MIR UNAMIR MANDATE 30 MAY - 12 JUNE 1995

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UNAMIR
'95 JUN 12

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PRESS BRIEFING BY SECRETARY-GENERAL'S SPECIAL REPRESENTATIVE FOR RWANDA

Shaharyar M. Khan, the Special Representative of the Secretary-General for Rwanda, this morning briefed correspondents on the new mandate for the United Nations Mission in Rwanda (UNAMIR), which the Security Council was expected to approve today. (The Council, by its resolution 997 (1995), subsequently approved UNAMIR's mandate for a six-month period, until 8 December.)

In considering how the new mandate had evolved, it was necessary to address four points, he said. First, any effort at reconciliation in Rwanda must be based on the return of the nearly 2 million refugees to the country, most of whom were in Zaire, United Republic of Tanzania and Burundi. Efforts must be undertaken to bring about their voluntary return in conditions of dignity and safety.

The Council resolution on UNAMIR would underline the need to continue the process of reconciliation and would cite the Bujumbura Declaration as the basis for the refugees' return, he continued. That Declaration stated precisely what the Government of Rwanda must do; the obligations of countries where the refugees now resided; and what agencies and donor countries must do to facilitate the refugees' return. Their return was an essential to rebuilding stability in Rwanda.

Secondly, there was a need for justice in Rwanda -- immediate justice, he said. Most families had been affected by the genocide, directly or indirectly. The people saw that an International Tribunal had been established "for the so-called big fish", but felt the process was going too slowly. That was partly because financial support, although forthcoming, had been slow.

There was also a need for justice to be administered at the national level with regard to the 42,000 prisoners now being held, he said. Prison conditions were appalling. Foreign support was required to continue the repair of the national system of justice at all levels, including the gendarmerie, prosecutors and judges. Fifty members of the international community would be arriving soon to begin helping in that process.

While the next two to three months would not see the functioning of a perfect system of justice, it was better to have an immediate, imperfect system in place now, he went on. That was important, not only in view of the 42,000 prisoners, but because of the psychological impact of seeing the process of justice begin. Only when justice was seen as being carried out would it be possible to move forward in the process of reconciliation.

A third concern was the major problem of cross-border military infiltrations, he said. Guerrilla attempts at blowing up buildings and institutions led the defending force to look suspiciously on the population, which, in turn led to repression and generated a vicious cycle. It was important to discipline all military activities in the camps.

Broadly speaking, there were two types of camps, he said. The United Nations High Commissioner for Refugees (UNHCR) had been actively involved with the camps for civilians, which had seen some improvement. However,

UNHCR had no involvement in the purely military camps, where military training was taking place. Zaire and Tanzania had asked for international support to help control that process of military training.

Fourthly, there was a need to expedite the disbursement of financial aid, he said. Out of over $700 million pledged at the round-table in Geneva, only $69 million had actually been seen, and most of that had been spent on debt-servicing. That left a relatively small amount for a country that had been completely shattered. That, in turn, made it very difficult to encourage refugees to return to a country which could not deliver basic requirements, including, for example, teachers' salaries.

Turning to the subject of the new mandate of UNAMIR, he said there was a need to reflect the changed situation since the establishment of that Mission. At that time, there were two parties contending for power under the Arusha Accords, and the United Nations was to be the arbiter. However, the Accords, though signed, had not taken off. Following the genocide, UNAMIR had sought to protect the innocent -- the non-combatants. On 19 July 1994, a new, sovereign Government had been formed, and the United Nations was now dealing with a single Government, which had stated its responsibility for the protection of its people.

The proposed new mandate envisaged a reduced number of troops, he said. It focused on national reconciliation and on the need for UNAMIR to facilitate the voluntary and safe return of refugees, as well as their rehabilitation and reintegration into home communities. Police and monitors would be retained, and the Mission would provide security to international personnel in the country.

A correspondent asked whether agreement had been reached with the Government of Rwanda, which had wanted small contingents. Mr. Khan said the matter had been satisfactorily resolved, arriving at a figure of 2,330 to be reached within three months of today's expected mandate renewal. Those levels would be further reduced to 1,800 within four months. In addition, the current levels of 320 military observers and 65 civilian police would be maintained.

Asked to comment about the relations between UNAMIR and the Government, Mr. Khan confirmed that those relations had been strained and that there had been non-cooperation. However, at higher levels, there was a spirit of cooperation, and it was hoped that the new mandate would encourage a new era of cooperative relations.

A correspondent asked about a proposal to station additional peace-keepers in neighbouring countries to monitor arms supplies to the camps. Mr. Khan said the proposal was still alive and was mentioned in the resolution. However, the actual numbers would have to be arrived at in consultations with Tanzania and Zaire.

How many people were involved in the cross-border infiltrations and how often did they occur? a correspondent asked. Mr. Khan said that over the past six months, the infiltrations -- mainly from Zaire, and not Tanzania -- had been increasing. Earlier, there had been raids involving banditry, such as attacking and taking cattle. Now, however, they were more of a military nature and had become more organized. In the western region, at the frontier between Rwanda and Zaire, there were almost daily incursions, which were clearly part of a campaign.

Asked if the numbers involved were in the thousands or the hundreds, Mr. Khan said they were small groups. It was "very much a guerrilla type of activity", with small groups raiding and then returning.

