipment request has not been met adequately, they will claim maximum taxes from our contractors (Brown & Root, etc.).

3. In any case, I cannot believe that in the next nine days we can distribute the equipment locally and transport out the items that need to go to other Peace Keeping Operation or to Brindisi. Therefore, it is vital that we retain our large warehouse complex in Trafipro for one month longer so as to store the equipment safely and also retain a "rear group" of officials who would administer the transfer of the equipment. I anticipate negotiations on the equipment to continue beyond 19th April and therefore, a senior official in the Administration should be responsible to oversee the administrative finalisation of this issue.

4. My recommendations are as follows:

i) CAO should be asked to head the administrative team to finalise equipment, its security and other related issues. A rear team may be left over in Kigali - operating as part of UNDP or ICTR. CAO may base herself in Nairobi, where a UNAMIR office would continue to function and visit Kigali periodically to discuss equipment and other administrative issues.

ii) Trafipro must be retained for a further month for safe-keeping of equipment and as an office for the rear party.

UNAMIR's Mandate

5. I have already indicated in a previous code cable Rwandan insistence on discussing UNOR's mandate in detail. Their stand as conveyed informally is that UNOR should spell out how it intends to assist Rwanda as indicated in their Foreign Minister's letter to the Secretary-General. I expect GOR to engage in negotiating on UNOR's mandate and consider it unlikely that by 18th April, there would be an agreement. If at all possible, a gap between UNAMIR and UNOR should be avoided and the first step would be for OLA to clear the draft letter from Secretary-General on UNOR so that I can present it now. Thereafter, we may press GOR to give its approval before 19th April so that UNOR takes over smoothly from UNAMIR. In this way, the staff to be retained could stay on and avoid major dislocation that would inevitably take place following a gap between UNAMIR and UNOR.

6. However, if as is likely, a resolution of this issue is not possible before 18 April, I would recommend that a senior official from Headquarters be sent to Kigali to act as a catalyst to the

negotiations on the mandate, the equipment and taxation issues. He/she should come to Kigali for a period of one-two weeks and should be assisted by CAO and any relevant member of the "rear party" in Nairobi/Kigali.

Office Building

7. At the time of writing, there is still no agreement between ICTR and GOR on the take-over of the Amahoro Hotel. Registrar Adede is in Kigali and has made an enhanced offer after \$19,000 per month was rejected. GOR's reply is expected later today. If agreement is not reached, it will be necessary for us to dismantle the communications equipment, store it in Trafipro and wait for ICTR's decision on an alternative office. UNAMIR's office would also become non-functional because we would be preparing to hand-over the building on 19th April and our telephones would not be working. We would probably move to Trafipro for the last 4/5 days.

Residence - Belgian Village

8. UNAMIR is handing over the Belgian Village residential complex to the Belgian Ambassador on 15th April. However, as there is danger of looting, the Belgian Ambassador and I have agreed to call in the RPA from that date to secure the complex. The residents of the Belgian Village which include the Acting Force Commander, the Executive Director and myself will be moving to Umbano Hotel (former Meridien) in the last 4/5 days of our stay in Kigali.

Taxation issue

9. Dusaidi maintains that there was no agreement with Mr. Ssekande and that he did not sign the memorandum of understanding that had been prepared. He stated that in view of the "deliberate misrepresentation of the facts" in Secretary-General's previous report, he considers any understanding reached with Ssekande to be at an end. Dusaidi added that GOR taxation demands remained as conveyed by him. I told Dusaidi that the civilian contractors were operating exclusively for UN and that they had not engaged in any activity other than on behalf of and at the service of UNAMIR. As such, they were not liable to pay local taxes having been contracted by and being part of UNAMIR.

Best wishes.



UNAMIR - MINUAR

UNAMIR
OUTGOING CODE CABLE

1996 APR -4 P 5: 32

MOST IMMEDIATE

UNAMIR
TO: 1996 APR -4 P 5: 12

ANNAN/GOULDING/MEDILLI, UNATIONS, NEW YORK

INFO: GHAREKHAN/KITTANI, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar M. Khan

DATE: 04 April 1996

NO.: MIR - 754

NO. OF PAGES: 3

SUBJECT: Rwanda - Endgame

1. Since yesterday (3 April), I have held extensive discussions with Dr. Ndahiro - Vice President Kagame's closest advisor - and Claude Dusaidi. I have also discussed liquidation procedures with my fast dwindling corps of officials. The following is the picture that emerges:

UNOR's Mandate

2. Dusaidi told me that GOR expected UNOR's mandate to elaborate on Rwanda's expectations of support from UN. The Foreign Minister's letter to the Security Council had specifically referred to these expectations which were intended to provide UNOR with Trust Fund capability to assist Rwanda in forinstance, repair of infrastructure, revival of the judicial system, rehabilitation of refugees. GOR also expected UNOR to play a supervisory role with the specialized agencies. Dusaidi stated that these expectations had not, so far, been addressed. He added that without this capability or resource base, it may be best to leave UNDP, UNHCR to carry out their responsibilities. I told Dusaidi that I would shortly be conveying a written proposal for UNOR's mandate and that he could respond with Government's views.

Reçu le - 5 AVR. 1996

3. It is evident that GOR expects a more detailed negotiations on UNOR's mandate. Negotiations that are likely to extend beyond April 19.

Contractor's Tax Dues

4. Dr. Ndahiro had suggested to me, yesterday, that the tax issue should be de-linked from the equipment issue. I welcomed the thought and suggested a conclusive round to resolve the issue, possibly with another visit from Mr. Ssekande. Dusaidi, however, felt that there was no point to further negotiations. He felt the matter had been discussed threadbare and it was for UN to decide on the basis of GOR's claims. If UN declined to pay the dues, Rwanda would make a public statement stating its position. Dusaidi continues to take umbrage at the reference to this issue in the Secretary-General's last Report which, he states, gave a false account of the state of negotiations.

Equipment

5. As expected, GOR have tended to turn up their nose at the equipment that we intend to leave behind. They consider it inferior compared to items being transported out. They contend that their specific needs have also not been met. Nevertheless, it is unlikely that GOR would decline the gift. Dusaidi made the point that GOR may request "maintenance equipment" to service some of the items being left, for instance the pre-fabricated housing complex required sewerage cleaning equipment.
6. The outflow of equipment being sent out continues to take place smoothly. Nevertheless, even if we receive green lights all the way down the line, I do not believe, we can physically process the issue by 19 April. I, therefore, feel that a rear unit to administer equipment as also an area to store it would be necessary for about a month after 19 April.

Liquidation process

7. The liquidation process is being hampered by two separate developments.
 - a) As the Amahoro Hotel may not now be available to ICTR, we shall have to start dismantling the equipment, packing it for storage and moving out ourselves from next week (i.e 9 April). Thus for about a week, UNAMIR will have to operate from Trafipro and

ORD-102 3/3

the entire communication system used by all UN agencies, transferred to an alternative site. ICTR are making a final effort to secure the Amahoro Hotel on Saturday 6 April but the chances of a decision being made before 9 April are less than 50%.

b) The need for a secure storage space for our equipment and for the retention of a rear party, necessitates that we retain Trafipro for a further month. Trafipro provides office space, warehouse, parking space and relative security.

8. At present UNHCR are negotiating a take-over Trafipro which we should cost-share (UN radio and possibly UNOR would need space at Trafipro if Amahoro Hotel does not come through). However, if UNHCR are unable to finalise their deal, it is absolutely essential that we retain Trafipro for a further month, as an essential safety net for UNAMIR.

Best regards.

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR

UNAMIR - MINUAR

1996 APR -3 P 6: 24

OUTGOING CODE CABLE

UNAMIR
1996 APR -3 P 6: 36

CD-101

1/5

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

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: For KHAN, UNAMIR, KIGALI

DATE: 3 APRIL 1996

NO.: MIR -737

NO. OF PAGES: 5

SUBJECT: SOMA for the new U.N. Office in Rwanda (UNOR)

1. Thank you for your code cable 980 forwarding to me for review and comments the draft SOMA proposed by OLA on the status of UNOR.
2. We have reviewed that draft in consultation with our legal officer whose suggestions are herewith attached.
3. Furthermore, I should like to draw your attention to the fact that the Rwandan Government is not likely to provide offices at no cost to the U.N. (para.3, page 3 of your text), judging by the difficulties the International Tribunal is now experiencing in its efforts to transfer its offices to the current Headquarters of UNAMIR as reported in my cable 726 of 2 April. The same applies to the provisions of para.4 on page 3.
4. In this connection, I have been informed that both the SRSG in Burundi and the International Commission of Inquiry for Burundi had to rent their offices at the United Nations' expense.
5. I should be grateful if you would let me know at your earliest convenience whether our suggestions have been approved so that I can sound the Government on the main provisions of the draft letter.
6. Best regards.

UNITED NATIONS



CH-101 2/5
NATIONS UNIES

ASSISTANCE MISSION IN RWANDA

MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - NINJAR

Date: 3 April 1996

To: Mr. Shaharyar Khan
Special Representative of the Secretary General
UNAMIR

From: Mtshana M. Ncube
UNAMIR Legal Officer

Subject: SOMA for the new UN Office in Rwanda (UNOR)

The Code-cable from Mr. Marrack Goulding, United Nations, New York, dated 2 April 1996, on the above subject was referred to me by Mr. Wilfrid De Souza, the Executive Director, for my comments.

I am in agreement with the proposed SOMA for UNOR. However, I am proposing some small changes (in bold characters) regarding privileges and immunities, entry and exit, and the transportation of mail. The attached draft incorporates the suggested amendments.

I hope the proposed changes are useful.

cc: Mr. Wilfrid de Souza
Executive Director

CHN-101 3/5

3 April 1996

Sir,

I have the honour to refer to operative paragraph 4 of Resolution 1050 (1996) of 8 March 1996 by which the United Nations Security Council encouraged the Secretary-General, in agreement with the Government of Rwanda; to maintain in Rwanda a United Nations office to be headed by his Special Representative and include the present United Nations communications system and radio station, for the purpose of supporting the efforts of the Government of Rwanda to promote national reconciliation, strengthen the judicial system, facilitate the return of refugees and rehabilitate the country's infrastructure.

In order to facilitate the fulfillment of the purposes of the United Nations Office in Rwanda (hereinafter: "UNOR"), I propose that your Government, in implementation of its obligations under Article 105 of the Charter of the United Nations, **extend to UNOR, as an organ of the United Nations, and to its property, funds and assets, its members, all the privileges and immunities under the Convention on Privileges and Immunities** to which Rwanda is a Party.

In view of the special importance of the functions of UNOR, I propose in particular that your Government extend to:

- the Special Representative and other high ranking members of UNOR whose names shall be communicated to the Government, the privileges and immunities, exemptions and facilities which are enjoyed by diplomatic envoys in accordance with international law;
- the officials of the United Nations Secretariat assigned to serve with UNOR, the privileges and immunities to which they are entitled under Article V and VII of the Convention;
- other persons assigned to serve with UNOR, the privileges and immunities accorded to experts performing missions for the United Nations under Article VII of the Convention.

The privileges and immunities necessary for the fulfillment of the functions of UNOR also include:

- (i) unrestricted freedom of entry and exit **at all times**, without delay or hinderance, of personnel, property, including the United Nations communication system and the radio station, supplies, equipment and spare parts and means of transport;

- (ii) unrestricted freedom of movement throughout the country of personnel, equipment and means of transport;
- (iii) the exemption from all direct taxes, import and export duties, registration fees, and charges;
- (iv) right to fly the United Nations flag on premises, and vehicles as well as aircraft;
- (v) acceptance of United Nations registration of means of transport on land, sea and in the air and United Nations licensing of the operators thereof;
- (vi) right to operate the existing radio station to disseminate information relating to its mandate; UNOR shall also enjoy the right to unrestricted communication by radio, satellite or other forms of communication with United Nations Headquarters and between the various offices and to connect with the United Nations radio and satellite network as well as by telephone, telegraph or other means; the United Nations radio station and telecommunication services shall be operated in accordance with the International Telecommunication Convention and Regulations and the relevant frequencies on which any such stations may be operated shall be decided upon in co-operation with the Government and shall be communicated by the United Nations to the International Frequency Registration Board; and
- (vii) right to make arrangements through its own facilities for the processing and transport of private mail, **through a Diplomatic Bag or Pouch or other means**, addressed to or emanating from members of UNOR. The Government shall be informed of the nature of such arrangements, and shall not interfere with or apply censorship to the mail of UNOR or its members.

It is understood that the Government of Rwanda shall provide at no cost to the United Nations, in agreement with the Special Representative, all such premises as may be required for conducting the operational and administrative activities of UNOR. All premises used by UNOR and its members shall be inviolable and subject to the exclusive control and authority of the Special Representative.

Without prejudice to the use by the United Nations of its own means of transport and communication, it is understood that your Government shall, where necessary and upon the request of UNOR, provide, at the Government's own expense, the means of transport and communication for official use of UNOR.

CFR-101 5/5

It is expected that the Government of Rwanda shall provide UNOR, where necessary and upon request of the Special Representative, with maps and other information which may be useful in facilitating its tasks and movements.

Furthermore, it is also expected that your Government shall provide UNOR and its personnel with the necessary protection in order to ensure its safety and security. In this respect, I wish to recall that the United Nations Security Council reiterated under the ultimate preambular paragraph of its resolution 1050 (1996) "the responsibility of the Government of Rwanda for the safety and security of all United Nations personnel and other international staff serving in the country".

If the above provisions meet with your approval, I would propose that this letter and your reply thereto constitute an agreement between the United Nations and Rwanda on the status of UNOR and its members with immediate effect.

Accept, Sir, the assurances of my highest consideration.

Boutros Boutros-Ghali



UNAMIR - MINUAR

UNAMIR OUTGOING CODE CABLE

1996 APR -2 P

MOST IMMEDIATE

UNAMIR

1996 APR -2 P 5: 25

TO: ANNAN/GOULDING, UNATIONS, NEW YORK

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar M. Khan

DATE: 2 April 1996

NO.:

MIR - 726

NO. OF PAGES: 4

SUBJECT: Analysis of Kagame's comments of 1.4.96

1. Yesterday in my code cable no.MIR 710 I sent you Vice President Kagame's reactions to the subjects I raised with him. In this report, I shall attempt to analyse his comments along with my recommendations.

The Mandate

2. It is evident that the Government of Rwanda (GOR) is taking paragraph 4 of Resolution 1050 literally when its states:

"Encourages the Secretary-General, in agreement with the Government of Rwanda, to maintain in Rwanda a United Nations office, to be headed by his Special Representative etc."

3. Government of Rwanda therefore insists that there should be a formal proposal from the United Nations in writing which would find an appropriate response from it. Essentially, this position is aimed at asserting GOR's sovereign authority. It is also a means to control the size, status and perhaps even the period for UNOR's mandate.

4. I would recommend that I may be authorized to convey, in writing, a proposal from the UN which covers the following elements:

- i) UNOR's mandate as outlined in paragraph 4.
- ii) Its size and level as soon as it is decided.
- iii) The legal basis on which it would operate (i.e. replacement to SOMA as soon as OLA has a draft).

5. I would recommend against placing any time limit on UNOR and if GOR raises the issue, we may inform them that, normally, no time limit is given to such political missions. We need to throw the ball in the Rwandan court immediately.

Radio

6. We have already made a formal request to Government of Rwanda. They in turn have stated that "the Government is of the view that it can start operating after the Government of Rwanda and the United Nations have agreed on the exact mandate of the UN Office", which is obviously an attempt to use the revival of the radio as a bargaining chip. My recommendation is that we ask the donors, particularly the British (who have sponsored the transmitters) to clearly inform the Government of Rwanda that i) they are not prepared to handover radio equipment to Rwanda and ii) that they consider it important that Radio UN Rwanda should start operating.

Equipment

7. Kagame's response should be seen at two levels:

- a) As regards the moving out of held-up equipment, there was a clear assurance from the Vice President that no hurdles would be put in our way. In fact, over the past 3/4 days much of the equipment that has been blocked has been cleared. Therefore, for the present, paragraph 3 of 1050 is being observed.

b) As regards the gifting of certain items (B iii and C of Chart), Kagame has responded by stating that he was grateful but he would like his team to examine the equipment being gifted so that he would accept what can reasonably be integrated. Equipment that would be burdensome for Rwanda, could then be recycled to UN Agencies, NGOs etc.

8. I would recommend that we may accept Kagame's request and indicate the equipment available for disposal to the Government. I realize that this move may well be aimed at showing that UN is shipping out the material that Rwanda really wanted and leaving behind obsolete and relatively unimportant items. Nevertheless, there are a number of items that I do not believe Rwanda can reject. The main point is that with only 14 days left for UNAMIR, the process must move forward. This offer should however be predicated on the premise of the ACABQ accepting the proposal contained in UN Administration's proposals. In this context, I have impressed on the need for GOR to waive the taxes that they are claiming from companies working for UNAMIR.

9. Due to the fact that the list of equipment that UN intends to gift to Rwanda was conveyed only last week, the entire process of handing over this equipment to GOR, to the Agencies and especially moving the equipment to be transported out of Rwanda, has been delayed and will not be finalised before 19 April. Even with full cooperation of Government of Rwanda, the administrative processing of the equipment cannot physically be completed before 19 April. This is a matter that needs your immediate attention. The following options are open:

- i) To leave behind a small administrative unit in Kigali which would process the equipment disposal. This unit could either be part of UNOR [if it has been created by then] or of UNDP or ICTR.
- ii) The security of the equipment would need to be handled by Government of Rwanda with 2 or 3 security staff from UN to supervise.
- iii) The equipment may be handed over to UNDP before departure for disposal on agreed guidelines. In this case, UNDP would also need to be provided adequate staff.

ch-07 4/4

Accommodationa) Office

10. A serious development was reported to me by the ICTR Registrar today. It may be recalled that ICTR was scheduled to take over the Amahoro Hotel (UNAMIR Headquarters) from us. It had been agreed that UNOR and UN Radio would be accommodated in the building and that our extensive communication system would be taken over by ICTR. GOR informed the Registrar that the earlier understanding of US\$19,000 per month rent was no longer valid and that ICTR should raise its offer. ICTR is in no position to do so and it now seems that both UNOR and ICTR will not have adequate office accommodation. This also implies that we shall have to start dismantling our telecommunications equipment, packing it and storing it for ICTR whenever they are able to use it.

b) Residence

11. Vice President Kagame told me that the Government of Rwanda would be taking over the Belgian Village which accommodates the military and two civilians, myself and Executive Director Mr. De Souza. The military will have phased out by 18 April. Mr. De Souza and I will also phase-out by 18 April because, even if the Belgian Village is subsequently given to the Tribunal (which now seems unlikely), there will be a period when Government of Rwanda will have control of the premises. Senior UNOR representatives will, therefore, have to find alternative residential accommodation.