A correspondent said there were reports that France had been funding those groups in Zaire and asked if the issue had been raised with the Government of France. Mr. Khan said he had absolutely no evidence that France or any other country was funding such activities, either in Zaire or in Tanzania. However, money was available to those groups, and it was being spent at arms bazaars worldwide.

Asked to speculate on the source of that money, Mr. Khan said that when members of the former Government had left the country, they had taken all of its liquid assets with them. Beyond that, he could not speculate on who might be assisting them.

In response to another question, he confirmed that the new mandate would put greater emphasis on humanitarian rather than security aspects of the Mission. The mandate was based on consultations within the Security Council, of which Rwanda was a member. Negotiations between the United Nations and the Government had made it possible to present a "dish" to the Council. Emphasis would now likely be placed on protecting Rwandan citizens and encouraging the safe return of the refugees, in conditions of dignity and fairness. For that purpose, UNAMIR needed a certain visible presence.

* *** *

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TO: ISMAEL DIALLO SPOKESMAN'S OFFICE UNAMIR, KIGALI	FROM: HIRO UEKI RG OFFICE OF THE SPOKESMAN FOR THE SECRETARY-GENERAL OF THE UNITED NATIONS TELEPHONE: (212) 963-1262
FACSIMILE: 3.3090	FACSIMILE: (212) 963-7055
PAGE 1 OF 4	DATE: 9 JUNE 1995
SUBJECT: UNAMIR SECURITY COUNCIL RESOLUTION	

-- MESSAGE --

Please find attached Security Council Resolution 997 on UNAMIR adopted today at 12 noon. The vote was unanimous.

Regards.

UNITED NATIONS **S**

Security Council

PROVISIONAL

S/1995/465
8 June 1995

ORIGINAL: ENGLISH

Draft resolution 997 (Unanimous)

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR), and its resolutions 912 (1994) of 21 April 1994, 918 (1994) of 17 May 1994, 925 (1994) of 8 June 1994, and 965 (1994) of 30 November 1994, which set out the mandate of UNAMIR,

Having considered the report of the Secretary-General on UNAMIR dated 4 June 1995 (S/1995/457),

Recalling also its resolution 955 (1994) of 8 November 1994 establishing the International Tribunal for Rwanda, and its resolution 978 (1995) of 27 February 1995, concerning the necessity for the arrest of persons suspected of certain offenses in Rwanda,

Stressing the importance of achieving genuine reconciliation among all members of Rwandan society within the frame of reference of the Arusha Peace Agreement,

Noting with great concern reports of military preparations and increasing incursions into Rwanda by elements of the former regime and underlining the need for effective measures to ensure that Rwandan nationals currently in neighbouring countries, including those in camps, do not undertake military activities aimed at destabilizing Rwanda or receive arms supplies, in view of the great likelihood that such arms are intended for use within Rwanda,

Underlining the need for increased efforts to assist the Government of Rwanda in the promotion of a climate of stability and trust in order to facilitate the return of Rwandan refugees in neighbouring countries,

Emphasizing the necessity for the accelerated disbursement of international assistance for the rehabilitation and reconstruction of Rwanda,

Calling again upon all States to act in accordance with recommendations adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held in Bujumbura in February 1995,

Recognizing the valuable contribution that the human rights officers deployed by the High Commissioner for Human Rights to Rwanda have made towards the improvement of the overall situation,

Acknowledging the responsibility of the Government of Rwanda for the safety and security of all UNAMIR personnel and other international staff serving in the country,

Reaffirming the need for a long-term solution to the refugee and related problems in the Great Lakes States, and welcoming, therefore, the intention of the Secretary-General to appoint a special envoy to carry out consultations on the preparation and convening, at the earliest possible time, of the regional Conference on Security, Stability and Development,

1. Decides to extend the mandate of UNAMIR until 8 December 1995 and authorizes a reduction of the force level to 2,330 troops within three months of the adoption of this resolution and to 1,800 troops within four months;

2. Decides to maintain the current level of military observers and civilian police personnel;

3. Decides, in the light of the current situation in Rwanda, to adjust the mandate of UNAMIR so that UNAMIR will:

(a) Exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;

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

(c) Support the provision of humanitarian aid, and of assistance and expertise in engineering, logistics, medical care and demining;

(d) Assist in the training of a national police force [until such time as the Government of Rwanda has entered into bilateral arrangements for the establishment of other training programmes;]

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

4. Affirms that the restrictions imposed under Chapter VII of the Charter of the United Nations by resolution 918 (1994) apply to the sale or supply of

arms and matériel specified therein to persons in the States neighbouring Rwanda, if that sale or supply is for the purpose of the use of such arms or matériel within Rwanda;

5. Calls upon the States neighbouring Rwanda to take steps, with the aim of putting an end to factors contributing to the destabilization of Rwanda, to ensure that arms and matériel are not transferred to Rwandan camps within their territories;

6. Requests the Secretary-General to consult the Governments of neighbouring countries on the possibility of the deployment of United Nations military observers, and to consult, as a matter of priority, the Government of Zaire on the deployment of observers including in the airfields located in Eastern Zaire, in order to monitor the sale or supply of arms and related matériel to Rwanda; and further requests the Secretary-General to report to the Council on the matter within one month of the adoption of this resolution;

7. Takes note of the cooperation existing between the Government of Rwanda and UNAMIR in the implementation of its mandate and urges the Government of Rwanda and UNAMIR to continue to implement the agreements made between them, in particular the Status of Mission Agreement of 5 November 1993 or any subsequent agreement;