12. GOR's negative approach to ICTR's requirements is, frankly, surprising. It creates logistic and administrative difficulties for UNAMIR as we phase out because UNOR were to share office and residential accommodation, as also the equipment. The uncertainty created for ICTR borders on harassment. Given this attitude by GOR, the opening of UNOR should, in my opinion be reviewed and ICTR may itself consider moving to Arusha if the GOR cannot even assure them residential and office accommodation.

Best regards.



UNAMIR - MINUAR

UNAMIR

OUTGOING CODE CABLE

1996 APR -2 P 5: 06

MOST IMMEDIATE

1996 APR -2 P 5: 11
UNAMIR

TO: ANNAN/GOULDING, UNATIONS, NEW YORK
INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK
FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar Khan

DATE: 2 APRIL 1996

NO.:

MIR

-725

Vu
W.S

NO. OF PAGES: 2

SUBJECT: Refugees from Zaire entering Rwanda

1. Over the past 3/4 days about 1000 Rwandese citizens from Masisi region in Zaire have entered Rwanda via Gisenyi. I have already faxed you a background note on the Tutsi population in Masisi. The main facts are summarised below:

a) The Kinyarwanda speaking population had settled in this region since the last century when it was part of Greater Rwanda. In 1910, this region was apportioned to the Belgian Congo (Zaire). The Rwandan tribes stayed on in Masisi and thus, became part of Zaire. The Kinyarwanda speaking Rwandese - the Banyarwanda - were both Tutsi and Hutu. Until the massacres began they were fairly united against other Zairean tribes. After the massacres, tension developed between Banyarwanda Tutsis and Hutus.

b) The Tutsi population were particularly successful in Masisi and were given Zairean nationality continuing to live in this rich and fertile region. Subsequently, in 1930s, several waves of Tutsis joined these settlers mainly for economic reasons. They were encouraged by Zaireans to do so.

c) Another wave of Tutsis arrived during the massacres. These were refugees who sought refuge in a Tutsi safe zone. Thus, the Masisi Tutsi consists of original settlers together with several waves of Tutsis. The Hutu also remained in the region but it appears that the Tutsis were dominant and felt safe.

CRN-096

d) Around 100,000 Tutsi were living in the Masisi area in 1994. Subsequently, many of the recent refugees returned home after the RPF victory. Other Tutsis also decided, voluntarily, to return to Rwanda under the present government. However, the Tutsi who had been living in Masisi for decades, stayed on in Masisi.

e) It is this group that is being targeted by former FRGF and interahamwe forces combined with Zairean civilian and military elements, seeking financial gain from displacing the rich Tutsis. The interahamwe are also looking for permanent settlement in this region.

2. There are reports of human rights violations and violence in what seems an attempt at ethnic cleansing of Tutsi in the region. Zairean and former Rwandan militia have combined to perpetrate this reign of terror which has led to the recent flow of Zairean (Tutsi) refugees into Rwanda. UNHCR has confirmed these accounts from refugees in Rwandese transit camps. Regrettably, since the departure of our Milobs and helicopters, I have no first hand means of verifying this information.

3. The Rwandese government has strongly protested at what they have called "the second genocide" by Hutu extremists. GOR has called for international condemnation of this ethnic cleansing. GOR places the main blame on the unfettered capability of the interahamwe to attack Zairean citizens from the camps. It has also placed the blame on the Government of Zaire for its complicity.

4. Rwanda-Zaire relations are plummeting again, the Tunis Summit proving to be a false dawn. There is tension along Rwanda's border with Zaire which could even create an anti-Hutu backlash in Rwanda.

5. The Security Council may wish to take note of this growing tension, condemn this obvious act of ethnic cleansing in Masisi and call on the government of Zaire to measure up to its responsibility of providing security to its citizens. The Security Council may also consider calling for greater control of militant elements in the refugee camps of Zaire.

Best regards.



OUTGOING CODE CABLE

MOST IMMEDIATE

TO: ANNAN/GOULDING, UNATIONS, NEW YORK

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar M. Khan

DATE: 2 April 1996

NO.: MIR

NO. OF PAGES: 4

SUBJECT: Analysis of Kagame's comments of 1.4.96

1. Yesterday in my code cable no.MIR 710 I sent you Vice President Kagame's reactions to the subjects I raised with him. In this report, I shall attempt to analyse his comments along with my recommendations.

The Mandate

2. It is evident that the Government of Rwanda (GOR) is taking paragraph 4 of Resolution 1050 literally when its states:

"Encourages the Secretary-General, in agreement with the Government of Rwanda, to maintain in Rwanda a United Nations office, to be headed by his Special Representative etc."

3. Government of Rwanda therefore insists that there should be a formal proposal from the United Nations in writing which would find an appropriate response from it. Essentially, this position is aimed at asserting GOR's sovereign authority. It is also a means to control the size, status and perhaps even the period for UNOR's mandate.

Accommodation

a) Office

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Best regards.



UNAMIR - MINUAR

UNAMIR
1996 APR -1 P 4:08

OUTGOING CODE CABLE

MOST IMMEDIATE

21-075 1/4
Vu class. 115

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

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar Khan
UNAMIR
1996 APR -1 P 4:19

DATE: 01 April 1996

NO.: MIR - 710

NO. OF PAGES: 4

SUBJECT: Meeting with Vice-President Kagame 1 April 1996

1. I had a one hour meeting with Vice-President Kagame on 1 April. The subjects I raised are contained in the speaking notes I left with him [copy attached]. I give below the Vice-President's response to the issues raised.

Mandate

2. Kagame stated that the formal process of the UN proposing the terms of reference, the status and size of UNOR needed to be completed. I told Kagame that paragraph 4 of Resolution 1050 was based on the Rwandan Government's, letter to the Security Council. Kagame agreed but added that the formality needed to be completed particularly as previous UN terms of reference (an exchange of letters) had been formally agreed between the UN and the Government of Rwanda. Kagame added that even a time-limit should be considered.

Radio

3. Kagame enquired why the UN Radio could not be merged to Radio Rwanda. I told

him that the independent voice of a Radio UN was seen to be more objective than Radio Rwanda which was regarded, particularly in the camps, as a vehicle for propaganda. I added that neighbouring governments and donor countries felt Radio UNAMIR had made a positive impact. Kagame replied that Rwanda's response would depend on a formal request which I confirmed had already been made.

Equipment

4. Kagame stated that he had, all along, felt the UN was free to transport all the equipment that it wished to take out of Rwanda. The Government had indicated its preference for equipment but the decision on which items could be spared and which taken out was for UN to take. Kagame added that he was grateful for the equipment that the UN was intending to gift and assured me that equipment that was to be transported out would not be stopped. {N.B. In fact, over the past 4 days, much of the equipment that was held up has been released}.

5. Kagame then stated that he would like a team to inspect the items that were proposed to be left for Rwanda so that equipment that was not useful to Rwanda would be recycled into the pool for others. I replied that the proposal was reasonable and that the final decision of the ACABQ would have to be awaited. I mentioned that the waiver of the taxes being sought from our subcontractors needed to be given for the process to be implemented by ACABQ. Kagame said he would look into the agreement that was negotiated between Mr. Ssekande and Mr. Dusaidi in January for a decision.

Other issues

6. On other issues, Vice President Kagame told me that the Government of Rwanda would take over the Belgian Village after April 19. It would then, decide on its disposal with the Belgian Government.

7. On the recent reports of ethnic cleansing by former RGF and interhamwe in Masisi/Rushiro region, Kagame said it was time the international community took note of the atrocities.

Best regards.

Mandate

1. Security Council Resolution 1050 provides the outlines of the mandate for UNOR. In essence, the mandate requires UNOR to undertake the following tasks:
 - a) Encourage voluntary return and rehabilitation of refugees
 - b) National reconciliation
 - c) Strengthen national judiciary
 - d) Infrastructure rehabilitation through effective utilisation of aid
 - e) Coordination of UN Agency activity in Rwanda.
2. The Security Council resolution specifically calls for the retention of UN Radio and the Communications system. [Copy of resolution attached].
3. The Rwandan Government, through the Foreign Affairs Minister's letter of 1 December 1995 to the UN Secretary-General, has already accepted UNOR. However, under Security Council resolution 1050, the Government's formal agreement is required for UNOR to implement its mandate.
4. UNOR's size is being discussed at UN Headquarters but, due to severe financial constraints, the office is likely to be small.

Radio

5. On 8th March, at the conclusion of our mandate, Radio UNAMIR voluntarily stopped broadcasting. On the same day, the Ministry of Information was formally requested to permit Radio UN Rwanda to continue broadcasts. A letter has been written to the Vice-President's office indicating Radio UN Rwanda's willingness for closer cooperation with Radio Rwanda.
6. In view of the importance attached by the Security Council to the continuation of Radio UN Rwanda, the Government of Rwanda's permission to resume broadcasting is requested.

chr-075 9/4

Equipment

7. UN Headquarters New York has now sent the list for the disposal of equipment to UN reviewing bodies. The list is divided, broadly, into the following three categories:

a) Equipment to be used by other peace-keeping operations including storage at Brindisi or International Tribunal [ICTR].

b) Equipment to be used by other UN Agencies.

c) Equipment to be left in Rwanda and for Rwandan NGO's.

8. The proposal takes into account UNGA regulations and Security Council resolutions requesting as much equipment as possible to be left "for use in Rwanda". Equipment in category (b) would be for such use in Rwanda.

9. It is requested that the Government of Rwanda may take the following decisions:

a) allow equipment, already packed, which is being transferred out of Rwanda and is not available for disposal to be exported without delay. This includes i) category (a) above, ii) lethal equipment, iii) equipment owned by countries and not by UN.

b) not to tax companies exclusively servicing UNAMIR.

c) appoint officials who would take over equipment to be delivered to Rwanda as it becomes available.



UNAMIR - MINUAR

MOST IMMEDIATE

OUTGOING CODE/CABLE

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

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

DATE: 1 APRIL 1996

NO.: MIR - 709

NO. OF PAGES: 10

SUBJECT:

1. Please refer to your code cable No.909 of 28 March 1996.

ICTR

2. The draft report, particularly the portions relating to the security for the International Tribunal (ICTR) was shown to the Registrar Mr. Adede. He has since given me the paragraphs as amended by him and approved by Judge Goldstone which are reflected in the attached revised draft (changes are indicated in bold charaters).

3. It may be noted that confirmation is given by ICTR that as of 8 April, their security force will provide security to their offices and residences. The Malawi contingent would be withdrawn from that date.

Withdrawal of UNAMIR

4. The figures relating to the military personnel still in Rwanda as at 31 March 1996 are indicated in annex.

Equipment

5. We have taken the liberty of elaborating paragraph 7 so that the rationale of the proposal made to the Government of Rwanda is brought out in bolder relief, as also is the

Choff 2/10

importance of smooth transportation of equipment out of Rwanda in accordance with paragraph 3 of Resolution 1050.

Communications system and radio station

6. I have also made some suggestions in paragraphs 8 and 10 in order to reflect the situation as of today.

Best regards.



SECURITY COUNCIL

Distr.
GENERAL

S/

April 1996

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE IMPLEMENTATION
OF RESOLUTION 1050 (1996)

I. INTRODUCTION

1. By paragraph 8 of its resolution 1050 (1996) of 8 March 1996, 1996, the Security Council requested me, inter alia, to report to the Council by 5 April 1996 on what arrangements had been agreed with the Government of Rwanda for the Protection of the personnel and premises of the International Tribunal for Rwanda after the withdrawal of UNAMIR and on the arrangements he has made pursuant to paragraph 4 of the resolution.

2. By paragraph 4 of the resolution, the Council encouraged me, in agreement with the Government of Rwanda, to maintain in Rwanda a United Nations office, to be headed by my Special Representative and to include the present United Nations communications system and radio station, for the purpose of supporting the efforts of the Government of Rwanda to promote national reconciliation, strengthen the judicial system, facilitate the return of refugees and rehabilitate the country's infrastructure, and of coordinating the United Nations efforts to that end.

3. In addition to providing the information requested above, the present report also describes the arrangements made for and the progress of the withdrawal of UNAMIR in pursuance of Security Council resolutions 1029 (1995) of 12 December 1995 and 1050 (1996) of 8 March 1996.

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CRW-94 4/10

II. WITHDRAWAL OF UNAMIR

4. By its resolution 1029 (1995), the Security Council decided to reduce the size of the UNAMIR force level to 1,200 troops and 200 military observers, headquarters and other military support staff. By paragraph 5 of that resolution, the Council requested the Secretary-General to initiate planning for the complete withdrawal of UNAMIR, that withdrawal to take place within a period of six weeks after the expiry of the mandate, which terminated on 8 March 1996.

5. Detailed plans for the withdrawal of the UNAMIR military personnel have been drawn up and are being implemented. As at 31 March 1996, a total of 688 men, comprising 19 military observers, 639 troops and 30 headquarters staff remained in Rwanda. It is expected that their withdrawal will be completed between 11 and 19 April (see Annex).

6. By paragraph 7 of the resolution, the Council also requested me to examine, in the context of existing United Nations regulations, the feasibility of transferring UNAMIR non-lethal equipment, as elements of UNAMIR withdraw, for use in Rwanda. In a letter dated 13 February 1996, the President of the Security Council urged me, in light of the unique circumstances and recent history of Rwanda, to employ flexibility, while staying within the bounds of the regulations established by the General Assembly, in resolving the question of the disposition of UNAMIR's equipment.

7. On 25 March 1996, I submitted a report to the General Assembly on the disposition of UNAMIR assets (A/50/712/Add.2), in which I indicated that the estimated inventory value of the Assistance Mission's assets as at 19 October 1995 amounted to approximately \$62.5 million. I also stated in the report that non-lethal assets valued at approximately \$9.2 million were earmarked for donation to the Government of Rwanda. In addition, assets considered beyond economic repair or removal, valued at approximately \$6.1 million, will be made available to the Government. This includes assets that have been written off as a result of accidents and damage caused by natural elements and acts of war, abandonment due to the past security situation in Rwanda and lost owing to theft. **Moreover, the equipment that is being transferred to the UN Agencies would be available "for use in Rwanda" as**

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ch-07 9/10

recommended in paragraph 7 of Security Council resolution 1029 (1996). Therefore, of the total available pool of equipment for disposal in Rwanda on March 25, i.e. \$19,2 million, 47.5% will be available for use in Rwanda either through transfer to UN Agencies (4.4 million) or through gift/write-off to the Government of Rwanda (15.3 million).

III. ESTABLISHMENT OF THE UNITED NATIONS OFFICE IN RWANDA (UNOR)

[To be drafted by DPA]

IV. COMMUNICATIONS SYSTEM AND RADIO STATION

8. Following the departure of UNAMIR, the International Criminal Tribunal for Rwanda (ICTR) will **when at full strength** become the largest United Nations operation in Rwanda and, subject to the agreement of the Government, is expected to take over the current UNAMIR headquarters. Consequently, ICTR will also be taking over responsibility for the operation and maintenance of the UNAMIR communication system and **would be able to** provide the communications needs of all other United Nations agencies in Rwanda which formerly assuming control of the communications assets located in the UNAMIR headquarters.

9. The communications equipment and the radio station will be maintained by a combination of local technical staff and Field Service radio technicians. The final number and distribution of these staff will be determined in the context of the decisions to be taken concerning the size of the United Nations Office in Rwanda.

10. Subject to the availability of the necessary resources, the radio station is expected to continue to broadcast as part of the operations of the United Nations Office in Rwanda (UNOR). Immediately upon the termination of the UNAMIR mandate on 8 March 1996,

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CHN-94 6/10

(UNOR). Immediately upon the termination of the UNAMIR mandate on 8 March 1996, however, broadcasting was temporarily suspended pending authorization from the Government of Rwanda for the station to continue broadcasting under the name of "Radio United Nations", since the name "Radio UNAMIR" could no longer be used after that date. The Government of Rwanda has indicated that while it has no objection to Radio UN Rwanda replacing Radio UNAMIR, formal authorization would be conveyed after finalization of the mandate.

V. SECURITY ARRANGEMENTS FOR THE PERSONNEL AND PREMISES OF THE INTERNATIONAL TRIBUNAL FOR RWANDA

11. By paragraph 2 of resolution 1050 (1996), the Security Council authorized elements of UNAMIR remaining in Rwanda prior to their final withdrawal to contribute, with the agreement of the Government of Rwanda, to the protection of the personnel and premises of the International Tribunal for Rwanda. Accordingly, following consultations, the Malawi infantry company of UNAMIR has been retained in Kigali to assist in protecting the Tribunal until 8 April.

12. Long-term measures for the protection of the International Tribunal have also been put in place on the assumption that the primary responsibility for the security and protection of the Tribunal, its personnel, premises and investigation teams, rests with the Government of Rwanda, have also been put in place.