8. Commends the efforts of States, United Nations agencies and non-governmental organizations which have provided humanitarian assistance to refugees and displaced persons in need, encourages them to continue such assistance, and calls upon the Government of Rwanda to continue to facilitate their delivery and distribution;

9. Calls upon States and donor agencies to fulfil their earlier commitments to give assistance for Rwanda's rehabilitation efforts, to increase such assistance, and in particular to support the early and effective functioning of the International Tribunal and the rehabilitation of the Rwandan judicial system;

10. Encourages the Secretary-General and his Special Representative to continue to coordinate the activities of the United Nations in Rwanda including those of the organizations and agencies active in the humanitarian and developmental field, and of the human rights officers;

11. Requests the Secretary-General to report to the Council by 9 August 1995 and 9 October 1995 on the discharge by UNAMIR of its mandate, the humanitarian situation and progress towards repatriation of refugees;

12. Decides to remain actively seized of the matter.

Corrected copy !

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR-MINUAR

Good copy !!

Office of the Spokesman

SECURITY COUNCIL EXTENDS AND ADJUSTS MANDATE OF UNAMIR UNTIL 8 DECEMBER 1995

Resolution 997 (1995) adopted unanimously 9 June 1995

Text of the Resolution

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR), and its resolutions 912 (1994) of 21 April 1994, 918 (1994) of 17 May 1994, 925 (1994) of 8 June 1994, and 965 (1994) of 30 November 1994, which set out the mandate of UNAMIR,

Having considered the report of the Secretary-General on UNAMIR dated 4 June 1995 (S/1995/457),

Recalling also its resolution 955 (1994) of 8 November 1994 establishing the International Tribunal for Rwanda, and its resolution 978 (1995) of 27 February 1995, concerning the necessity for the arrest of persons suspected of certain offences in Rwanda,

Stressing the importance of achieving genuine reconciliation among all members of Rwandan society within the frame of reference of the Arusha Peace Agreement,

Noting with great concern reports of military preparations and increasing incursions into Rwanda by elements of the former regime and underlining the need for effective measures to ensure that Rwandan nationals currently in neighbouring countries, including those in camps, do not undertake military activities aimed at destabilizing Rwanda or receive arms supplies, in view of the great likelihood that such arms are intended for use within Rwanda,

Underlining the need for increased efforts to assist the Government of Rwanda in the promotion of a climate of stability and trust in order to facilitate the return of Rwandan refugees in neighbouring countries,

Emphasizing the necessity for the accelerated disbursement of international assistance for the rehabilitation and reconstruction of Rwanda,

Calling again upon all States to act in accordance with recommendations adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held in Bujumbura in February 1995,

Recognizing the valuable contribution that the human rights officers deployed by the High Commissioner for Human Rights to Rwanda have made towards the improvement of the overall situation,

Acknowledging the responsibility of the Government of Rwanda for the safety and security of all UNAMIR personnel and other international staff serving in the country,

Reaffirming the need for a long-term solution to the refugee and related problems in the Great Lakes States, and welcoming, therefore, the intention of the Secretary-General to appoint a special envoy to carry out consultations on the preparation and convening, at the earliest possible time, of the regional Conference on Security, Stability and Development,

1. Decides to extend the mandate of UNAMIR until 8 December 1995 and authorizes a reduction of the force level to 2,330 troops within three months of the adoption of this resolution and to 1,800 troops within four months;

2. Decides to maintain the current level of military observers and civilian police personnel;

3. Decides, in the light of the current situation in Rwanda, to adjust the mandate of UNAMIR so that UNAMIR will:

(a) Exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;

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

(c) Support the provision of humanitarian aid, and of assistance and expertise in engineering, logistics, medical care and demining;

(d) Assist in the training of a national police force~~, until such time as the Government of Rwanda has entered into bilateral arrangements for the establishment of other training programmes;~~

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

4. Affirms that the restrictions imposed under Chapter VII of the Charter of the United Nations by resolution 918 (1994) apply to the sale or supply of arms and matériel specified therein to persons in the States neighbouring Rwanda, if that sale or supply is for the purpose of the use of such arms or matériel within Rwanda;

5 Calls upon the States neighbouring Rwanda to take steps, with the aim of putting an end to factors contributing to the destabilization of Rwanda, to ensure that arms and matériel are not transferred to Rwandan camps within their territories; such

6. Requests the Secretary-General to consult the Governments of neighbouring countries on the possibility of the deployment of United Nations military observers, and to consult, as a matter of priority, the Government of Zaire on the deployment of observers including in the airfields located in Eastern Zaire, in order to monitor the sale or supply of arms and [illegible] matériel ~~to Rwanda~~; and further requests the Secretary-General to report to the Council on the matter within one month of the adoption of this resolution; referred to above;

7. Takes note of the cooperation existing between the Government of Rwanda and UNAMIR in the implementation of its mandate and urges the Government of Rwanda and UNAMIR to continue to implement the agreements made between them, in particular the Status of Mission Agreement of 5 November 1993 ~~of~~ and any subsequent agreement concluded to replace that Agreement in order to facilitate the implementation of the new mandate;

8. Commends the efforts of States, United Nations agencies and non-governmental organisations which have provided humanitarian assistance to refugees and displaced persons in need, encourages them to continue such assistance, and calls upon the Government of Rwanda to continue to facilitate their delivery and distribution;