13. Pursuant to discussions with the Vice-President of Rwanda, Major-General Paul Kagame, **with the senior officials of the Tribunal**, an understanding has been reached on the concept of security proposed by the United Nations Security Coordinator in November 1995. **[One sentence deleted]**. The understanding would authorize the United Nations Security Officers to bring the required arms and ammunition into Rwanda and to import other security equipment such as ballistic vests, binoculars and training ammunition necessary for their work. The Government

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Chs-04 7/10

of Rwanda has also appointed a senior-level liaison officer to discuss the implementation of these security arrangements with the Tribunal, and consultations with him have already begun. In addition, the Government has agreed to provide a rapid reaction force to assist the Tribunal in the event of an emergency beyond the capacity of the Tribunal's security to resolve and has pledged the assistance of local authorities in providing security for the Tribunal's investigation team.

14. In accordance with the understanding, the United Nations Security Officers will be responsible for security within the Tribunal's premises and for accompanying investigation teams. The original United Nations proposal for external security was to contract a local company to provide guards. **(deletion)** However, Vice-President Kagame **was unable to accept it. He, instead, offered** to make available Rwandan gendarmes whom the ICTR would recruit on an individual basis and pay. The Tribunal will be discussing this proposal **with the Government concerning the details of its implementation.**

15. It is expected that , following further discussions with the Government of Rwanda on the practical modalities of the security arrangements, a written agreement will be reached, perhaps on the basis of an exchange of letters between the International Tribunal and the Government.

16. In the meantime, the recruitment of a Chief Security Officer (CSO) and Security Officers (SO) has gone forward, with the **Tribunal's** CSO having reported **and visited** Kigali on 16 March 1996. A proposal calling for the recruitment of a Deputy CSO at the Professional level, 18 international United Nations Security Officers and a locally-contracted guard force to meet the Tribunal's basic security requirements is now being considered by the appropriate legislative bodies. The recruitment of the personnel is also under way and it is expected that at least 12 Security Officers will be in place by early April.

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VI. HUMAN RIGHTS

chr-09 8/10

17. By paragraph 7 of its resolution 1050 (1996), the Security Council called upon States to contribute urgently to the costs of the Human Rights Field Operation in Rwanda (HRFOR), and encouraged me to consider what steps might be taken to place the Operation on a more secure financial basis. It should be recalled in its context that in a report submitted to the General Assembly on 13 November 1995 (A/50/743), the High Commissioner for Human Rights had proposed that the Operation be funded from the regular budget. However, the proposal was not approved.

18. The High Commissioner has advised me that, in the absence of sufficient financial resources, it has not been possible to recruit the required number of staff. He considers that 120 human rights field Officers constitute the minimum presence necessary for a professionally sound human rights field operation in Rwanda. However, by mid-March the number of staff on the ground had been reduced from a peak of 120 to 95, of whom only 78 were human rights monitors.

19. The presence of human rights monitors in the field is particularly crucial, especially at a time when the refugees are being encouraged to return and when the Rwandan justice system is not yet functioning adequately. The Government of Rwanda has consistently supported the presence of HRFOR and expressed the wish that the Operation be maintained after the departure of UNAMIR. In the Declaration adopted at the Tunis Summit of the Heads of State of the Great Lakes region on 18 March 1996 reaffirmed that Rwanda would welcome the deployment of an expanded number of human rights monitor throughout the country and was prepared to permit the number to rise to 300. The Declaration also stressed, however, that the necessary resources should be made available.

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VII. OBSERVATIONS

CH-94 9/10

20. The proposals I have made in this report for a continuation of the United Nations presence in Rwanda following the departure of UNAMIR are modest and less than what might have been hoped or required. Nevertheless, it will not be possible to implement them without the necessary additional resources. I therefore intend to submit a preliminary cost statement as an addendum to the present report.

21. Lastly, I would express the hope that, as called for by the Security Council in paragraph 3 of resolution 1050 (1996), the Government of Rwanda will take all necessary steps to ensure that UNAMIR personnel and equipment can be withdrawn without impediment and in an orderly and safe manner.

* Amendments in bold

/...

cfN-09 10/10

MILITARY PERSONNEL STRENGTH AS ON 31 MARCH 96 IN RWANDA

1. Total Military Personnel. 688

2. Break Down of Military Personnel:-

(a) MILOBS 19

(b) CONTINGENT:-

(i) Indbatt 536

(ii) Malawicoy 83

(iii) Sigcoy 05

(iv) Movcon 15

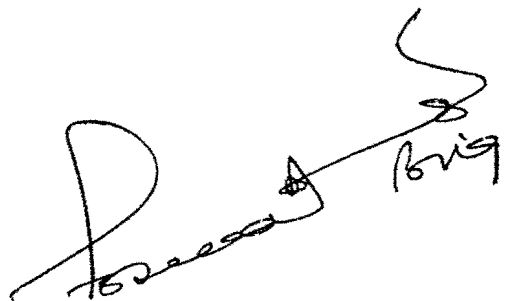
639

(c) HEADQUARTER STAFF:-

(I) Staff Officers 20

(ii) Military Police 10

30

A handwritten signature, possibly 'D. ...', is written over the word 'Brig'.



UNAMIR - MINUAR

UNAMIR
1996 APR -1 P 4:08

OUTGOING CODE CABLE

CRD-075

1/4

MOST IMMEDIATE

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

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

UNAMIR
1996 APR -1 P 4:19

DATE: 01 April 1996

NO.: MIR - 710

NO. OF PAGES: 4

SUBJECT: Meeting with Vice-President Kagame 1 April 1996

1. I had a one hour meeting with Vice-President Kagame on 1 April. The subjects I raised are contained in the speaking notes I left with him [copy attached]. I give below the Vice-President's response to the issues raised.

Mandate

2. Kagame stated that the formal process of the UN proposing the terms of reference, the status and size of UNOR needed to be completed. I told Kagame that paragraph 4 of Resolution 1050 was based on the Rwandan Government's, letter to the Security Council. Kagame agreed but added that the formality needed to be completed particularly as previous UN terms of reference (an exchange of letters) had been formally agreed between the UN and the Government of Rwanda. Kagame added that even a time-limit should be considered.

Radio

3. Kagame enquired why the UN Radio could not be merged to Radio Rwanda. I told

him that the independent voice of a Radio UN was seen to be more objective than Radio Rwanda which was regarded, particularly in the camps, as a vehicle for propaganda. I added that neighbouring governments and donor countries felt Radio UNAMIR had made a positive impact. Kagame replied that Rwanda's response would depend on a formal request which I confirmed had already been made.

Equipment

4. Kagame stated that he had, all along, felt the UN was free to transport all the equipment that it wished to take out of Rwanda. The Government had indicated its preference for equipment but the decision on which items could be spared and which taken out was for UN to take. Kagame added that he was grateful for the equipment that the UN was intending to gift and assured me that equipment that was to be transported out would not be stopped. {N.B. In fact, over the past 4 days, much of the equipment that was held up has been released}.

5. Kagame then stated that he would like a team to inspect the items that were proposed to be left for Rwanda so that equipment that was not useful to Rwanda would be recycled into the pool for others. I replied that the proposal was reasonable and that the final decision of the ACABQ would have to be awaited. I mentioned that the waiver of the taxes being sought from our subcontractors needed to be given for the process to be implemented by ACABQ. Kagame said he would look into the agreement that was negotiated between Mr. Ssekande and Mr. Dusaidi in January for a decision.

Other issues

6. On other issues, Vice President Kagame told me that the Government of Rwanda would take over the Belgian Village after April 19. It would then, decide on its disposal with the Belgian Government.

7. On the recent reports of ethnic cleansing by former RGF and interhamwe in Masisi/Rushiro region, Kagame said it was time the international community took note of the atrocities.

Best regards.

Mandate

1. Security Council Resolution 1050 provides the outlines of the mandate for UNOR. In essence, the mandate requires UNOR to undertake the following tasks:
 - a) Encourage voluntary return and rehabilitation of refugees
 - b) National reconciliation
 - c) Strengthen national judiciary
 - d) Infrastructure rehabilitation through effective utilisation of aid
 - e) Coordination of UN Agency activity in Rwanda.
2. The Security Council resolution specifically calls for the retention of UN Radio and the Communications system. [Copy of resolution attached].
3. The Rwandan Government, through the Foreign Affairs Minister's letter of 1 December 1995 to the UN Secretary-General, has already accepted UNOR. However, under Security Council resolution 1050, the Government's formal agreement is required for UNOR to implement its mandate.
4. UNOR's size is being discussed at UN Headquarters but, due to severe financial constraints, the office is likely to be small.

Radio

5. On 8th March, at the conclusion of our mandate, Radio UNAMIR voluntarily stopped broadcasting. On the same day, the Ministry of Information was formally requested to permit Radio UN Rwanda to continue broadcasts. A letter has been written to the Vice-President's office indicating Radio UN Rwanda's willingness for closer cooperation with Radio Rwanda.
6. In view of the importance attached by the Security Council to the continuation of Radio UN Rwanda, the Government of Rwanda's permission to resume broadcasting is requested.

chr-075 4/4

Equipment

7. UN Headquarters New York has now sent the list for the disposal of equipment to UN reviewing bodies. The list is divided, broadly, into the following three categories:

- a) Equipment to be used by other peace-keeping operations including storage at Brindisi or International Tribunal [ICTR].
- b) Equipment to be used by other UN Agencies.
- c) Equipment to be left in Rwanda and for Rwandan NGO's.

8. The proposal takes into account UNGA regulations and Security Council resolutions requesting as much equipment as possible to be left "for use in Rwanda". Equipment in category (b) would be for such use in Rwanda.

9. It is requested that the Government of Rwanda may take the following decisions:

- a) allow equipment, already packed, which is being transferred out of Rwanda and is not available for disposal to be exported without delay. This includes i) category (a) above, ii) lethal equipment, iii) equipment owned by countries and not by UN.

- b) not to tax companies exclusively servicing UNAMIR.

- c) appoint officials who would take over equipment to be delivered to Rwanda as it becomes available.

OUTGOING CODE CABLE

TO: GOULDING/ANNAN, UNATIONS, NEW YORK

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: KHAN, UNAMIR, KIGALI

DATE: 29 MARCH 1996

NO.: MIR - 696

NO. OF PAGES: 2

SUBJECT: Human rights situation

1. Please find attached for your information a self explanatory statement issued by the "Association Rwandaise pour la Défense des Droits de l'Homme (ARDO)".
2. Mr. Alphonse-Marie NKUBITO, the chairman of that association and signatory of this statement was Minister of Justice in the first Government of National Unity established in 1994 after the victory of the RPF. In August 1995 he was dismissed along with Prime Minister Twagiramungu and three other cabinet members.
3. Best regards.

ARDHO a.s.b.l

B.P. 1868 Kigali

22-03-1996 *mid*

Kigali, le

21 mars 1996

copy SKS G

Déclaration de l'ARDHO

L'Association Rwandaise pour la Défense des Droits de l'Homme (ARDHO) a appris avec consternation le tabassage par des militaires le 16 mars à 18 heures du substitut du Procureur de la République à Kigali, M.SIBOMANA Jean Baptiste, aujourd'hui alité et les menaces d'arrestation injustifiée du magistrat HABİYAMBERE Antoine par un groupe de personnalités qu'il aurait jugés en 1991. Non seulement cette façon d'intimider les gens freine l'aspiration à l'Etat de droit, mais aussi ces tracasseries et manque de respect découragent les candidats à une magistrature indépendante dont a soif tout le peuple rwandais. L'ARDHO prie les autorités compétentes de faire tout ce qui est en leur pouvoir pour faire respecter l'Institution Judiciaire et ses organes particulièrement en faisant observer les lois de procédure en ce qui les concerne.

Ces cas d'injustice doivent être sanctionnés pour préserver le moral du personnel judiciaire déjà entamé par les emprisonnements illégaux et arbitraires des membres de ce personnel, sans écarter leurs disparitions ou leurs exécutions sommaires.

L'ARDHO tire par la même occasion la sonnette d'alarme en ce qui concerne l'insécurité qui règne dans les régions de Cyangugu, Gisenyi et Ruhengeri, où beaucoup de cas d'assassinats sont régulièrement signalés.

*Declaration
by NKUBITO
Not courageous
they are not*

*N.Y. Shabuny/Chon
26.3*

Alphonse-Marie NKUBITO
Président de l'ARDHO



Reçu le 27 MARS 1996

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

UNAMIR

1996 MAR 28 P 5:14

CRN 090

OUTGOING CODE CABLE

TO: GOULDING/ANNAN, UNATIONS, NEW YORK
INFO: GHAREKHAN, UNATIONS, NEW YORK
FROM: KHAN, UNAMIR, KIGALI *Shaharyar Khan*
DATE: 28 MARCH 1996
NO.: MIR 690
NO. OF PAGES: 6
SUBJECT: Implementation of Security Council Resolution 1050(1996)

UNAMIR
1996 MAR 28 P 5:25

1. Reference is made to my MIR-667 of 27 March 1996 by which I reported on my meeting with the Minister for Foreign Affairs concerning the implementation of Security Council resolution 1050(1996).

2. At my request, the President of the Republic of Rwanda received me yesterday, 27 March, for discussions which focused on the same subject.

3. We reviewed the three main issues listed in the attached speaking notes copy of which I left with him for reference.

A - Mandate

With regard to the formal agreement of the Government which, I told him, was required for UNOR to implement its mandate, President Bizimungu's reply was that he saw no problem but would look into the matter.

B - Radio

With respect to the new United Nations Radio Rwanda, the President's answer was the same.

.../...

CRW 090
P-2/6

C - Equipment

(i) I gave him an advance copy of the list of equipment items that may be transferred to the Government of Rwanda if the General Assembly approves the Secretary-General's recommendation that they be donated to Rwanda. I made it clear that this was subject to the approval of the General Assembly. I drew his attention to the fact that the items proposed for donation constituted a sizeable percentage of UNAMIR's total assets. Then I proceeded to the list of our requests as shown in paragraph 9 of the attached speaking notes. I stressed in particular the urgent need to obtain clearance of our equipment destined for other mission or storage in Brindisi. I told him that the demand of the Rwandan security authorities that every container be checked would result in considerable delays.

(ii) While appearing quite receptive to my requests the President made no clear commitment. However, he inquired whether we had discussed the matter with Mr. Dusaidi (Political Adviser to the Vice-President and Minister of Defence Paul Kagame). As we reminded him that Mr. Dusaidi had just left with the Prime Minister for a two-week trip to Europe, he said he would personally refer these issues to another adviser to the Vice-President. The President did thank the United Nations for taking steps to transfer equipment to Rwanda thereby assisting in the reconstruction and rehabilitation process.

Concluding observations

4. Upon receipt of your code cable 814 of 20 March 1996 asking me to make contact with the Government as soon as possible to obtain their formal agreement on the mandate of UNOR, I immediately requested an appointment with the three top Government Officials, namely the President of the Republic, the Vice-President and Minister of Defence and the Minister for Foreign Affairs.

5. I have, so far, seen two of them -- the Minister for Foreign Affairs and the President -- without reaching clear and final conclusions on the pressing issues I brought to their attention. Meanwhile, I received two letters from Mr. Dusaidi (see attached) which appear to call for further discussions on the mandate and other issues, which might develop into what we all want to avoid - a long negotiation. These facts, coupled with the President's remark that he would refer the matters to the Vice-President's office, clearly indicate that only my meeting with the Vice-President can bring about the clarification and -- hopefully -- the decisions that we need to proceed. It is my hope that such a meeting would take place early enough for its results to be included in the Secretary-General's report to be submitted to the Security Council by 5 April 1996.

6. Best regards.

Speaking notes : Non-paper

Mandate

1. Security Council Resolution 1050 provides the outlines of the mandate for UNOR. In essence, the mandate requires UNOR to undertake the following tasks:
 - a) Encourage voluntary return and rehabilitation of refugees
 - b) National reconciliation
 - c) Strengthen national judiciary
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 - e) Coordination of UN Agency activity in Rwanda.
2. The Security Council resolution specifically calls for the retention of UN Radio and the Communications system. [Copy of resolution attached].
3. The Rwandan Government, through the Foreign Affairs Minister's letter of 1 December 1995 to the UN Secretary-General, has already accepted UNOR. However, under Security Council resolution 1050, the Government's formal agreement is required for UNOR to implement its mandate.
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6. In view of the importance attached by the Security Council to the continuation of Radio UN Rwanda, the Government of Rwanda's permission to resume broadcasting is requested.

Equipment

7. UN Headquarters New York has now sent the list for the disposal of equipment to UN reviewing bodies. The list is divided, broadly, into the following three categories:

- a) Equipment to be used by other peace-keeping operations including storage at Brindisi or International Tribunal [ICTR].
- b) Equipment to be used by other UN Agencies.
- c) Equipment to be left in Rwanda and for Rwandan NGO's.

8. The proposal takes into account UNGA regulations and Security Council resolutions requesting as much equipment as possible to be left "for use in Rwanda". Equipment in category (b) would be for such use in Rwanda.

9. It is requested that the Government of Rwanda may take the following decisions:

- a) allow equipment, already packed, which is being transferred out of Rwanda and is not available for disposal to be exported without delay. This includes i) category (a) above, ii) lethal equipment, iii) equipment owned by countries and not by UN.

- b) not to tax companies exclusively servicing UNAMIR.

- c) appoint officials who would take over equipment to be delivered to Rwanda as it becomes available.

REPUBLIQUE RWANDAISE
REPUBLIC OF RWANDA

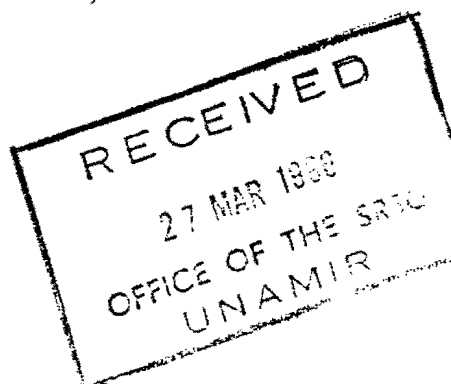


VICE-PRESIDENCE DE LA REPUBLIQUE ET
MINISTERE DE LA DEFENSE NATIONALE
CABINET DU VICE-PRESIDENT

OFFICE OF THE VICE-PRESIDENT
AND MINISTER OF DEFENCE
B.P 23 KIGALI

23rd March, 1996

CRN 090
P5/6



H.E. Ambassador Shariyar Khan,
Special Representative of the United Nations General,
UNAMIR,
KIGALI

Your Excellency,

In response to your letter of 20th March 1996, I wish to inform you that arrangements have been made to transfer the transmitters at Karongi and in Kibungo to where they can be protected by the RPA.