9. Calls upon States and donor agencies to fulfil their earlier commitments to give assistance for Rwanda's rehabilitation efforts, to increase such assistance, and in particular to support the early and effective functioning of the International Tribunal and the rehabilitation of the Rwandan judicial system;

10. Encourages the Secretary-General and his Special Representative to continue to coordinate the activities of the United Nations in Rwanda including those of the organizations and agencies active in the humanitarian and developmental field, and of the human rights officers;

11. Requests the Secretary-General to report to the Council by 9 August 1995 and 9 October 1995 on the discharge by UNAMIR of its mandate, the humanitarian situation and progress towards repatriation of refugees;

12. Decides to remain actively seized of the matter.

NB

- The UNAMIR had originally been established by resolution 872 (1993) of 5 October 1993. Resolution 918 (1994) had expanded the mandate of the Mission to include responsibility for the security of civilians and of humanitarian operation, had increased its strength to up to 5,500 troops and imposed an arms embargo on Rwanda.

- By its action today, the Council affirmed that the Chapter VII restrictions imposed by resolution 918 (1994) apply to the sale or supply of arms and matériel to persons in the States neighbouring Rwanda, if such arms or matériel are for use within Rwanda. It called upon the States neighbouring Rwanda to take steps to ensure that such arms and matériel are not transferred to Rwanda camps within their territories.

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- In a statement to the Council, the representative of Zaire called for an independent investigation to refute the claims that his country had been involved with the sale or supply of arms for use in Rwanda. He said it was up to the Government in Rwanda to create a favourable climate for the return of the refugees.

- The representative of Rwanda, speaking after the vote, called for an end to the arms embargo against his Government and for an international commission to study the problem of the refugee camps. He added that the change in the UNAMIR mandate reflected the changed situation in his country.

UNITED NATIONS
INTEROFFICE MEMORANDUM

NATIONS UNIES
MEMORANDUM INTERIEUR

UNAMIR-MINUAR

TO: All Chiefs of Section **DATE:** 12 June 1995

FROM: Spokesman, OSRSG

SUBJECT: **Meeting with the Force Commander**

The Force Commander has scheduled a meeting **on Tuesday 13 June 1995 at 11:00 a.m. in the Briefing Room on the Ground Floor**.

The meeting will focus on the new mandate.

Thank you.

To UNAMIR Ismael Diallo Room 4028

From Joelyne

UNITED NATIONS

Press Release Security Council

Department of Public Information • News Coverage Service • New York

Security Council
3542nd Meeting (AM)

SC/6050
9 June 1995

SECURITY COUNCIL EXTENDS AND ADJUSTS MANDATE OF UNAMIR UNTIL 8 DECEMBER

Resolution 997 (1995) Adopted Unanimously

The Security Council this morning extended the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) until 8 December 1995 and authorized a force reduction to 2,330 troops by 9 September and to 1,800 troops by 9 October. The current level of military observers and civilian police personnel would be maintained.

By its unanimous adoption of resolution 997 (1995), the Council also adjusted the mandate of UNAMIR so that it would:

– Exercise its good offices to help achieve national reconciliation within the frame of reference of the 1993 Arusha Peace Agreement;

– Assist the Government of Rwanda in facilitating the voluntary and safe return and reintegration of refugees and, to that end, to support the Government of Rwanda in its ongoing efforts to promote a climate of confidence and trust through the performance of monitoring tasks throughout the country with military and police observers;

– Support the provision of humanitarian aid, and of assistance and expertise in engineering, logistics, medical care and demining;

– Assist in the training of a national police force; and

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

(page 1a follows)

For information media—not an official record

human rights situation and promoting confidence, especially regarding the return of internally displaced persons; and technical cooperation and human rights education. It also indicates that, with the appointment of the Deputy Prosecutor of the International Tribunal for Rwanda, the process of investigating acts of genocide and other serious humanitarian violations has begun.

The report also reviews humanitarian aspects of the situation. Among its observations, it notes that the closure of the camps for internally displaced persons has increased the number of unaccompanied minors. "UNICEF reports that there are nearly 2,000 unaccompanied minors, of whom approximately 70 per cent are under the age of 5. Most are severely traumatized by their experiences and the UNICEF Trauma Unit is helping them."

Substantial funding continues to be required to carry out projects to enable the people to have adequate access to health care, potable water, sanitation and education, as well as the means to resume agricultural activities, the report states. However, as of 15 May, only $80 million had been pledged against a total requirement of $219 million for Rwanda. For the subregion, pledges amounted to $34 million against a total requirement of $587 million. Total contributions actually received so far from government and private sources amount to $6.3 million only -- of which the Netherlands had contributed more than $5.4 million.

The Secretary-General supports the Council's invitation to States to deliver on their financial commitments and to increase their humanitarian assistance for Rwanda. He also supports its call on governments in the region to maintain open borders for that purpose. He notes that the General Assembly has authorized him to enter into commitments of up to $19,342,000 gross ($18,989,000 net) for the period from 10 June to 9 July 1995, subject to extension of UNAMIR's mandate beyond 9 June. Should the Council decide to extend the Mission, he will request adequate financial provision from the Assembly.