On the issue of the UN Radio, the Government is of the view that it can start operating after the Government of Rwanda and the United Nations have agreed on the exact mandate of the UN Office.

You also mentioned the generator at the airport. I have consulted with Airport authorities, who informed me that they wish to continue using it because the others they have are not as powerful.

Please accept, your Excellency, my compliments and highest regards.

Yours Sincerely,

Claude DUSAIDI
POLITICAL ADVISOR TO THE VICE PRESIDENT
AND MINISTER OF DEFENCE

c.c. H.E. The Vice President & Minister of Defence.

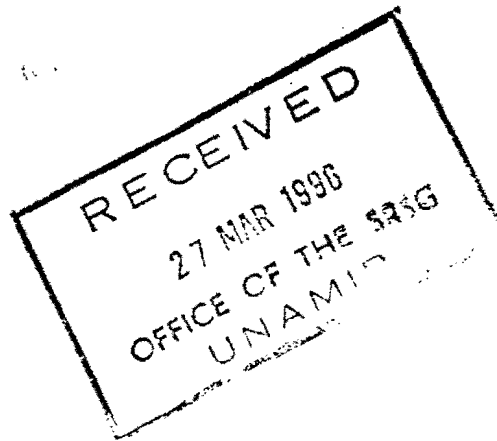
- " Minister of Foreign Affairs.
- " Minister of Information.
- " Prime Ministers's Office.

REPUBLIQUE RWANDAISE
REPUBLIC OF RWANDA



VICE-PRESIDENCE DE LA REPUBLIQUE ET
MINISTRE DE LA DEFENSE NATIONALE
CABINET DU VICE-PRESIDENT

OFFICE OF THE VICE-PRESIDENT
AND MINISTER OF DEFENCE
B.P 23 KIGALI



CRN 090
106/6

22 March, 1996

H.E. Ambassador Sharihayar Khan,
Special Representative of the United Nations Secretary General,
UNAMIR,
KIGALI.

Your Excellency,

*Bele Gene
reponse
in person*

The Government of Rwanda has no objection to the transfer of the equipment destined for peacekeeping operations in Syria and Cyprus.

27/3

However, in accordance with our discussions, the equipment destined for storage in Brindisi, Italy is either in the category that could remain in Rwanda or the category from which the Government can purchase equipment.

*(E)
LHO*

The Government of Rwanda would certainly find the equipment in question extremely useful in its reconstruction and rehabilitation efforts.

Please accept, your Excellency, my compliments and highest regards.

Yours Sincerely,

Claude DUSAIDI
POLITICAL ADVISOR TO THE VICE PRESIDENT
AND MINISTER OF DEFENCE

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

UNAMIR

1996 MAR 28 A 11: 32
OUTGOING CODE CABLE

dn-089

1/1

1996 MAR 28 A 11: 25

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

INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar M. Khan

DATE: 28 MARCH 1996

NO.: MIR - 689

NO. OF PAGE: 1

SUBJECT: RWANDA - EQUIPMENT

1. Thank you for your code cable no. 856.
2. Reference paragraph 3, we have noted for compliance that equipment specifically earmarked for use in other missions and operations financed by assessed contributions would not be available to other Agencies, NGO's on re-imbursement. Nor would such equipment be available for possible purchase by the Government of Rwanda.
3. I have now conveyed to the Rwandan Government the broad outlines of the three way division of the equipment and its disposal, based on your code cable no. 804. I have underlined that final authority for disposal would depend on ACABQ approval.

Best wishes.

UNITED NATIONS
ASSISTANT MISSION FOR RWANDA



NATIONS UNAMIR
MISSION POUR L'ASSISTANCE AU RWANDA

1996 MAR 27 P 5:45

UNAMIR - MINUAR

1996 MAR 27 P 6:07

OUTGOING CODE CABLE

CRN-088

1/3

TO: GOULDING/ANNAN, UNATIONS, NEW YORK

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: KHAN, UNAMIR, KIGALI

Shakany 7. Elen

DATE: 27 MARCH 1996

NO.:

MIR

-667

NO. OF PAGES:

3

SUBJECT:

Implementation of Security Council Resolution 1050(1996)

1. Thank you for your code cable 814 of 20 March 1996 on the implementation of Security Council resolution 1050(1996).

2. As recommended in your cable, I met with the Minister for Foreign Affairs yesterday immediately after his return from Cameroon to discuss the establishment of UNOR and other pending issues:

(i) UNOR

I recalled the terms of the mandate of UNOR as spelt out in Security Council resolution 1050(1996) and reminded the minister that his Government in its letter of 1 March 1996 to the Secretary-General had already accepted the establishment of that Office. I added that what was envisaged was a small office of less than ten professional staff including the SRSG. I asked him to let me know as soon as possible his Government's comments or suggestions regarding the mandate and composition of the Office as the Secretary-General was expected to report on the arrangements to the Security Council by 5 April.

.../...

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4. It is likely that no clear answer will be given to the questions raised under subparagraphs (i), (ii), (iii) and (iv) above until we provide the Government with the list of the equipment we intend to give them. As regards our security concerns the minister merely stated that the Government was taking a number of measures which, for obvious reasons, it could not publicize.

5. Best regards.



UNAMIR - MINUAR

UNAMIR

1996 MAR 25 P 5:35

OUTGOING CODE CABLE

CHW-003

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

INFO: GHAREKHAN/SEVAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

DATE: 25 March 1996

NO.: MIR - 652

NO. OF PAGES: 12

SUBJECT: Rwanda: Increase in sabotage, mine-incidents

Shaharyar M. Khan

1996 MAR 25 P 5:56

UNAMIR

1. In my recent reports, I have referred to the increasing incidence of sabotage and mine-related incidents in Rwanda's border zone with Zaire. Regrettably, this trend is on the increase, with a number of serious incidents reported from the Ruhengeri, Gisenyi and Cyangugu prefectures. Two nuns were killed last week and a number of vehicles have been blown up by freshly-laid mines. Last week's report (attached) gives the details of the sabotage ambushes and mine-related incidents. Two judges were reported to have been assassinated today.

2. As designated Security Coordinator, I have been obliged to take precautionary measures related to Agency personnel [copy attached]. Travel on certain roads has been forbidden or limited to day-light hours. In the western region, only paved roads are now safe.

3. I fear that the infiltration and sabotage may move closer to the capital in the weeks ahead. Already Gisenyi is under curfew. Generally, the security climate in Rwanda which had been steadily improving is now showing signs of fragility and even regression.

Best wishes.

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UNAMIR INFOSUM FROM 18 TO 24 MAR 1996

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25 Mar 96

List Of Incidents - Rwanda Mar 96

1. The following are a list of the incidents which occurred in the month of March to date :-

(a) Mine Incidents.

(i) At **Ruhengeri** on 08 March at about 0715 hours in Cyabingo commune a civilian lorry travelling south on a dirt road towards Cyabingo village was blown off by a land mine close to the commune office. The vehicle was reported to be carrying 15 to 17 local passengers. Three of these were killed instantly and four others were seriously injured as a result of the mine explosion. Three of the injured died the following day at Ruhengeri hospital. The vehicle used to regularly travel on the same route, normally with RPA passengers aboard. Considering the early hour, this vehicle was undoubtedly therefore an opportune target. Ironically however no RPA passengers were being transported on this particular occasion.

(ii) Again at **Ruhengeri** on 14 March at about 1400 hours, a vehicle from MINIREISO travelling on a dirt road between Nkumba and Gasesa detonated a land mine. Reports state that the driver and the passenger, both employees of MINIREISO survived the explosion and were taken to Ruhengeri hospital for treatment. The driver however lost both legs in the explosion and the passenger sustained an open fracture to his left leg. At the time of the incident, the vehicle was leading two humanitarian vehicles, one from UNHCR and one from US AID organisation. Both these vehicles were carrying expatriates. With effect from 08 Mar 96, all HRFOR vehicle have been restricted to travel on paved roads only. The communes of Nyakinama and Cyabingo of Ruhengeri are the focal points for concentrated RPA operations. Consequently these areas are reported to be tense.

(iii) On 19 Mar, at approx 0915 hours, in **Cyangugu**, a local vehicle carrying 17 passengers was blown off by a land mine within the Bushegi Sector of Gisuma Commune approx 200 metres from the Bushegi Hospital. The vehicle was travelling on a regularly travelled dirt road. It is suspected that the mine was laid in the early hours of the morning. Seven of the passengers were killed while the remaining 10 sustained an assortment of injuries, some of which are reported to be serious.

(iv) In **Gisenyi**, at approx 0930 hours on 20 Mar 96, a car carrying two nuns

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and some locals was blown up by a land mine. The 2 nuns (one Spanish and the other, a local) died and 5 others sustained injuries. Details of the exact location are not yet known

(v) Three hours later on the same road, the Sub-Prefet's car was blown up by a land mine. No one died, but the Sub-Prefet sustained minor injuries.

(b) **Sabotage.**

(i) At **Kibuye** in the early hours of the morning of 13 March an electrical pylon was destroyed by explosive demolition charges. The incident is reported to have occurred in Nyabiranga sector which lies within Bwakira commune. No further details are known and no casualties have been reported. Personnel attempting to glean more information have met with animosity on the part of the RPA, who it seems are trying to play the whole thing down.

(ii) At approx 0130 hours on 18 Mar 96, an electric pylon in **Cyangugu** in the Kamembe Commune, approx 2 km north of the HRFOR office, was destroyed by an explosive device.

(iii) Yet another pylon was reported to have been destroyed in the Nyamasheke area in **Cyangugu** Prefecture on the same day.

(iv) On Friday, 22 Mar 96, reportedly an explosive device was used as an act of sabotage in the mosque in **Cyangugu**. No injuries have thus far been reported, however, one wall of the mosque is reported to have been badly damaged.

(c) **Ambush.** There are unconfirmed reports that there has been an ambush on the road from Gisenyi to Kibuye. Details are not known regarding timings, casualties and parties involved.

(d) **Banditry / Attacks.**

(i) Some people raided the Cyanika (2626) and Kingongo (2727) cellules of Busumu Sector (2727) in **Gisenyi** Prefecture on the night of 03/0 Mar and made away with a radio set, a bicycle and an unspecified amount of cash.

(ii) In **Cyangugu** Prefecture, late in the evening of 15 Mar 96, a health clinic close to the town of Cyangugu, came under small arms fire. No casualties were

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sustained as a result of the attack. MSF are reported to be the sponsors of the clinic.

(iii) On Friday, 22 March, and Saturday, 23 March, there were two separate mortar attacks from the direction of Kamembe (GR 1431) into the market place. The number of bombs fired is reported to be not more than 3-4. No injuries have been reported.

(e) RPA Clashes / Action

(i) On 16 Mar 96, an RPA unit at Shagasha (1428), in **Cyangugu**, came under attack from small arms fire. The casualties are said to be, two wounded and two dead.

(ii) In **Gisenyi**, the local prosecutor and his assistant were shot dead on Saturday, 23 March. The assailants who were trying to escape towards Zaire, were chased by the RPA. In the process, two were shot dead, and the third was apprehended. Reportedly the one who was apprehended was carrying marked maps of the land mines laid. The assailants were identified as personnel of the FRGF. There are rumours that a curfew will be imposed in Gisenyi.

Update On Burundi.

2. **Killings.** The U N Human Right Commission, lawyer Paulo Sergio Pinheiro of Brazil has suggested to the international community to consider the possibility of armed intervention to put to an end the killings. This suggestion is to be presented to the commission, as these attacks reflect fears among U N officials of bloodbath in Burundi like the one which happened in Rwanda.

(a) On 14 March, 96 two priests and a nun were killed when 200 men attacked a seminary in northern Burundi. It is not yet known whether the three killed were Burundians or foreigners. During the month of Feb 96, there was a report of violence in the north west of Burundi, which claimed 70 civilian lives. Almost 100,000 people have died so far in the past 30 months in Burundi.

(b) On 15 March 96, an American professor, Rodney Belcher was killed by armed men outside Mulago hospital, after being shot in the chest. The men made away with his vehicle. Subsequently, United states has advised its citizens not to travel in the area of Northern Uganda.

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3. **Negotiations Between Opposing Factions.** In another development, Leonard Nyangoma's rebel faction - CNDD (National Council for the Defence of Democracy) has agreed to a ceasefire and negotiations with authorities on the following conditions:

- (a) The government army must withdraw to its Barracks.
- (b) The powersharing convention in the government, which was agreed to in 1994, be abolished.
- (c) Allow, presidential and parliamentary polls.
- (d) The rebel soldiers who assassinated president Melchior Ndadaye in 1994 be arrested.
- (e) Creation of a new truly national army.

Banning of Publications.

4. Authorities in Burundi have banned seven publications which they accuse of inciting ethnic hatred among both Tutsi and Hutus. Burundi's National Council For Communication suspended the publications on Monday, 18 March 96. The following is a list of the suspended publications:

- (a) La National.
- (b) Le Carrefour des Idees
- (c) L'Etoile.
- (d) L'Aube de Democratie.
- (e) Le Temoin-Nyabusolongo.
- (f) Le Miroir.
- (g) L'Eclaireur.

5. The first three banned publications were reportedly supporting the Tutsi hardliners and the last four, were campaigning for the Hutu hardliners. However, Francois Sendazirasa, President of Burundi Journalists' Association, treated the move as "absurd and anti-democratic", because some of the above mentioned publications had already ceased publishing activities up to eight months ago.

Arrests

6. Gendarmes arrested 72 Hutu civilians in a raid on a centre for displaced people. Later, 45 have been reportedly released.

Refugees

7. The United Nations High Commissioner for Refugees has protested to the government of

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Burundi over the reports that Burundian troops had recently intimidated Rwandan Hutu refugees at Rukiramingabo camp in north-eastern Burundi. The protest came after the UNHCR staff had interviewed 14 injured Hutu refugees, said to have been beaten up by the troops.

Genocide Trials

8. The first genocide trial is to take place in mid April. The trials are to start with the two Rwandan genocide suspects now held in Zambia. More than a year of investigations have led to the indictment of only 10 genocide suspects who are mostly local officials.

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UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

25 March, 1996

TO: All UN Staff in Rwanda

FROM: Ambassador S. Khan, SRSG
Designated Official for Security in Rwanda

Shaharyar Khan

Due to the recent increase in mine incidents in western Rwanda, It has become necessary to issue the following advisory to all UN staff.

1. Travel to and entry into the following areas are to be considered high risk. If you must travel to any of these areas you should follow the guidelines outlined in the attached advisory. All staff should have completed a mine awareness lecture.

Cyangugu Prefecture

- Travel on the main road between Cyangugu to Gikongoro only between 0700 hours and 1600 hours.
- All UN vehicles should travel in convoy in the Nyungwe Forest and should be clear of this area by 1600 hours.
- Karwngera to Nyakabuye road and Karengera to Bugarama road out of bounds.
- Lake road running north from Kibogora to Kibuye via Gishyite -- no travel unless absolutely necessary.
- Peninsula area north from Gafunzo via Mugeru to Nyamirundi out of bounds.
- Extra caution to be used in the area of Kamembe airport and the road from Ntendenz via Cyasha and Kagano to Kibogora. Check with local authorities about and mine incidents when working in these areas.

Kibuye Prefecture

- No travel in the following area unless absolutely necessary: the lake road running south from Gitesti to Kibogora via Gishyite and north from Kibuye via Kayove and Nyamyumba to Gisenyi. Check with local authorities about and mine incidents when working in these areas.

Gisenyi Prefecture

No travel in the following area unless absolutely necessary: the lake road running south from Gisenyi via Nyamyumba and Kayove to Kibuye.

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Byumba (Nyagatare) Prefecture

- Due to extensive war mining in areas to the north of Byumba consult with the Area Security Coordinator prior to visiting the area.

Ruhengeri Prefecture

- Due to recent land mine incidents in the prefecture, travel should be restricted to paved roads. Any travel off paved roads should be done in convoy, RPA escorts when necessary and after consultation with the Area Security Coordinator.

All UN staff should contact the Area Security Coordinator upon arrival at their destination. In addition to the above instructions UN Agencies may impose additional restrictions on their staff.

(U)
SECURITY ADVISORY

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MINES

TYPES OF EXPLODING DEVICES

General

1. Although millions of tons of unexploded ammunition and countless numbers of mines are present throughout the world, they can be avoided. Good common sense and pre-mission preparations can minimize the threat to you and your colleagues. The best defense against these devices is a personal awareness of their presence and their dangers.

Definitions

2. Mines are grouped as anti-personnel (AP) or anti-tank (AT). All other explosive devices which have not detonated are known as unexploded ordnance (UXOs). UXOs include rockets, grenades, booby-traps and any other type of unexploded ammunition. All of these are found throughout the world, in cities and in the countryside. All are dangerous!

3. Mines come in a variety of shapes and sizes, but anti-tank mines are usually either round or square, and about the size of a large cake tin. Some can be about 18 inches (45 cm) in diameter and about 4 inches (10 cm) deep. Anti-personnel mines are smaller, varying from the size of a boot polish tin to a large tin can. Some have thin wires connected to the top. These are trip-wires which, when disturbed, detonate the mine. DO NOT DISTURB THEM. Mines are usually dark green, gray or brown in color, although those used in deserts are sometimes buff-colored to match the sand. Anti-tank mines are normally detonated by the weight of a vehicle but not a person; therefore, it is possible for an anti-tank mine to remain live even though the path or road has had pedestrian traffic.

Planning

4. The best way to avoid injury by mines is to plan your mission in advance so that you do not travel through areas known to be mined. Discuss the proposed mission with those who have knowledge of the area and arrange a local guide if necessary. If there is a mine-clearing team in your area, ask their advice, or seek the advice of local authorities.

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(1)

WHERE MINES ARE FOUND

5. Mines are normally used to deny access to a position, or placed randomly as a form of harassment. Mines are most often found in the following areas:

- (a) Places where fighting is ongoing or has taken place;
- (b) Around military camps or abandoned military camps;
- (c) On or along the sides of unused footpaths or tracks;
- (d) On the verges of vehicle tracks and roadways;
- (e) In and around culverts and bridges;
- (f) In doorways and corner rooms of abandoned houses;
- (g) In and around wells and water access points;
- (h) In low or hidden areas where people might hide; and
- (i) At stream crossing points.

MINE WARNING CLUES

6. If there is a United Nations mine clearance programme in the area, it might paint rocks with red paint to indicate dangerous areas and known mine fields, or mark the area with white tape. After the area has been cleared, the rocks are repainted white. Mine fields also may be marked with skull and cross-bones signs. In unmarked areas look for:

- (a) Dead animals or skeletons;
- (b) Small, round, regularly-spaced potholes (mine detonation points);
- (c) Evidence of fighting -- barbed wire, shell casings, trenches or bunkers;
- (d) Mines exposed by weather;
- (e) Fuses sticking out of the ground (they can look like pens);
- (f) Pieces of wire or barbed wire;
- (g) Bypasses around stretches of apparently serviceable road or track;
- (h) An uncultivated field surrounded by cultivated fields;
- (i) Small piles of rocks, crossed sticks, knotted grass or rocks across a path may indicate mines;
- (j) Flags or plastic bags hanging from trees; and
- (k) Sticks inserted into tree bark.

WHAT TO DO IF YOU SEE A MINE

7. If you see a mine, it must be reported to local authorities or to the nearest demining team in the area (if there is one). If you are in a mined area, do not panic. You should:

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- (a) STOP -- tell others to stop;
- (b) Look to see if there are more mines;
- (c) Retrace your steps out of the area;
- (d) Mark the area with a sign;
- (e) Stay alert for the tell-tale signs of other mined areas; and
- (f) Find a local guide.

8. If you are in a mined area or an area you think is mined, you should not:

- (a) Touch or move interesting items;
- (b) Pull or cut unknown wires;
- (c) Leave well-worn paths -- even for a call of nature;
- (d) Throw rocks at devices;
- (e) Think it is safe to jump from rock to rock in a mined area;
- (f) Rush to an accident victim unless the way is clear;
- (g) Walk or drive in an unknown area without a local guide; and
- (h) Follow others blindly. Trust your own judgment.

NOTES FOR DRIVERS

9. Ask the locals and the armies if they think the road is mined. If they are not sure, and even when using roads that have been in use for some time, drive with caution. If you have been told that the local armies have demined the road or track, still drive with extreme caution.

10. If you have to drive on suspect roads, some simple points to follow are:

- (a) Clothing Whether driver or passenger, always wear long trousers, long-sleeved shirts (cotton or wool if possible, and not man-made fibers such as nylon or terylene), shoes and socks;
- (b) Driving habits Always wear seat belts and make sure your passengers do as well, both in the front and the back. Drive with windows open. Drive cautiously, and keep your eyes open for obvious holes in the road surface. Try to drive with your wheels in the deepest tire tracks. If someone else got through, you probably will. It is a fallacy that if you drive fast enough, you will escape the mine blast -- the fact is that you will merely leave the road at high speed, which will add to your problem; and
- (c) Expedient armouring Commercial mine protection kits exist on the market, but some protection against blast can be gained by covering the floor with a layer of sand or soil in plastic bags. Protection should be extended to cover the complete floor, and up to the wheel arches where this can be done without interfering with the pedals. Where possible,

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passengers should sit in the back of the vehicle. Make sure the bags are thick enough to stand rubbing or sharp heels; or the vehicle will become a sand pit.

OTHER CONSIDERATIONS

12. If you are travelling by road in an area where mines are being placed, don't be the first vehicle on the road in the morning -- wait until the road has had traffic on it for several hours before you travel. Never travel after dark.
13. Never attempt to destroy a mine or UXO -- leave that to the experts. Never accept a device if someone attempts to hand you one. Never throw a grenade "just to see what will happen". Grenades used for booby traps have often had the delay removed and will explode immediately when the pin is pulled!
14. If you see children playing with what might be a mine or munitions, **do not take it from them**; tell them to put it down, and then get close enough to investigate.
15. It is a natural tendency to pick up souvenirs; however, unexploded ordnance can make an attractive, but potentially deadly, office decoration or paperweight. Even a fuse can have enough explosive force to kill or maim. It is therefore possible to find unexploded ordnance in offices and homes (perhaps even in that of your predecessor). Should this happen, call an expert -- do not attempt to move the item yourself!

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UNITED NATIONS

ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES

MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

1996 MAR 26 P 4: 32

CRN DP6

OUT-GOING CODE CABLE

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

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

DATE: 25 March 1996

NO: MIR 662

NO. OF PAGES: 11

SUBJECT: PROPOSED AGREEMENT BETWEEN THE UNITED NATIONS AND THE RWANDESE GOVERNMENT ON THE STATUS OF THE NEW UNITED NATIONS OFFICE IN RWANDA

1. Please find attached a modified version of UNAMIR's status of mission agreement which could potentially serve as a basis for a revised agreement between the United Nations and the Rwandese Government on the status of the proposed United Nations Office in Rwanda.

2. You will note from a comparison of the two documents that provisions regarding the following have been eliminated from the draft text: military component; commissary; aircraft and vessels; exemption from passport and visa regulations and immigration inspection and restrictions; the Rwandese Government's undertaking to supply locations of minefields and dangerous impediments; exemption from vehicle registration and licensing; and separate arrangements for the processing and transport of private mail addressed to or emanating from UNOR. These provisions are now either obsolete or are not in conformity with the standard practice of other United Nations agencies operating in Rwanda. Other provisions (in bold) have been added as deemed necessary, for instance, on the status of contractors.

3. Despite the difference of opinion existing in-house on the need for negotiating a new agreement with the Government (with one view advocating sole reliance on the 1946 Convention on Privileges and Immunities and another favouring a new agreement), the Convention does not provide as much detailed and comprehensive protection, as is evident from the fact that other United Nations agencies (such as UNHCR, UNDP and UNHCRFOR) have undertaken separate individual agreements with the Government. We would, however, be amenable to a more simple arrangement, such as an exchange of letters instead.

4. We would appreciate receiving your views and comments on the subject on an early basis.

5. Best regards.

Reçu le 27 MARS 1996

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UNAMIR

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**Agreement between the United Nations and the
Government of the Republic of Rwanda on the status of the
United Nations Office in Rwanda**

I. DEFINITIONS

1. For the purpose of the present Agreement the following definitions shall apply:
 - (a) "UNOR" means the United Nations Office in Rwanda established by the Secretary-General of the United Nations pursuant to the recommendation in Security Council resolution 1050 of 8 March 1996. For the purposes of this Agreement UNOR shall consist of:
 - (i) the "Special Representative" appointed by the Secretary-General. Any reference to the Special Representative in this Agreement shall, except in paragraph 24, include any member of UNOR to whom he delegates a specific function or authority;
 - (ii) a "civilian component" consisting of United Nations officials and of other persons assigned by the Secretary-General to assist the Special Representative or made available by participating States to serve as part of UNOR;
 - (b) a "member of UNOR" means any member of the civilian component but unless specifically stated otherwise does not include locally recruited personnel;
 - (c) "participating State" means a state contributing personnel, services, equipment, provisions, supplies, materials and other goods to any of the above-mentioned component of UNOR;
 - (d) "the Government" means the Government of the Republic of Rwanda;
 - (e) "the territory" means the Government of the Republic of Rwanda;
 - (f) "the Convention" means the Convention on the Privileges and Immunities of the United Nations adopted by the General Assembly of the United Nations on 13 February 1946.
 - (g) "contractors" means persons, other than members of UNOR, engaged by the United Nations, including juridical as well as natural persons and their employees and sub-contractors, to perform services and/or supply equipment, provisions, supplies, materials and other goods in support of UNOR;
 - (h) "vehicles" means civilian vehicles in use by the United Nations and operated by members of UNOR and its contractors, in support of UNOR.

II. APPLICATION OF THE PRESENT AGREEMENT

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2. Unless specifically provided otherwise, the provisions of the present Agreement and any obligation undertaken by the Government or any privilege, immunity, facility or concession granted to UNOR or any member thereof or to contractors, as relevant, apply throughout Rwanda.

III. APPLICATION OF THE CONVENTION

3. UNOR, its members, property, funds and assets, shall enjoy the privileges and immunities specified in the present Agreement as well as those provided for in the Convention, to which Rwanda is a Party.

IV. STATUS OF UNOR

4. UNOR and its members shall refrain from any action or activity incompatible with the impartial and international nature of their duties or inconsistent with the spirit of the present arrangements. UNOR and its members shall respect all local laws and regulations. The Special Representative shall take all appropriate measures to ensure the observance of those obligations.

5. The Government shall respect the exclusively international nature of UNOR and ensure that appropriate steps are taken to ensure the security and safety of UNOR and personnel engaged in the Mission.

United Nations flag and vehicle markings

6. The Government recognizes the right of UNOR to display within Rwanda the United Nations flag on its headquarters, camps or other premises, vehicles and otherwise as decided by the Special Representative. Other flags or pennants may be displayed only in exceptional cases. In these cases, UNOR shall give sympathetic consideration to observations or requests of the Government.

7. Vehicles of UNOR shall carry a distinctive United Nations identification, which shall be notified to the Government.

Communications

8. UNOR shall enjoy the facilities in respect to communications provided in article III of the Convention and shall, in co-ordination with the government, use such facilities as may be required for the performance of its task. Issues with respect to communications which may arise and which are not specifically provided for in the present Agreement shall be dealt with pursuant to the relevant provisions of the Convention.

9. Subject to the provisions of paragraph 8:

(a) UNOR shall have authority to install and operate radio sending and receiving stations as well as satellite systems to connect appropriate points within the territory with each

other and with United Nations offices in other countries, and to exchange traffic with the United Nations global telecommunications network. The telecommunication services shall be operated in accordance with the International Telecommunication Convention and Regulations and the frequencies on which any such station may be operated shall be decided upon in co-operation with the Government and shall be communicated by the United Nations to the International Frequency Registration Board;

(b) UNOR shall enjoy, within the territory, the right to unrestricted communication by radio (including satellite, mobile and hand-held radio), telephone, telegraph, facsimile or any other means, and of establishing the necessary facilities for maintaining such communications within and between premises of UNOR, including the laying of cables and land lines and the establishment of fixed and mobile radio sending, receiving and repeater stations. The frequencies on which the radio will operate shall be decided upon in co-operation with the Government. It is understood that connections with the local system of telegraphs, telex and telephones may be made only after consultation and in accordance with arrangements with the Government, it being further understood that the use of the local system of telegraphs, telex and telephones will be charged at the most favourable rate;

Travel and transport

10. UNOR and its members **as well as contractors** shall enjoy, together with its vehicles and equipment, freedom of movement throughout the territory. That freedom shall, with respect to large movements of personnel, stores or vehicles through roads used for general traffic within Rwanda, be co-ordinated with the Government.

11. UNOR **and its vehicles** may use roads and bridges without the payment of dues, tolls or charges. However, UNOR will not claim exemption from charges which are in fact charges for services rendered.

Privileges and immunities of UNOR

12. UNOR, as a subsidiary organ of the United Nations, enjoys the status, privileges and immunities of the United Nations in accordance with the Convention. The Government recognizes the right of UNOR in particular:

(a) To import, free of duty or other restrictions, equipment, provisions, supplies and other goods which are for the exclusive and official use of UNOR;

(b) To clear ex customs and excise warehouse, free of duty or other restrictions, equipment, provisions, supplies and other goods which are for the exclusive and official use of UNOR;

(c) To re-export or otherwise dispose of such equipment, as far as it is still usable, all unconsumed provisions, supplies and other goods so imported or cleared ex customs and excise warehouse which are not transferred, or otherwise disposed of, on terms and conditions to be agreed upon, to the competent local authorities of Rwanda or to an entity nominated by them.

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To the end that such importation, clearances, transfer or exportation may be effected with the least possible delay, a mutually satisfactory procedure, including documentation, shall be agreed between UNOR and the Government at the earliest possible date.

V. FACILITIES FOR UNOR

Premises required for conducting the operational and administrative activities of UNOR and for accommodating members of UNOR

13. The Government of Rwanda shall, to the extent possible, provide UNOR such areas for headquarters, camps or other premises as may be necessary for the conduct of the operational and administrative activities of UNOR and for the accommodation of the members of UNOR. Without prejudice to the fact that all such premises remain Rwandese territory, they shall be inviolable and subject to the exclusive control and authority of the United Nations.

14. The Government undertakes to assist UNOR as far as possible in obtaining water, electricity and other necessary facilities, and, in the case of interruption or threatened interruption of service, to give as far as is within its powers the same priority to the needs of UNOR as to essential government services. Payment shall be made by UNOR on terms to be agreed with the competent authority. UNOR shall be responsible for the maintenance and upkeep of facilities so provided.

15. UNOR shall have the right, where necessary, to generate, within its premises, electricity for its use and to transmit and distribute such electricity.

16. The United Nations alone may consent to the entry of any government officials or of any other person not member of UNOR to such premises.

Provisions, supplies and services, and sanitary arrangements

17. The Government agrees to grant all necessary authorizations, permits and licenses required for the importation of equipment, provisions, supplies, materials and other goods in support of UNOR, including in respect of importation by contractors, free of any restrictions and without the payment of duties, charges or taxes including value-added tax.

18. The Government undertakes to assist UNOR as far as possible in obtaining equipment, provisions, supplies and other goods and services from local sources required for its subsistence and operations. In respect of equipment, provisions, supplies, materials and other goods purchased locally for the official and exclusive use of UNOR, the Government shall make appropriate administrative arrangements for the remission or return of any excise or tax payable as part of the price. In making purchases on the local market, UNOR shall, on the basis of observations made and information provided by the Government in that respect, avoid any adverse effect on the local economy. The Government shall exempt UNOR and contractors from general sales taxes in respect of all official local purchases.

19. For the proper performance of services provided by contractors in support of UNOR, the Government agrees to provide contractors with facilities concerning their entry into and departure from Rwanda as well as their repatriation in times of international crisis. For this purpose, the Government shall promptly issue to contractors, free of charge and without any restrictions, all necessary visas, licenses and permits.

20. UNOR and the Government shall co-operate with respect to sanitary services and shall extend to each other the fullest co-operation in matters concerning health, particularly with respect to the control of communicable diseases, in accordance with international conventions.

Recruitment of local personnel

21. UNOR may recruit locally such personnel as it requires. Upon the request of the Special Representative, the Government undertakes to facilitate the recruitment of qualified local staff by UNOR and to accelerate the process of such recruitment.

Currency

22. The Government undertakes to make available to UNOR, against reimbursement in mutually acceptable currency, Rwandese franc currency required for the use of UNOR, including the pay of its members, at the rate of exchange most favourable to UNOR.

VI. STATUS OF THE MEMBERS OF UNOR

Privileges and immunities

23. The Special Representative shall have the status specified in sections 19 and 27 of the Convention, provided that the privileges and immunities therein referred to shall be those accorded to diplomatic envoys by international law.

24. Other United Nations officials assigned to the civilian component to serve with UNOR remain officials of the United Nations entitled to the privileges and immunities of articles V and VII of the Convention.

25. Unless otherwise specified in the present Agreement, locally recruited members of UNOR shall enjoy the immunities concerning official acts and exemption from taxation and national service obligations provided for in sections 18 (a), (b) and (c) of the Convention.

26. Members of UNOR shall be exempt from taxation on the pay and emoluments received from the United Nations or from a participating State and any income received from outside Rwanda. They shall also be exempt from all other direct taxes, except municipal rates for services enjoyed, and from all registration fees and charges.

27. Members of UNOR shall have the right to import free of duty their personal effects in connection with their arrival in Rwanda. They shall be subject to the laws and regulations of Rwanda governing customs and foreign exchange with respect to personal property not required by them by reason of their presence in Rwanda with UNOR. Special facilities will

P/11

be granted by the Government for the speedy processing of entry and exit formalities for all members of UNOR upon prior written notification. On departure from Rwanda, members of UNOR may, notwithstanding the above-mentioned exchange regulations, take with them such funds as the Special Representative certifies were received in pay and emoluments from the United Nations or from a participating State and are a reasonable residue thereof. Special arrangements shall be made for the implementation of the present provisions in the interests of the Government and the members of UNOR.

28. The Special Representative shall co-operate with the Government and shall render all assistance within his power in ensuring the observance of the customs and fiscal laws and regulations of Rwanda by the members of UNOR, in accordance with the present Agreement.

Entry, residence and departure

29. The Special Representative and members of UNOR shall, whenever so required by the Special Representative, have the right to enter into, reside in and depart from Rwanda.

30. The Government undertakes to facilitate the entry into and departure from Rwanda of the Special Representative and members of UNOR and shall be kept informed of such movement. The Special Representative and members of UNOR shall be exempt from any regulations governing the residence of aliens in Rwanda, including registration, but shall not be considered as acquiring any right to permanent residence or domicile in Rwanda.

Identification

31. The Special Representative shall issue to each member of UNOR before or as soon as possible after such member's first entry into Rwanda, as well as to all locally recruited personnel, a numbered identity card, which shall show full name, date of birth, title or rank, service (if appropriate) and photograph. Such identity card shall be the only document required of a member of UNOR.

32. Members of UNOR as well as locally recruited personnel shall be required to present, but not to surrender, their UNOR identity cards upon demand of an appropriate official of the Government.

Uniform and arms

33. United Nations Security Officers and Field Service Officers may wear the United Nations uniform. The wearing of civilian dress by the above-mentioned members of UNOR may be authorized by the Special Representative at other times. United Nations Security Officers designated by the Special Representative may possess and carry arms while on duty in accordance with their orders.