Text of Resolution

The Council also has before it a draft resolution (S/1995/465), the text of which reads as follows:

"The Security Council,

"Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR), and its resolutions 912 (1994) of 21 April 1994, 918 (1994) of 17 May 1994, 925 (1994) of 8 June 1994, and 965 (1994) of 30 November 1994, which set out the mandate of UNAMIR,

"Having considered the report of the Secretary-General on UNAMIR dated 4 June 1995 (S/1995/457),

"Recalling also its resolution 955 (1994) of 8 November 1994 establishing the International Tribunal for Rwanda, and its resolution 978 (1995) of 27 February 1995, concerning the necessity for the arrest of persons suspected of certain offenses in Rwanda,

"Stressing the importance of achieving genuine reconciliation among all members of Rwandan society within the frame of reference of the Arusha Peace Agreement,

"Noting with great concern reports of military preparations and increasing incursions into Rwanda by elements of the former regime and underlining the need for effective measures to ensure that Rwandan nationals currently in neighbouring countries, including those in camps, do not undertake military activities aimed at destabilizing Rwanda or receive arms supplies, in view of the great likelihood that such arms are intended for use within Rwanda,

"Underlining the need for increased efforts to assist the Government of Rwanda in the promotion of a climate of stability and trust in order to facilitate the return of Rwandan refugees in neighbouring countries,

"Emphasizing the necessity for the accelerated disbursement of international assistance for the rehabilitation and reconstruction of Rwanda,

"Calling again upon all States to act in accordance with recommendations adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held in Bujumbura in February 1995,

"Recognizing the valuable contribution that the human rights officers deployed by the High Commissioner for Human Rights to Rwanda have made towards the improvement of the overall situation,

(more)

"Acknowledging the responsibility of the Government of Rwanda for the safety and security of all UNAMIR personnel and other international staff serving in the country,

"Reaffirming the need for a long-term solution to the refugee and related problems in the Great Lakes States, and welcoming, therefore, the intention of the Secretary-General to appoint a special envoy to carry out consultations on the preparation and convening, at the earliest possible time, of the regional Conference on Security, Stability and Development,

"1. Decides to extend the mandate of UNAMIR until 8 December 1995 and authorizes a reduction of the force level to 2,330 troops within three months of the adoption of this resolution and to 1,800 troops within four months;

"2. Decides to maintain the current level of military observers and civilian police personnel;

"3. Decides, in the light of the current situation in Rwanda, to adjust the mandate of UNAMIR so that UNAMIR will:

"(a) Exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;

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

"(c) Support the provision of humanitarian aid, and of assistance and expertise in engineering, logistics, medical care and demining;

"(d) Assist in the training of a national police force until such time as the Government of Rwanda has entered into bilateral arrangements for the establishment of other training programmes;

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

"4. Affirms that the restrictions imposed under Chapter VII of the Charter of the United Nations by resolution 918 (1994) apply to the sale or supply of arms and matériel specified therein to persons in the States neighbouring Rwanda, if that sale or supply is for the purpose of the use of such arms or matériel within Rwanda;

"5. Calls upon the States neighbouring Rwanda to take steps, with the aim of putting an end to factors contributing to the destabilization of Rwanda, to ensure that arms and matériel are not transferred to Rwandan camps within their territories;

"6. Requests the Secretary-General to consult the Governments of neighbouring countries on the possibility of the deployment of United Nations military observers, and to consult, as a matter of priority, the Government of Zaire on the deployment of observers including in the airfields located in Eastern Zaire, in order to monitor the sale or supply of arms and related matériel to Rwanda; and further requests the Secretary-General to report to the Council on the matter within one month of the adoption of this resolution;

"7. Takes note of the cooperation existing between the Government of Rwanda and UNAMIR in the implementation of its mandate and urges the Government of Rwanda and UNAMIR to continue to implement the agreements made between them, in particular the Status of Mission Agreement of 5 November 1993 or any subsequent agreement;

"8. Commends the efforts of States, United Nations agencies and non-governmental organizations which have provided humanitarian assistance to refugees and displaced persons in need, encourages them to continue such assistance, and calls upon the Government of Rwanda to continue to facilitate their delivery and distribution;

"9. Calls upon States and donor agencies to fulfil their earlier commitments to give assistance for Rwanda's rehabilitation efforts, to increase such assistance, and in particular to support the early and effective functioning of the International Tribunal and the rehabilitation of the Rwandan judicial system;

(more)

"10. Encourages the Secretary-General and his Special Representative to continue to coordinate the activities of the United Nations in Rwanda including those of the organizations and agencies active in the humanitarian and developmental field, and of the human rights officers;

"11. Requests the Secretary-General to report to the Council by 9 August 1995 and 9 October 1995 on the discharge by UNAMIR of its mandate, the humanitarian situation and progress towards repatriation of refugees;

"12. Decides to remain actively seized of the matter."

Statements

The President of the Council, DETLEV GRAF ZU RANTZAU (Germany) informed the Council he had received a letter from the representative of Zaire requesting to participate in the discussion. There being no objection he was invited to participate in the discussion in accordance with rule 37 of the Council's rules of procedure. He was invited to take a seat at the side of the Council Chamber.