Permits and licences

34. The Government agrees to accept as valid, without tax or fee, a permit or licence issued by the Special Representative for the operation by any member of UNOR, including locally recruited personnel, of any UNOR transport or communication equipment and for the

PS/11

practice of any profession or occupation in connection with the functioning of UNOR, provided that no licence to drive a vehicle shall be issued to any person who is not already in possession of an appropriate and valid licence.

35. Without prejudice to the provisions of paragraph 33, the Government further agrees to accept as valid, without tax or fee, a permit or licence issued by the Special Representative to a member of UNOR for the carrying or use of firearms or ammunition in connection with the functioning of UNOR.

Arrest and transfer of custody, and mutual assistance

36. The Special Representative shall take all appropriate measures to ensure the maintenance of discipline and good order among members of UNOR, as well as locally recruited personnel. To this end personnel designated by the Special Representative shall police the premises of UNOR and such areas where its members are deployed. Elsewhere such personnel shall be employed only subject to arrangements with the Government and in liaison with it in so far as such employment is necessary to maintain discipline and order among members of UNOR.

37. The personnel mentioned in paragraph 36 above may take into custody any person on the premises of UNOR. Such person shall be delivered immediately to the nearest appropriate official of the Government for the purpose of dealing with any offence or disturbance on such premises.

38. Subject to the provisions of paragraph 23, officials of the Government may take into custody any member of UNOR:

(a) When so requested by the Special Representative; or

(b) When such a member of UNOR is apprehended in the commission or attempted commission of a criminal offence. Such person shall be delivered immediately, together with any weapons or other item seized, to the nearest appropriate representative of UNOR, whereafter the provisions of paragraph 43 shall apply mutatis mutandis.

39. When a person is taken into custody under paragraph 37 or paragraph 38 (b), UNOR or the Government, as the case may be, may make a preliminary interrogation but may not delay the transfer of custody. Following such transfer, the person concerned shall be made available upon request to the arresting authority for further interrogation.

40. UNOR and the Government shall assist each other in carrying out all necessary investigations into offenses in respect of which either or both have an interest, in the production of witnesses and in the collection and production of evidence, including the seizure of and, if appropriate, the handing over of items connected with an offence. The handing over of any such items may be made subject to their return within the terms specified by the authority delivering them. Each shall notify the other of the disposition of any case in the outcome of which the other may have an interest or in which there has been a transfer of custody under the provisions of paragraphs 37-39.

P/11

41. The Government shall ensure the prosecution of persons subject to its criminal jurisdiction who are accused of acts in relation to UNOR or its members which, if committed in relation to the forces of the Government, would have rendered such acts liable to prosecution.

Jurisdiction

42. All members of UNOR including locally recruited personnel shall be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity. Such immunity shall continue even after they cease to be members of or employed by UNOR and after the expiration of the other provisions of the present Agreement.

43. Should the Government consider that any member of UNOR has committed a criminal offense, it shall promptly inform the Special Representative and present to him any evidence available to it. Subject to the provisions of paragraph 23, if the accused person is a member of the civilian component, the Special Representative shall conduct any necessary supplementary inquiry and then agree with the Government whether or not criminal proceedings should be instituted. Failing such agreement, the question shall be resolved as provided in paragraph 48 of the present Agreement.

44. If any civil proceeding is instituted against a member of UNOR before any court of Rwanda, the Special Representative shall be notified immediately, and he shall certify to the court whether or not the proceeding is related to the official duties of such member:

(a) If the Special Representative certifies that the proceeding is related to official duties, such proceeding shall be discontinued and the provisions of paragraph 46 of the present Agreement shall apply.

(b) If the Special Representative certifies that the proceeding is not related to official duties, the proceeding may continue. If the Special Representative certifies that a member of UNOR is unable because of official duties or authorized absence to protect his interests in the proceeding, the court shall at the defendant's request suspend the proceeding until the elimination of the disability, but for not more than ninety days. Property of a member of UNOR that is certified by the Special Representative to be needed by the defendant for the fulfillment of his official duties shall be free from seizure for the satisfaction of a judgement, decision or order. The personal liberty of a member of UNOR shall not be restricted in a civil proceeding, whether to enforce a judgement, decision or order, to compel an oath or for any other reason.

Deceased members

45. The Special Representative shall have the right to take charge of and dispose of the body of a member of UNOR who died in Rwanda, as well as that member's personal property located within Rwanda, in accordance with United Nations procedures.

VII. SETTLEMENT OF DISPUTES

46. Except as provided in paragraph 48, any dispute or claim of a private law character to which UNOR or any member thereof is a party and over which the courts of Rwanda do not have jurisdiction because of any provision of the present Agreement, shall be settled by a standing claims commission to be established for that purpose. One member of the commission shall be appointed by the Secretary-General of the United Nations, one member by the Government and a chairman jointly by the Secretary-General and the Government. If no agreement as to the chairman is reached within thirty days of the appointment of the first member of the commission, the President of the International Court of Justice may, at the request of either the Secretary-General of the United Nations or the Government, appoint the chairman. Any vacancy on the commission shall be filled by the same method prescribed for the original appointment, provided that the thirty-day period there prescribed shall start as soon as there is a vacancy in the chairmanship. The commission shall determine its own procedures, provided that any two members shall constitute a quorum for all purposes (except for a period of thirty days after the creation of a vacancy) and all decisions shall require the approval of any two members. The awards of the commission shall be final and binding, unless the Secretary-General of the United Nations and the Government permit an appeal to a tribunal established in accordance with paragraph 48. The awards of the commission shall be notified to the parties and, if against a member of UNOR, the Special Representative or the Secretary-General of the United Nations shall use his best endeavours to ensure compliance.

47. Disputes concerning the terms of employment and conditions of service of locally recruited personnel shall be settled by the administrative procedures to be established by the Special Representative.

48. Any other dispute between UNOR and the Government, and any appeal that both of them agree to allow from the award of the claims commission established pursuant to paragraph 46 shall, unless otherwise agreed by the parties, be submitted to a tribunal of three arbitrators. The provisions relating to the establishment and procedures of the claims commission shall apply, *mutatis mutandis*, to the establishment and procedures of the tribunal. The decisions of the tribunal shall be final and binding on both parties.

49. All differences between the United Nations and the Government arising out of the interpretation or application of the present arrangements which involve a question of principle concerning the Convention shall be dealt with in accordance with the procedure of section 30 of the Convention.

VIII. SUPPLEMENTAL ARRANGEMENTS

50. The Special Representative and the Government may conclude supplemental arrangements to the present Agreement.

IX. LIAISON

51. The Special Representative and the Government shall take appropriate measures to ensure close and reciprocal liaison at every appropriate level.

X. MISCELLANEOUS PROVISIONS

P/11

52. Wherever the present Agreement refers to the privileges, immunities and rights of UNOR and to the facilities provided to UNOR, the Government shall have the ultimate responsibility for the implementation and fulfillment of such privileges, immunities, rights and facilities by the appropriate local Rwandese authorities.

53. The present Agreement shall remain in force until the departure of the final element of UNOR from Rwanda except that:

(a) The provisions of paragraphs 42, 48 and 49 shall remain in force.

(b) The provisions of paragraph 46 shall remain in force until all claims have been settled that arose prior to the termination of the present Agreement and were submitted prior to or within three months of such termination.



UNAMIR - MINUAR

CAN DS1

OUTGOING CODE CABLE

UNAMIR

1996 MAR 21 A 11:09

TO: ANNAN/GOULDING, UNATIONS, NEW YORK
INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK
FROM: KHAN, UNAMIR, KIGALI *Shahmy Khan*
DATE: 20 MARCH 1996
NO.: MIR 625
NO. OF PAGES: 4
SUBJECT: Report of the Secretary-General on the implementation of Security Council resolution 1050 (1996)

1. Reference is made to my MIR-569 of 12 March 1996 and your Code Cable 713 of 13 March 1996 on the report to be submitted to the Security Council by 5 April on security arrangements for the protection of the personnel and premises of the International Tribunal and on measures taken to maintain in Rwanda a United Nations Office (UNOR).

2. Further to the information contained in my MIR-569 regarding the short-term security arrangements, please note that the Government has no objection to the replacement of the Ghanian company by a Malawian contingent for the protection of the personnel and premises of the Tribunal until 8 April 1996. In this connection, as requested in your cable, I have made it clear to the ICTR that the services of the Malawian contingent will not be available beyond 8 April.

3. As regards long-term arrangements, the Chief Security Officer of the Tribunal has submitted a note which I am forwarding herewith. I understand from a meeting I had yesterday with all concerned that his proposals are still subject to the approval of the Tribunal's budget for the year 1996, which is now under consideration by the ACABQ. Therefore, until we know the decision of the General Assembly on the budget, it would appear that the data contained in the above paper cannot constitute a sound basis for a report to the Security Council. You may wish to coordinate the finalization of this section of the report with the Registrar of Tribunal who is currently in New York.

4. Concerning the section on the United Nations Office for Rwanda (UNOR), I have already provided, in my MIR 609 of 18 March 1996 to Mr. Goulding, all the details regarding the

proposed terms of reference, the functioning and the staffing of that Office, as well as all other suggestions which could serve as a basis for the preparation of the related budget. In this case as in the case of section I above, it would seem that our proposal could not be considered final until a decision is made at Headquarters and the related budget approved.

5. As regards the other components of UNOR as provided for under para 4 of resolution 1050 (1996), please note that the communications system previously operated and maintained by UNAMIR has been handed over to the ICTR. The ICTR will continue to provide, without interruption, the same services as those provided by UNAMIR, with appropriate adjustments to take account of the withdrawal of UNAMIR, the emplacement of UNOR and the current and foreseen requirements of the ICTR. Likewise the UN radio station equipment has been handed over to the ICTR, who will maintain the same servicing and repair facilities as UNAMIR.

6. Upon the written request of the Registrar of the ICTR and myself, the Rwandese Government has undertaken to provide security for the UN-owned communications equipment which is not securely housed within UN premises. Consequently, the physical security of such equipment is now the responsibility of the RPA. Since the RPA were not able to provide exclusive security arrangements for the UN, all UN repeater sites and transmitters have been co-located with RPA installations, so that RPA security arrangements can guard both RPA and UN-owned equipment at a single.

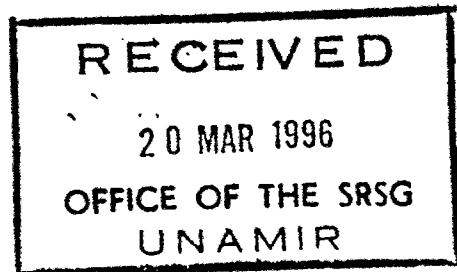
7. Best regards.

CAN 081 P3/4

19 March 1996

To: File

From: Chief, ICTR Security



Subj: Staffing Estimates for ICTR Security Personnel

1. This proposal (attached) calls for 24 international UN staffers and 47 non-UN guard posts to meet minimum requirements in the functional areas of HQ Support and Field Operations in RWANDA. This number gives the ICTR 15 day guards, 16 night guards, and 16 off-duty guards awaiting shift rotation. Guards typically work 5 days on "days", 2 days off, and 5 nights. *Non-UN staff* could be local hires by the ICTR, contract guards hired by the ICTR or government personnel detached for duty to the ICTR. The office of the UNSECCORD strongly recommends that the Tribunal attempt to have the landlords of the various facilities add the cost of the guards for that facility into the individual rental contracts. This would minimize contractual and legal issues and simplify guard management and oversight by placing responsibility for guard performance directly on facility owners and managers instead of the Tribunal. Contracts should state that the force will respond to UN requirements and operational controls of ICTR security managers.

2. *This table shows only the minimum staffing required to perform the minimum security functions.* Additional personnel would be necessary in order to meet more than minimum requirements.

3. Night shifts for non-UN staff guard force should be increased slightly over the day force.

4. At this staffing level, *Protection/Escort* (para 2D) can provide personal protection to only one principal. Cash escort cannot be provided if personal protection is required simultaneously. Each additional principal requires 2 additional protection officers as does cash escort.

5. The *Duty Room* (para 2F) will coordinate with UNDP Security Duty Room and will respond to distress calls from ICTR personnel during off-duty hours.

6. UN staff security personnel assigned to support *Investigative Teams* (para 3A) may be deployed to the field with the teams for extended periods.

7. *Excavation* (para 3B) site security will be arranged in advance based on the size of the site, the value of UN equipment deployed inside the concertina wire and operational requirements identified by the Investigations Directorate, ICTR.

CRN DS1
P4/4

	UN Int'l Staff		Non-UN Staff	
	Day	Night	Day	Night
1. Dep. Chief Scty	1	on-call	0	0
2. HQ Support				
A. HQ Bldg				
Gate	1	0	2	2
Entrance	1	0	1	0
Patrol	0	0	2	3
2d Floor access	1	1	0	0
B. Comms. Comp.				
Gate	1	1	2	1
Tower	0	0	1	1
Patrol	0	0	3	4
C. Belgian Village				
Gate	1	1	1	1
Patrol	0	0	3	4
D. Protection/Escort	2	on-call	1*	1*
E. Pass & ID	1	0	1**	0
F. Duty Room	1	1	1*	1*
G. Invest.	1	0	1**	0
3. Field Opns				
A. Invest. Tms	9	0	0	0
B. Excavations	TBD/as required			
C. Repeater sites	0	0	4 per site/RPA	
TOTALS	20	4	15	16 guards
			2	2 drivers
			2	0 admin
			16	16 RPA (4x4 sites)

*driver

** administrative



UNAMIR
1996 MAR 21 P 5:42

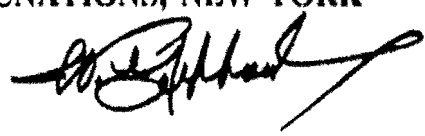
OUTGOING CODE CABLE

ch-002 h/1

MOST IMMEDIATE

TO: ANNAN/GOULDING, UNATIONS, NEW YORK

INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK

FROM: For KHAN, UNAMIR, KIGALI 

DATE: 21 MARCH 1996

NO.: MIR -626

NO. OF PAGES: 1

SUBJECT: Secretary-General's Report on Disposal of UNAMIR's Assets

1. Thank you for your Code Cable 804 of 20 March forwarding to us for comments the draft preliminary report of the Secretary-General on the disposal of UNAMIR's assets.
2. In this connection, I should like to add the following sentence to paragraph 9 of the draft report: ***"Based on latest requirements for equipment received from United Nations Agencies operating in Rwanda, items in Group 1 that were intended for storage in Brindisi would be transferred from Group 1 to Group 2 for purchase by United Nations offices, programmes and agencies"***.
3. Furthermore, a number of Non-Governmental Organizations - local and international - have also expressed their wish to acquire UNAMIR's equipment. It would, therefore, be advisable to make provision for such transfers under the same paragraph 9. This would be in line with the related General Assembly principles as reflected in paragraph 3 (b) of the draft report.
4. Best regards.



UNAMIR - MINUAR

OUTGOING CODE CABLE

TO: ANNAN/GOULDING, UNATIONS, NEW YORK
INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK
FROM: KHAN, UNAMIR, KIGALI *Shahmy J. Khan*
DATE: 20 MARCH 1996
NO.: MIR _____
NO. OF PAGES: 4
SUBJECT: Report of the Secretary-General on the implementation of Security Council resolution 1050 (1996)

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4. Concerning the section on the United Nations Office for Rwanda (UNOR), I have already provided, in my MIR 609 of 18 March 1996 to Mr. Goulding, all the details regarding the

proposed terms of reference, the functioning and the staffing of that Office, as well as all other suggestions which could serve as a basis for the preparation of the related budget. In this case as in the case of section I above, it would seem that our proposal could not be considered final until a decision is made at Headquarters and the related budget approved.

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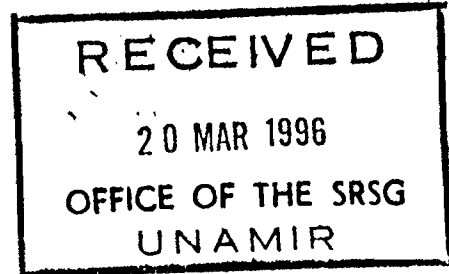
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7. Best regards.

19 March 1996

To: File

From: Chief, ICTR Security



Subj: **Staffing Estimates for ICTR Security Personnel**

1. This proposal (attached) calls for 24 international UN staffers and 47 non-UN guard posts to meet minimum requirements in the functional areas of HQ Support and Field Operations in RWANDA. This number gives the ICTR 15 day guards, 16 night guards, and 16 off-duty guards awaiting shift rotation. Guards typically work 5 days on "days", 2 days off, and 5 nights. *Non-UN staff* could be local hires by the ICTR, contract guards hired by the ICTR or government personnel detached for duty to the ICTR. The office of the UNSECCORD strongly recommends that the Tribunal attempt to have the landlords of the various facilities add the cost of the guards for that facility into the individual rental contracts. This would minimize contractual and legal issues and simplify guard management and oversight by placing responsibility for guard performance directly on facility owners and managers instead of the Tribunal. Contracts should state that the force will respond to UN requirements and operational controls of ICTR security managers.
2. *This table shows only the minimum staffing required to perform the minimum security functions.* Additional personnel would be necessary in order to meet more than minimum requirements.
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4. At this staffing level, *Protection/Escort* (para 2D) can provide personal protection to only one principal. Cash escort cannot be provided if personal protection is required simultaneously. Each additional principal requires 2 additional protection officers as does cash escort.
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Entrance	1	0	1	0
Patrol	0	0	2	3
2d Floor access	1	1	0	0
B. Comms. Comp.				
Gate	1	1	2	1
Tower	0	0	1	1
Patrol	0	0	3	4
C. Belgian Village				
Gate	1	1	1	1
Patrol	0	0	3	4
D. Protection/Escort	2	on-call	1*	1*
E. Pass & ID	1	0	1**	0
F. Duty Room	1	1	1*	1*
G. Invest.	1	0	1**	0
3. Field Opns				
A. Invest. Tms	9	0	0	0
B. Excavations	TBD/as required			
C. Repeater sites	0	0	4 per site/RPA	
TOTALS	20	4	15	16 guards
			2	2 drivers
			2	0 admin
			16	16 RPA (4x4 sites)

*driver

** administrative

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

UNAMIR

1996 MAR 20 P 5:04

CRN 080

OUTGOING CODE CABLE

TO: ANNAN/GOULDING, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar M. Khan

DATE: 20 MARCH 1996

NO.: MIR 624

NO. OF PAGE: 1

SUBJECT: UNAMIR Office in Zaire

AK
Vu classer
WS

1. With the closure of UNAMIR, there would be no grounds to retain the UNAMIR office in Zaire. I had all along felt that for a UNAMIR office in Zaire to be relevant it should be located in Goma rather than Kinshasa. From Kinshasa, its usefulness has, at best, been marginal.
2. As with the remainder of UNAMIR, I feel our office in Zaire should also close down, without a replacement.

Best regards.

UNAMIR
1996 MAR 20 P 5:19

ED

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

CRN079

OUTGOING CODE CABLE

UNAMIR
1996 MAR 20 P 2:01

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

INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar Khan

DATE: 20 MARCH 1996

NO.: MIR 623

NO. OF PAGE: 1

SUBJECT: FRENCH ACRONYM FOR UNOR

Vu
classer
21-3-96
WS

1. For purposes of issuing identity cards and other urgent matters, we need to know the French equivalent for the Acronym of UNOR [United Nations Office for Rwanda]. I suggest BNUR [Bureau des Nations Unies au Rwanda].

2. Please confirm as early as possible.

Best wishes.

UNAMIR
1996 MAR 20 P 2:04



UNAMIR - MINUAR

UNAMIR

1996 MAR 20 A 11: 08 OUTGOING CODE CABLE

ED
CHW-070 1/3
UNAMIR
1996 MAR 20 A 11: 16

TO: ANNAN/GOULDING, UNATIONS, NEW YORK

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: KHAN, UNAMIR, KIGALI

Johnny J. Lee

DATE: 19 MARCH 1996

NO.: MIR -620

NO. OF PAGES: 3

SUBJECT: Radio UNAMIR

1. Reference is made to your code cable 748 on the above subject.
2. As discussed, we are still awaiting the Rwandan Government's reply to our proposal for an exchange of letters to amend the agreement that we signed with the Government on 14 January 1995 at the time we established "**Radio UNAMIR**". As you are aware, that amendment would provide the necessary authorization for the Radio to resume broadcasting under its new name of "**Radio United Nations**". I enclose copy of a letter that I have written to the US Ambassador in Rwanda.
3. As regard to para 2 of your code cable, Dusaidi informed me that the Government would like close cooperation between Radio Rwanda and Radio United Nations. I said I would encourage such cooperation. I added that Radio United Nations would continue to be independent, non political and objective. The Minister of Information has been away and is returning to Kigali today. If there is a delay of more than a week after his return, I would recommend that the Security Council be informed. For the present, I am keeping an open mind regarding the Rwandan Government's intentions.
4. I shall continue, of course, to press for a speedy settlement of that matter and will keep you informed of any further developments.
5. Best regards.



UNAMIR-MINUAR

chr-070 2/3

The Special Representative of the U.N. Secretary-General
P.O. Box 749
Kigali, Rwanda
Telephone: 212 - 963 - 3930
Fax: 212 - 963 - 3090

Date: 18 March 1996

UN Radio

My Dear Ambassador,

UN Headquarters New York have informed me of the US Government's concern at the close-down of Radio UNAMIR conveyed in the following terms:

"We have been surprised to learn that Radio UNAMIR suspended broadcasting indefinitely with the expiration of the mandate March 8. Radio staff have been instructed that no start-up can take place before April 5. Staff whose contracts expire soon after that have been told to be prepared to leave Rwanda and wait for recall. We have been told that the problem lies with the ending of one mandate and the beginning of another; that licenses must be renegotiated under the new mandate; that funding must be clarified. All that may be true, but we are surprised nonetheless that the one part of UNAMIR that everyone wanted to save should be the first part of UNAMIR to be shut down. We would have thought that whatever budget mechanism is being used to cover the phase-out of the other UNAMIR operations could have been used to secure Radio UNAMIR to Radio new name without interrupting broadcasting. Radio broadcasts play an important role in encouraging refugee return; Radio UNAMIR has a better claim to impartiality than the competition".

H.E. Mr. Robert E. Gribbin
Ambassador
Embassy of the United States
Kigali
Rwanda

.../2

ch-078 3/3

The facts of the temporary close down are that with the ending of UNAMIR's mandate on 8 March, it was felt that broadcasting as Radio UNAMIR would be inappropriate. We have, therefore, formally requested the Ministry of Information with whom Radio UNAMIR has a two-year agreement, to agree to substitute the term "Radio UN Rwanda" in place of Radio UNAMIR. As soon as this approval is given, Radio UN will resume broadcasting immediately. A formal note has been sent to the Ministry of Foreign Affairs. I have also raised the issue with the Prime Minister.

I would like to clarify that the temporary closure is not related to the issue. Nor has there been any decision to lay off staff. The only reason for the close-down is to seek the Government of Rwanda's formal approval before we begin broadcasting under a different name.

I would be grateful if you could kindly inform Washington about the current position. Of course, I would appreciate any support from the US Government in expediting the formal approval for Radio UN Rwanda to start functioning again.

With warm regards

Yours sincerely,

Shaharyar M. Khan
Shaharyar M. Khan
Special Representative of the
Secretary-General

cc: Ms. Elizabeth Lindenmayer
DPKO
Fax: 3.6460



UNAMIR - MINUAR

OUTGOING CODE CABLE

TO: ANNAN/GOULDING, UNATIONS, NEW YORK
INFO: GHAREKHAN, UNATIONS, NEW YORK
FROM: KHAN, UNAMIR, KIGALI *Shahmy Zhe*
DATE: 19 MARCH 1996
NO.: MIR _____
NO. OF PAGES: 3
SUBJECT: Radio UNAMIR

1. Reference is made to your code cable 748 on the above subject.
2. As discussed, we are still awaiting the Rwandan Government's reply to our proposal for an exchange of letters to amend the agreement that we signed with the Government on 14 January 1995 at the time we established "**Radio UNAMIR**". As you are aware, that amendment would provide the necessary authorization for the Radio to resume broadcasting under its new name of "**Radio United Nations**". I enclose copy of a letter that I have written to the US Ambassador in Rwanda.
3. As regard to para 2 of your code cable, Dusaidi informed me that the Government would like close cooperation between Radio Rwanda and Radio United Nations. I said I would encourage such cooperation. I added that Radio United Nations would continue to be independent, non political and objective. The Minister of Information has been away and is returning to Kigali today. If there is a delay of more than a week after his return, I would recommend that the Security Council be informed. For the present, I am keeping an open mind regarding the Rwandan Government's intentions.
4. I shall continue, of course, to press for a speedy settlement of that matter and will keep you informed of any further developments.
5. Best regards.



UNAMIR-MINUAR

The Special Representative of the U.N. Secretary-General
P.O. Box 749
Kigali, Rwanda
Telephone: 212 - 963 - 3930
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Date: 18 March 1996

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H.E. Mr. Robert E. Gribbin
Ambassador
Embassy of the United States
Kigali
Rwanda

.../2

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With warm regards

Yours sincerely,

Shaharyar M. Khan
Shaharyar M. Khan
Special Representative of the
Secretary-General

cc: Ms. Elizabeth Lindenmayer
DPKO
Fax: 3.6460



UNAMIR MINUAR

OUTGOING CODE CABLE 1996 MAR 18 P 2:28

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

INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar M. Khan

DATE: 18 MARCH 1996

NO.:

MIR

605

NO. OF PAGES: 2

SUBJECT: RWANDA EQUIPMENT ISSUE

1996 MAR 18 P 2:28
UNAMIR

1. Further to my code cable no. 560 on the above subject, it appears that recent communications between FALD and CAO UNAMIR which were in the pipeline when I sent my code cable have significantly clarified the issue.

2. In my earlier report, I had suggested that equipment falling under column B iii) (cf Charf X) should be written off, as a gift to Rwanda. I would be grateful to be informed if you are agreeable to this process or if you would insist on this category being "sold" to Rwanda.

3. Moreover, recently, the Government of Rwanda has indicated that it wishes to purchase from UNAMIR's pool of available equipment, as distinct from items being transferred against the Trust Fund. I intend to adjust as many items as possible against the Trust Fund which has been set up for this very purpose and for which I already have your authority. I would be grateful to know as soon as possible your comment on allowing GOR to purchase the items not covered by the Trust Fund, from its own resources. Specifically, I need to know whether this would require approval of the legislative bodies, or whether we might proceed now with the sale of items to GOR at their

depreciated value. I would recommend that you may agree to this direct purchase by the Government of Rwanda because it represents accountability and transparency. Moreover, it also underlines a correct approach to acquiring available equipment rather than the stealing, grabbing and "confiscation" of UN equipment that other Peace Keeping Operations have suffered in Somalia and elsewhere. The direct purchase approach, therefore, needs to be encouraged from a political stand point. I would be grateful for your reaction to this proposal.

4. Once your comments are received, we would draft Secretary-General's report to the Security Council on this issue for your approval.

Best wishes.



UNAMIR MINUAR

CPND 75

OUTGOING CODE CABLE

UNAMIR
1996 MAR 18 P 2:28

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

INFO: KITTANI/GHAREKHAN, UNATIONS, NEW YORK

FROM: SHAHARYAR M. KHAN, UNAMIR, KIGALI

Shaharyar M. Khan

DATE: 18 MARCH 1996

NO.: MIR 605

NO. OF PAGES: 2

SUBJECT: RWANDA EQUIPMENT ISSUE

UNAMIR
1996 MAR 18 P 2

1. Further to my code cable no. 560 on the above subject, it appears that recent communications between FALD and CAO UNAMIR which were in the pipeline when I sent my code cable have significantly clarified the issue.

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(())

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4. Once your comments are received, we would draft Secretary-General's report to the Security Council on this issue for your approval.

Best wishes.



ch-074 1/2

UNAMIR

1996 MAR 18 A 11: 46

OUTGOING CODE CABLE

UNAMIR

1996 MAR 18 A 11: 50

TO: ANNAN/GOULDING/AKASHI/SANBAR, UNATIONS,
NEW YORK

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: KHAN, UNAMIR, KIGALI *Shahmy Khan*

DATE: 18 MARCH 1996

NO.: MIR - 607

NO. OF PAGES: 2

SUBJECT: Establishment of a United Nations Radio Station in Burundi

1. Thank you for your code cable 716 on the possible establishment of a United Nations Radio Station in Burundi.
2. I have read with interest the paper prepared by DPI outlining a number of options including option C which, inter alia, considers the possibility of broadcasting from Rwanda.
3. While it may be technically possible to expand the capacity of the existing facilities in Rwanda to permit broadcasts into Burundi, the translation into action of that option would face a number of problems both political and practical.

(a) Political factors

- First of all, it is highly unlikely that the Rwandan Government, whose consent would be required in this scheme, would agree. They will see it as an attempt to confuse the problems of Rwanda and Burundi. Their views have consistently been that the two countries may have similar population components but their problems are not identical. Therefore, as they rejected the idea an International Conference on Rwanda/Burundi, they are likely to oppose this option. Furthermore, we cannot assume either that the Burundian Government would endorse the idea. By proposing such a scheme, we may jeopardize United Nations capability of broadcasting from Rwanda which was achieved with great difficulty.

(b) Practicality factors

- (i) The expansion of the coverage of the current radio station may require the installation of additional repeaters and transmitters including on Burundi's territory unless the use of satellite links makes this unnecessary. Should additional repeaters and transmitters be required, the question of their protection would arise, particularly in Burundi where security outside Bujumbura cannot be taken for granted.
- (ii) Furthermore, it would be practically impossible for a radio station based in Kigali to manage to receive from Bujumbura the inputs it needs to prepare its daily news and editorial programmes on Burundi. While the two capitals are only 250 km apart, travelling by road between the two cities is impossible because of insecurity problems in Burundi, and communications by telephone or fax are very expensive and unreliable.

4. In all, for the reasons given above, the arrangement to combine Rwanda with Burundi is neither practically feasible nor politically desirable. It should not be considered. On the other hand a United Nations project to broadcast to the countries of the Great Lakes could be pursued as a regional project. For the present you may wish to explore further the possibility of making cooperative arrangements with one of the existing NGO broadcasting systems already operating in the country as suggested in paragraph 4 of the DPI paper.

5. Best regards.



UNAMIR

1996 MAR 16 P 4:11

UNAMIR - MINUAR

UNAMIR

1996 MAR 16
OUTGOING CODE CABLE
#25

chr-073

1/7

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

INFO: GHAREKHAN, UNATIONS, NEW YORK

FROM: KHAN, UNAMIR, KIGALI *Shelley Khan*

DATE: 16 MARCH 1996

NO.: MIR - 598

NO. OF PAGES: 7

SUBJECT: Status of UNAMIR's Contractors

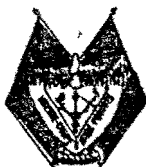
1. In a letter dated 7 March 1996 (copy attached) Mr. Dusaidi contends that at no time in his discussions with Mr. Ssekandi's team was the United Nations given any assurances that the Government of Rwanda would not insist on imposing taxes with respect to UNAMIR contractors as stated in paragraph 9 of the Secretary-General's final report on UNAMIR to the Security Council (S/1996/149).

2. Any answer to Mr. Dusaidi's claim would, no doubt, have legal implications. Therefore, in order to ascertain that my reply would be in line with what was actually agreed between Mr. Ssekandi's team and the Government, I should be grateful if you would refer the matter to the Office of Legal Affairs with the request that they provide me with the necessary material for a reply.

3. The other issues raised in Mr. Dusaidi's letter are being addressed as indicated in my letter of 16 March to him (copy attached).

4. Best regards.

REPUBLIQUE RWANDAISE
REPUBLIC OF RWANDA



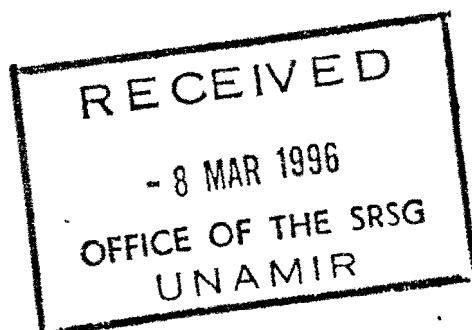
VICE-PRESIDENCE DE LA REPUBLIQUE ET
MINISTRE DE LA DEFENSE NATIONALE
CABINET DU VICE-PRESIDENT

OFFICE OF THE VICE-PRESIDENT
AND MINISTER OF DEFENCE
B.P 23 KIGALI

Reçu le 08 MARS 1996

chd-073

2/7



7th March, 1996,

H.E. Ambassador Shariyar Khan,
Special Representative of the United Nations
Secretary General,
UNAMIR,
KIGALI.

In Paragraph 8 of the UN Secretary General's report of 29 Feb 1996 to the Security Council, Dr. Boutros Boutros Ghali states that as regards relations between the Government of Rwanda and UNAMIR, several issues remain to be resolved. As UNAMIR begins its withdrawal at the end of its mandate, the Government of Rwanda has not yet received a list of UNAMIR equipment to be left in Rwanda.

In Paragraph 9 of his report, the UN Secretary General refers to a team of experts he sent to Kigali to discuss with Government officials other issues of common concern to the United Nations and the Government of Rwanda, such as liability for corporate taxes by United Nations Contractors. The Rwanda government wants to make it clear that at no time in our discussions was the United Nations given any assurances that the government would not insist on imposing taxes with respect to UNAMIR Contractors. It is surprising that the Secretary General has deliberately chosen to misrepresent the outcome of the discussions.

It was clear from the discussions that the UNAMIR Contractors were independent from UNAMIR and enjoyed no immunities and privileges of the United Nations. In accordance with Article 115 of the Income Tax act of 2 June 1964, these Companies are, therefore liable to taxation. By December 1995 the following Companies owed the Income Tax Dept. a total of 434,897,650 FRW equivalent of US\$ 1,448,886.094)

1. ECONOMAT DE L'ARMEE.	264.094.900
2. Brown & Root	17.038.200

3. M.G.T
4. ES-KO

123.927.600
29.836.950

chr-073 3/7

Your excellency, I also wish to draw your attention to the fact that in addition to uncompleted repairs on the stade Amahoro, The Central Kigali Hospital, the damage evaluation team composed of Rwanda government officials and those of UNAMIR has assessed the rehabilitation work on government property occupied by UNAMIR throughout the country at a total of 7,605,272 RWF (US\$ 25337.40).

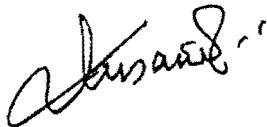
In addition to this other institutions have approached us to claim on their behalf monies owed to them for various services rendered to UNAMIR. These include the National University of Butare which is owed US\$ 150,161, PetroRwanda US\$ 88,065.80, ORTPN US\$ 252,000, 1000 Hills Cars Sarl. the two vehicles worth US\$ 56,933.

Outstanding payments also include the Social Security taxes for locally recruited employees, and about 36,782,027 FRW (US\$ 122,541.40) owed to SONARWA for vehicle insurance.

The Rwanda Government trusts that these and any other debts will be paid before the complete withdrawal of UNAMIR to avoid litigation.

Please accept, your Excellency, my compliments and highest regards.

Yours sincerely,



Claude DUSAIDI
POLITICAL ADVISOR TO THE VICE PRESIDENT
AND MINISTER OF DEFENCE & CHAIRMAN OF
THE INTERMINISTERIAL COMMITTEE ON UNAMIR

c.c. H.E. The President of the Republic of Rwanda.
" H.E. The Vice President.
" H.E. The Prime Minister.
" Hon. Minister of Foreign Affairs.
" H.E. Amb. Manzi Bakuramutsa.