The President then read out the following oral revisions to the draft resolution:

-- All the words in subparagraph (d) of operative paragraph 3 following the words "police force" should be deleted so that subparagraph (d) would read as follows: "Assist in the training of a national police force;"

-- In operative paragraph 5, the world "such" should be inserted between the word "that" and the word "arms" in the penultimate line of the English version of the draft;

-- In operative paragraph 6, the word "related" at the end of the third line from the bottom in the English version of the draft should be deleted and the words "to Rwanda" in the penultimate line of the English version of the text should be replaced by the words "referred to above";

-- In operative paragraph 7, the word "or" in the penultimate line of the English version of the draft should be replaced by the word "and"; and the following words should be added at the end of the paragraph: "concluded to replace that Agreement in order to facilitate the implementation of the new mandate".

TO : Ismael Diallo 3-3090

from : Jocelyne

MATIN
3542ème séance

CS/576
9 juin 1995

LE CONSEIL DE SECURITE PROROGE LE MANDAT DE LA MINUAR

JUSQU'AU 8 DECEMBRE 1995

Il autorise une réduction des effectifs qui seront ramenés à 2 330 puis à 1 800 soldats

Le Conseil de sécurité a adopté, ce matin, à l'unanimité la résolution 997 (1995), par laquelle il décide de proroger le mandat de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR) jusqu'au 8 décembre 1995 et autorise une réduction des effectifs, qui seront ramenés à 2 300 soldats trois mois après l'adoption de la présente résolution et à 1 800 soldats un mois plus tard.

Le Conseil décide, en outre, compte tenu de la situation actuelle au Rwanda, de modifier le mandat de la MINUAR en lui assignant un certain nombre de fonctions visant, entre autres, à aider le Gouvernement rwandais à faciliter le retour librement consenti des réfugiés, en toute sécurité, à appuyer les efforts faits par le Gouvernement rwandais pour instaurer un climat de stabilité et de confiance.

Les Etats Membres du Conseil de sécurité ont expliqué leur vote. Le représentant du Zaïre a également fait une déclaration.

Le Conseil était saisi, aux fins de l'examen, d'un rapport intérimaire du Secrétaire général sur la MINUAR en date du 4 juin 1995.

(à suivre)

Texte du projet de résolution (S/1995/465)

Le Conseil de sécurité,

Rappelant toutes ses résolutions précédentes sur la situation au Rwanda, en particulier sa résolution 872 (1993) du 5 octobre 1993, par laquelle il a créé la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR), et ses résolutions 912 (1994) du 21 avril 1994, 918 (1994) du 17 mai 1994, 925 (1994) du 8 juin 1994 et 965 (1994) du 30 novembre 1994, qui énoncent le mandat de la MINUAR,

Ayant examiné le rapport du Secrétaire général sur la MINUAR en date du 4 juin 1995 (S/1995/457),

Rappelant aussi sa résolution 955 (1994) du 8 novembre 1994, portant création du Tribunal international pour le Rwanda, et sa résolution 978 (1995) du 27 février 1995, concernant la nécessité d'arrêter les personnes soupçonnées de certains crimes au Rwanda,

Soulignant qu'il importe de parvenir à une réconciliation authentique de tous les membres de la société rwandaise dans le cadre de l'Accord de paix d'Arusha,

Prenant note avec une vive préoccupation d'informations selon lesquelles des éléments de l'ancien régime mèneraient des préparatifs militaires et feraient des incursions de plus en plus fréquentes au Rwanda et soulignant la nécessité de prendre des mesures efficaces pour que les Rwandais se trouvant actuellement dans des pays voisins, y compris ceux qui sont dans des camps, n'entreprennent pas d'activités militaires destinées à déstabiliser le Rwanda et ne reçoivent pas d'armements, étant donné qu'il est fort probable que ces armements seraient destinés à être utilisés au Rwanda,

Soulignant que des efforts accrus sont indispensables pour aider le Gouvernement rwandais à instaurer un climat de stabilité et de confiance propre à faciliter le retour des réfugiés rwandais se trouvant dans des pays voisins,

Soulignant aussi qu'il est nécessaire d'accélérer le versement de l'aide internationale pour le relèvement et la reconstruction du Rwanda,

Demandant de nouveau à tous les États d'appliquer les recommandations adoptées par la Conférence régionale sur l'assistance aux réfugiés, rapatriés et personnes déplacées dans la région des Grands Lacs, tenue à Bujumbura en février 1995,

(à suivre)

Mesurant l'utilité du concours que les spécialistes des droits de l'homme déployés au Rwanda par le Haut Commissaire aux droits de l'homme ont apporté en vue de l'amélioration de la situation générale,

Considérant qu'il incombe au Gouvernement rwandais d'assurer la protection et la sécurité de l'ensemble du personnel de la MINUAR et des autres membres du personnel international servant au Rwanda,

Réaffirmant qu'il est nécessaire de régler à long terme les problèmes de réfugiés et problèmes connexes dans les États des Grands Lacs et notant avec satisfaction, par conséquent, que le Secrétaire général a l'intention de nommer un Envoyé spécial chargé de procéder à des consultations concernant la préparation et la convocation, dans les plus brefs délais, de la Conférence régionale sur la sécurité, la stabilité et le développement,

1. Décide de proroger le mandat de la MINUAR jusqu'au 8 décembre 1995 et autorise une réduction des effectifs, qui seront ramenés à 2 330 soldats trois mois après l'adoption de la présente résolution et à 1 800 soldats un mois plus tard;