UNAMIR-MINUAR

CHN-073 4/7

The Special Representative of the U.N. Secretary-General
P.O. Box 749
Kigali, Rwanda
Telephone: 212 - 963 - 3930
Fax: 212 - 963 - 3090

16 March 1996

Dear Mr. Dusaidi,

I wish to acknowledge receipt of your letter of 7 March 1996 recapitulating a number of pending issues which remain to be resolved during this liquidation phase of UNAMIR.

As discussed, please find attached a note indicating in detail the progress made in our efforts to find mutually agreed solutions to the questions you raised in your letter.

With regard to the issue of UNAMIR's equipment to be left for use in Rwanda, I should like to reassure you that the United Nations Headquarters is fully aware of the need to accelerate the related procedures and has promised to send us the list as soon as possible. I should, therefore, be able to revert to you shortly on that particular item.

I have also taken note of the position of your Government on the statement contained in paragraph 9 of the Secretary-General's report of 29 February to the Security Council, which I have referred to Headquarters for consideration by the United Nations Office of Legal Affairs. I shall, of course, keep you informed of their legal opinion and any suggestions they may have on that issue.

Yours sincerely

A handwritten signature in dark ink, appearing to read "Shaharyar M. Khan".

Shaharyar M. Khan
Special Representative of the United Nations
Secretary-General for Rwanda

Mr. Claude Dusaidi
Political Advisor to the Vice-President
and Minister of Defence & Chairman of
the Interministerial Committee on UNAMIR
Kigali
Rwanda

cc: Mr. Pierre-Célestin Rwigema, Prime Minister
Col. Frank Mugambage, Director of Cabinet,
Office of the President
Mr. Anastase Gasana, Minister of Foreign Affairs

dn-073 5/7

NOTE

**OUTSTANDING ISSUES BETWEEN THE GOVERNMENT OF RWANDA AND
THE UNITED NATIONS ASSISTANCE MISSION FOR RWANDA**

The following is a summary of the status of certain issues which remain to be resolved between the Government of Rwanda and UNAMIR:

Payment of Communication dues

In full settlement of the agreed dues between UNAMIR and Rwandatel a cheque for over 7,000,000 Rwandese francs issued to the Ministry of Transport and Communications was picked up from the UNAMIR cashier's office on 14 March 1996 by the Director-General of Rwandatel. All other United Nations agencies have settled their accounts with Rwandatel on the basis of the agreement on telecommunications between them and Rwandatel.

Payment of repair charges for premises used

A working group was established with the Government of Rwanda. Visits were organized to rented premises and repairs as well as damages were assessed. UNAMIR is currently processing the estimates for payment.

Petro-Rwanda

UNAMIR entered into a contract with Rwanda Petrol Gaz for 12 months from 1 December 1994. The contract was subsequently extended twice with the last extension ending on 31 March 1996.

The Company has been paid rent for the location up to 31 December 1995. The cost of repairs to the location have been agreed upon and the owner has signed the release documents. The Company has been notified of termination of the contract on 28 February 1996 and rent for the period 1 January 1996 to 29 February 1996 will be paid shortly.

Hospital occupied by the Australians (Kigali Central Hospital)

UNAMIR committed itself to repair the facility instead of paying rent. UNAMIR used the facility for one year. UNAMIR contacted the Hospital and the Ministry of Public Works, who have agreed to its proposal of approximately US\$ 70,000.

University of Butare

An offer of US\$12,000 per month (US\$66,000.00 total) was made to and accepted by the University of Butare for rent for the premises used by UNAMIR troops for the period from 1 September 1994 to 15 February 1995. UNAMIR disputes the University's claims for repairs totalling US\$72,101.00. UNAMIR carried out a survey of the premises and its honest estimation of repairs is US\$3,956.94. UNAMIR awaits the University's acceptance of the offer of \$3,956.94.

Amahoro Stadium

UNAMIR and the Ministry of Youth and Sports have signed a formal agreement for the repairs of Amahoro stadium due to occupation by UNAMIR. UNCHS (Habitat) is executing the project in accordance with the project document signed by the Rwandan Government. This project only addresses damage mainly or partially attributable to UNAMIR's use of the stadium.

Social Security

Social Security taxes for Brown and Root Services Corporation (BRSC) local employees for 1994 and 1995 were paid on 1 March 1996. The amount due for 1996 is being calculated and processed. BRSC informed the Ministry of Work and Social Affairs on 1 March.

ORTPN

This concerns the Hotel Meridien Izuba at Gisenyi.

An arrangement was arrived at with the then Manager of Hotel izuba (Gisenyi) that UNAMIR personnel could take up rooms on an individual basis and at the expense of the individual. This was an informal understanding to which UNAMIR was never a party and there was never a contract between UNAMIR and Hotel Izuba at any point in time during the tenancy of the UNAMIR personnel. UNAMIR personnel therefore occupied a number of rooms in Hotel Izuba in Gisenyi from August 1994 to February 1995 under this informal understanding. The condition of the premises and rooms of the hotel was then in such a deplorable state that the UNAMIR personnel had to clean up the whole premises, including the beach, remove a dead cow from the hotel swimming pool, pump out the water and refill the pool, to enable them live there. Because of these contributions by UNAMIR personnel, the Prefect decided initially, that they should not pay rent. However, sometime in October 1994, the issue of payment of rent came up and, in accordance with the understanding the UNAMIR personnel had with the Manager of the Hotel, each person occupying a room paid his/her bill directly to the then Hotel Manager, for which receipts were issued. If any bills were not paid and are outstanding, these should be brought to the attention of UNAMIR for appropriate action.

In addition to the rooms occupied by individual UNAMIR personnel, there were 4 rooms used for operational purposes for which UNAMIR was responsible for the bills.

It has however been understood that the cost of rehabilitating the premises which was significant, would have fully offset the rental cost demanded by the owner for the four operational rooms.

If the owner disputes this, UNAMIR is prepared to discuss its bills separately from the individual bills.

CD-073 7/7

ETO School, Kigali

A site visit was conducted by a UNAMIR BMS Officer and two Government representatives. The facilities were occupied by the UNAMIR Belgian Contingent in 1993. They vacated the premises before the war broke out. The estimated cost of repairs is US\$4,060.00. Approval of the estimate is being processed.

1000 Hills Car SARL

UNAMIR rented a minibus from 1000 Hills Car SARL, from 22 December 1993 to 22 March 1994. On termination of the contract, the Managing Director of the Company undertook to collect the vehicle from UNAMIR on 28 March 1994.

However, there has been a dispute as to who should bear responsibility for what happened to the vehicle upon termination of the contract in the light of the security situation at the time. UNAMIR is working out procedures for settling this particular dispute as well as others of a similar nature arising out of the force majeure conditions prevailing at the time.

SONARWA

It is only in the past few days that all documentation with regard to the insurance coverage have been completed - this includes written confirmation by SONARWA of the effective date of the insurance cover. It may please be noted that SONARWA initially refused to process the first claims submitted by UNAMIR on the grounds that they did not have a complete detailed list of the vehicles involved notwithstanding the fact that they had been notified of the number of vehicles involved at the time they were invited to bid for the contract.

Stephen J. Khan
Kigali, 16 March 1996



OUTGOING CODE CABLE

TO: ANNAN/GOULDING/CORREL, UNATIONS, NEW YORK
INFO: GHAREKHAN, UNATIONS, NEW YORK
FROM: KHAN, UNAMIR, KIGALI *Shelley Khan*
DATE: 16 MARCH 1996
NO.: MIR _____
NO. OF PAGES: 7
SUBJECT: Status of UNAMIR's Contractors

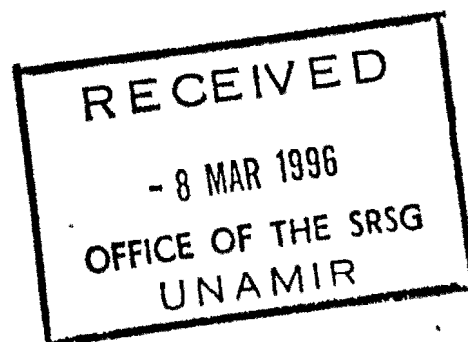
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4. Best regards.



VICE-PRESIDENCE DE LA REPUBLIQUE ET
MINISTERE DE LA DEFENSE NATIONALE
CABINET DU VICE-PRESIDENT

OFFICE OF THE VICE-PRESIDENT
AND MINISTER OF DEFENCE
B.P 23 KIGALI

Reçu le 08 MARS 1996



7th March, 1996,

H.E. Ambassador Shariyar Khan,
Special Representative of the United Nations
Secretary General,
UNAMIR,
KIGALI.

In Paragraph 8 of the UN Secretary General's report of 29 Feb 1996 to the Security Council, Dr. Boutros Boutros Ghali states that as regards relations between the Government of Rwanda and UNAMIR, several issues remain to be resolved. As UNAMIR begins its withdrawal at the end of its mandate, the Government of Rwanda has not yet received a list of UNAMIR equipment to be left in Rwanda.

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It was clear from the discussions that the UNAMIR Contractors were independent from UNAMIR and enjoyed no immunities and privileges of the United Nations. In accordance with Article 115 of the Income Tax act of 2 June 1964, these Companies are, therefore liable to taxation. By December 1995 the following Companies owed the Income Tax Dept. a total of 434,897,650 FRW equivalent of US\$ 1,448,886,094)

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2. Brown & Root	17.038.200

3. M.G.T
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123.927.600.
29.836.950

Your excellency, I also wish to draw your attention to the fact that in addition to uncompleted repairs on the stade Amahoro, The Central Kigali Hospital, the damage evaluation team composed of Rwanda government officials and those of UNAMIR has assessed the rehabilitation work on government property occupied by UNAMIR throughout the country at a total of 7,605,272 RWF (US\$ 25337.40).

In addition to this other institutions have approached us to claim on their behalf monies owed to them for various services rendered to UNAMIR. These include the National University of Butare which is owed US\$ 150,161, PetroRwanda US\$ 88,065.80, ORTPN US\$ 252,000, 1000 Hills Cars Sarl. the two vehicles worth US\$ 56,933.

Outstanding payments also include the Social Security taxes for locally recruited employees, and about 36,782,027 FRW (US\$ 122,541.40) owed to SONARWA for vehicle insurance.

The Rwanda Government trusts that these and any other debts will be paid before the complete withdrawal of UNAMIR to avoid litigation.

Please accept, your Excellency, my compliments and highest regards.

Yours sincerely,



Claude DUSAIDI

POLITICAL ADVISOR TO THE VICE PRESIDENT
AND MINISTER OF DEFENCE & CHAIRMAN OF
THE INTERMINISTERIAL COMMITTEE ON UNAMIR

- c.c. H.E. The President of the Republic of Rwanda.
" H.E. The Vice President.
" H.E. The Prime Minister.
" Hon. Minister of Foreign Affairs.
" H.E. Amb. Manzi Bakuramutsa.



UNAMIR-MINUAR

The Special Representative of the U.N. Secretary-General
P.O. Box 749
Kigali, Rwanda
Telephone: 212 - 963 - 3930
Fax: 212 - 963 - 3090

16 March 1996

Dear Mr. Dusaidi,

I wish to acknowledge receipt of your letter of 7 March 1996 recapitulating a number of pending issues which remain to be resolved during this liquidation phase of UNAMIR.

As discussed, please find attached a note indicating in detail the progress made in our efforts to find mutually agreed solutions to the questions you raised in your letter.

With regard to the issue of UNAMIR's equipment to be left for use in Rwanda, I should like to reassure you that the United Nations Headquarters is fully aware of the need to accelerate the related procedures and has promised to send us the list as soon as possible. I should, therefore, be able to revert to you shortly on that particular item.

I have also taken note of the position of your Government on the statement contained in paragraph 9 of the Secretary-General's report of 29 February to the Security Council, which I have referred to Headquarters for consideration by the United Nations Office of Legal Affairs. I shall, of course, keep you informed of their legal opinion and any suggestions they may have on that issue.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Shaharyar M. Khan'.

Shaharyar M. Khan
Special Representative of the United Nations
Secretary-General for Rwanda

Mr. Claude Dusaidi
Political Advisor to the Vice-President
and Minister of Defence & Chairman of
the Interministerial Committee on UNAMIR
Kigali
Rwanda

cc: Mr. Pierre-Célestin Rwigema, Prime Minister
Col. Frank Mugambage, Director of Cabinet,
Office of the President
Mr. Anastase Gasana, Minister of Foreign Affairs

N O T E

OUTSTANDING ISSUES BETWEEN THE GOVERNMENT OF RWANDA AND THE UNITED NATIONS ASSISTANCE MISSION FOR RWANDA

The following is a summary of the status of certain issues which remain to be resolved between the Government of Rwanda and UNAMIR:

Payment of Communication dues

In full settlement of the agreed dues between UNAMIR and Rwandatel a cheque for over 7,000,000 Rwandese francs issued to the Ministry of Transport and Communications was picked up from the UNAMIR cashier's office on 14 March 1996 by the Director-General of Rwandatel. All other United Nations agencies have settled their accounts with Rwandatel on the basis of the agreement on telecommunications between them and Rwandatel.

Payment of repair charges for premises used

A working group was established with the Government of Rwanda. Visits were organized to rented premises and repairs as well as damages were assessed. UNAMIR is currently processing the estimates for payment.

Petro-Rwanda

UNAMIR entered into a contract with Rwanda Petrol Gaz for 12 months from 1 December 1994. The contract was subsequently extended twice with the last extension ending on 31 March 1996.

The Company has been paid rent for the location up to 31 December 1995. The cost of repairs to the location have been agreed upon and the owner has signed the release documents. The Company has been notified of termination of the contract on 28 February 1996 and rent for the period 1 January 1996 to 29 February 1996 will be paid shortly.

Hospital occupied by the Australians (Kigali Central Hospital)

UNAMIR committed itself to repair the facility instead of paying rent. UNAMIR used the facility for one year. UNAMIR contacted the Hospital and the Ministry of Public Works, who have agreed to its proposal of approximately US\$ 70,000.

University of Butare

An offer of US\$12,000 per month (US\$66,000.00 total) was made to and accepted by the University of Butare for rent for the premises used by UNAMIR troops for the period from 1 September 1994 to 15 February 1995. UNAMIR disputes the University's claims for repairs totalling US\$72,101.00. UNAMIR carried out a survey of the premises and its honest estimation of repairs is US\$3,956.94. UNAMIR awaits the University's acceptance of the offer of \$3,956.94.

Amahoro Stadium

UNAMIR and the Ministry of Youth and Sports have signed a formal agreement for the repairs of Amahoro stadium due to occupation by UNAMIR. UNCHS (Habitat) is executing the project in accordance with the project document signed by the Rwandan Government. This project only addresses damage mainly or partially attributable to UNAMIR's use of the stadium.

Social Security

Social Security taxes for Brown and Root Services Corporation (BRSC) local employees for 1994 and 1995 were paid on 1 March 1996. The amount due for 1996 is being calculated and processed. BRSC informed the Ministry of Work and Social Affairs on 1 March.

ORTPN

This concerns the Hotel Meridien Izuba at Gisenyi.

An arrangement was arrived at with the then Manager of Hotel Izuba (Gisenyi) that UNAMIR personnel could take up rooms on an individual basis and at the expense of the individual. This was an informal understanding to which UNAMIR was never a party and there was never a contract between UNAMIR and Hotel Izuba at any point in time during the tenancy of the UNAMIR personnel. UNAMIR personnel therefore occupied a number of rooms in Hotel Izuba in Gisenyi from August 1994 to February 1995 under this informal understanding. The condition of the premises and rooms of the hotel was then in such a deplorable state that the UNAMIR personnel had to clean up the whole premises, including the beach, remove a dead cow from the hotel swimming pool, pump out the water and refill the pool, to enable them live there. Because of these contributions by UNAMIR personnel, the Prefect decided initially, that they should not pay rent. However, sometime in October 1994, the issue of payment of rent came up and, in accordance with the understanding the UNAMIR personnel had with the Manager of the Hotel, each person occupying a room paid his/her bill directly to the then Hotel Manager, for which receipts were issued. If any bills were not paid and are outstanding, these should be brought to the attention of UNAMIR for appropriate action.

In addition to the rooms occupied by individual UNAMIR personnel, there were 4 rooms used for operational purposes for which UNAMIR was responsible for the bills.

It has however been understood that the cost of rehabilitating the premises which was significant, would have fully offset the rental cost demanded by the owner for the four operational rooms.

If the owner disputes this, UNAMIR is prepared to discuss its bills separately from the individual bills.

ETO School, Kigali

A site visit was conducted by a UNAMIR BMS Officer and two Government representatives. The facilities were occupied by the UNAMIR Belgian Contingent in 1993. They vacated the premises before the war broke out. The estimated cost of repairs is US\$4,060.00. Approval of the estimate is being processed.

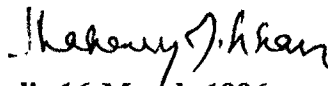
1000 Hills Car SARL

UNAMIR rented a minibus from 1000 Hills Car SARL, from 22 December 1993 to 22 March 1994. On termination of the contract, the Managing Director of the Company undertook to collect the vehicle from UNAMIR on 28 March 1994.

However, there has been a dispute as to who should bear responsibility for what happened to the vehicle upon termination of the contract in the light of the security situation at the time. UNAMIR is working out procedures for settling this particular dispute as well as others of a similar nature arising out of the force majeure conditions prevailing at the time.

SONARWA

It is only in the past few days that all documentation with regard to the insurance coverage have been completed - this includes written confirmation by SONARWA of the effective date of the insurance cover. It may please be noted that SONARWA initially refused to process the first claims submitted by UNAMIR on the grounds that they did not have a complete detailed list of the vehicles involved notwithstanding the fact that they had been notified of the number of vehicles involved at the time they were invited to bid for the contract.



Kigali, 16 March 1996