2. Décide de maintenir à son niveau actuel l'effectif des observateurs militaires et du personnel de la police civile;

3. Décide, compte tenu de la situation actuelle au Rwanda, de modifier le mandat de la MINUAR en lui assignant les fonctions suivantes :

a) User de ses bons offices pour faciliter la réconciliation nationale dans le cadre de l'Accord de paix d'Arusha;

b) Aider le Gouvernement rwandais à faciliter le retour librement consenti des réfugiés, en toute sécurité, ainsi que leur réinsertion dans leur milieu d'origine, et, à cette fin, appuyer les efforts faits par le Gouvernement rwandais pour instaurer un climat de stabilité et de confiance, grâce à des activités de surveillance menées dans l'ensemble du pays par des observateurs militaires et des observateurs de police;

c) Faciliter l'aide humanitaire, ainsi que la fourniture d'une assistance et de services spécialisés en matière de génie civil, de logistique, de santé publique et de déminage;

d) Aider à l'instruction d'une force de police nationale;

(à suivre)

UNAMIR-KIGALI●RWANDA 95-12-12 15:10 ; 212983259B1→ COMMCEN:# 3

e) Contribuer à assurer la sécurité, au Rwanda, du personnel et des locaux des organismes des Nations Unies, du Tribunal international pour le Rwanda, notamment en assurant en permanence la protection du Bureau du Procureur, ainsi que des spécialistes des droits de l'homme, et contribuer également, si besoin est, à assurer la sécurité des organismes humanitaires;

4. Souligne que les restrictions imposées par la résolution 918 (1994) en vertu du Chapitre VII de la Charte des Nations Unies s'appliquent à la vente ou la livraison des armements et des matériels qui y sont spécifiés à des personnes se trouvant dans des États voisins, si ces armements ou ces matériels sont destinés à être utilisés au Rwanda;

5. Demande aux États voisins du Rwanda, de façon à éliminer des facteurs contribuant à la déstabilisation de ce pays, de prendre des mesures pour veiller à ce que ces armements et ces matériels ne soient pas fournis aux camps de réfugiés rwandais se trouvant sur leur territoire;

6. Prie le Secrétaire général de tenir des consultations avec les gouvernements de pays voisins concernant la possibilité de déployer des observateurs militaires des Nations Unies, et de consulter en priorité le Gouvernement zaïrois concernant le déploiement d'observateurs, y compris dans les aérodromes situés dans l'est du Zaïre, afin de contrôler la vente ou la livraison d'armements et de matériels susmentionnés; prie aussi le Secrétaire général de lui faire rapport sur cette question un mois au plus tard après l'adoption de la présente résolution;

7. Prend note de la coopération existant entre le Gouvernement rwandais et la MINUAR aux fins de l'accomplissement de son mandat, et prie instamment le Gouvernement rwandais et la MINUAR de continuer à mettre en oeuvre les accords conclus entre eux, en particulier l'Accord sur le statut de la Mission, en date du 5 novembre 1993, ou tout accord qu'ils pourraient conclure ultérieurement pour remplacer cet Accord en vue de faciliter la mise en oeuvre du nouveau mandat;

8. Rend hommage aux États, aux organismes des Nations Unies et aux organisations non gouvernementales qui ont fourni une aide humanitaire aux réfugiés et aux personnes déplacées qui étaient dans le besoin, les encourage à persévérer et demande au Gouvernement rwandais de continuer à faciliter l'acheminement et la distribution des secours;

9. Demande aux États et aux organismes donateurs d'honorer l'engagement qu'ils ont pris d'apporter une aide au relèvement du Rwanda, d'accroître l'aide qu'ils apportent déjà à cette fin et, en particulier, de favoriser la mise en place à bref délai et le fonctionnement efficace du Tribunal international ainsi que le rétablissement de l'appareil judiciaire rwandais;

(à suivre)

UNAMIR-KIGALI●RWANDA 95-12-08 15:10 2129832589 COMMCEN:# 4

10. Encourage le Secrétaire général et son Représentant spécial à continuer de coordonner les activités des Nations Unies au Rwanda, dont celles des organisations et organismes qui s'occupent de questions humanitaires et de développement, ainsi que celles des spécialistes des droits de l'homme;

11. Prie le Secrétaire général de lui présenter d'ici au 9 août 1995, puis le 9 octobre 1995 au plus tard, un rapport sur la manière dont la MINUAR s'acquitte de son mandat, sur la situation humanitaire au Rwanda et sur les progrès réalisés en ce qui concerne le rapatriement des réfugiés;

12. Décide de rester activement saisi de la question.

Rapport intérimaire du Secrétaire général sur la mission des Nations Unies pour l'assistance au Rwanda (S/1995/457)

Dans son rapport intérimaire sur la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR), le Secrétaire général, indique que le processus de relèvement est engagé au Rwanda et recommande au Conseil de sécurité de proroger le mandat de la MINUAR pour une période de six mois se terminant le 9 décembre 1995. M. Boutros-Ghali estime toutefois que, pendant ces six prochains mois, la Mission doit se voir attribuer de nouvelles fonctions, accomplies comme auparavant dans le plein respect de l'autorité souveraine du Gouvernement rwandais.

Les nouvelles fonctions que devrait désormais assurer la MINUAR amèneraient à recentrer le mandat de la Mission, qui passerait du maintien de la paix à l'instauration de la confiance. La MINUAR serait ainsi chargée de fonctions directement nécessaires au maintien de la présence de l'ONU au Rwanda, à Kigali surtout, aux fins du maintien de la paix, comme la protection des locaux de l'ONU, du personnel du Tribunal international et, le cas échéant, celui des organismes des Nations Unies et des ONG. Elle serait également dotée de fonctions consistant à aider le Gouvernement rwandais à instaurer la confiance et un climat de stabilité favorable au retour des réfugiés et des personnes déplacées. Ces fonctions comprendraient la surveillance assurée par les observateurs militaires et les observateurs de police dans tout le pays en complément de la surveillance du respect des droits de l'homme, ainsi que l'aide à la distribution des secours, la facilitation du retour et de la réinsertion des réfugiés dans les villes et les communes, la fourniture d'aide et de services spécialisés en matière de génie civil, de logistique, d'action médico-sanitaire et de déminage et le stationnement dans certaines provinces d'une petite réserve de soldats exercés.

(à suivre)

UNAMIR-KIGALI●RWANDA 95-6-12 ; 15:11 ; →21298325981 COMMCEN:# 5

Le Secrétaire général estime que pour assumer de telles fonctions, la MINUAR aurait besoin d'environ 2 330 soldats formés, de 320 observateurs militaires et de 65 policiers civils, soit, précise-t-il, une réduction substantielle de l'effectif autorisé, qui est actuellement de 5 500 soldats, 320 observateurs militaires et 120 policiers civils.

Le Secrétaire général juge qu'il faut intensifier l'aide internationale si l'on veut que les institutions du Rwanda aient quelque chance de se relever. Il faut trouver comment corriger des procédures qui ont retardé le déblocage de l'aide, afin de résoudre les cas qui appellent une attention immédiate, observe-t-il. M. Boutros-Ghali indique qu'il a l'intention de nommer un envoyé spécial pour consulter les pays concernés et l'OUA à propos de la préparation et de la tenue à une date aussi rapprochée que possible d'une conférence régionale sur la sécurité, la stabilité et le développement.

S'agissant des événements tragiques du camp de réfugiés de Kibeho, le 22 avril dernier, au cours desquels un grand nombre des 80 000 personnes déplacées qui s'y trouvaient ont péri sous le feu des forces gouvernementales, ont été piétinées ou écrasées lors de la panique qui a suivi ou ont été tuées par des extrémistes, le Secrétaire général a indiqué que son Envoyé spécial à Kigali, M. Aldo Ajello, avait obtenu l'assurance du Gouvernement rwandais de collaborer pleinement avec la Commission d'enquête. Il a également obtenu, écrit M. Boutros-Ghali, que les organisations humanitaires bénéficient d'une pleine coopération pour la distribution de l'aide humanitaire dans les communes. Cet engagement a été honoré et par voie de conséquence un grand nombre de personnes déplacées sont maintenant en train de se réinstaller dans leurs communes, précise-t-il, constatant que les quelque 2 500 qui étaient restées à Kibeho sont également rentrées chez elles, après trois semaines d'efforts concertés de la MINUAR et du Gouvernement rwandais pour les en persuader.

Déclaration

M. LUKABU KHABOUJI N'ZAJI (Zaïre) a indiqué que le Zaïre accueille favorablement la modification du mandat de la MINUAR et espère que celle-ci pèsera de tout son poids pour que les objectifs qui y sont mentionnés soient atteints. Il appelle en outre de tous ses voeux à la réalisation rapide de l'alinéa a du paragraphe 3 du texte, qui engage la MINUAR à user de ses bons offices pour faciliter la réconciliation nationale dans le cadre de l'accord de paix. Le Zaïre souhaite également que l'objectif visé à l'alinéa b du paragraphe 3 sur le retour des réfugiés soit atteint dans les meilleurs délais.

(à suivre)

UNAMIR-KIGALI●RWANDA 95- 6-12 ; 15:11 ; 2129632591→ COMMCEN;# 6

Le Zaïre souhaite un calendrier précis sur le rapatriement rapide des réfugiés rwandais vivant dans les camps situés sur son territoire. Ce pays, qui a supporté le gros du fardeau de la crise rwandaise, est à bout de force, et fait appel à la communauté internationale pour aider le Rwanda à accueillir la moitié de sa population qui se trouve sur le territoire zaïrois. A cet égard, les autorités rwandaises doivent s'attacher à assurer rapidement des conditions de sécurité appropriées en vue de permettre le retour rapide de ses réfugiés.

Le représentant a réaffirmé que le Zaïre n'est ni producteur, ni marchand d'armes, et s'est élevé contre les accusations fantaisistes portées à son encontre. Il a renouvelé la demande de son Ministre des affaires étrangères de voir une commission indépendante d'enquête instituée afin d'établir la vérité sur les prétendus mouvements d'armes à travers la frontière zaïroise. Le Zaïre s'étonne à ce propos de la myopie qui frappe le Conseil et estime que la communauté internationale gagnerait à disposer de toutes les informations pertinentes sur cette affaire. De son côté, le Zaïre prend l'engagement de participer activement aux consultations prévues avec le Secrétaire général, et fera connaître ses vues sur la façon dont les observateurs pourront être déployés le long de la frontière. Le représentant a souhaité que le Conseil, à son prochain examen de la question, établisse un calendrier précis sur le rapatriement des réfugiés.

Explications de vote

M. ISAAC E. AYEWAH (Nigéria) a noté avec inquiétude les observations faites par le Secrétaire général dans son rapport selon lesquelles certains développements négatifs ont freiné le processus de réconciliation nationale, parmi lesquels, l'absence d'un système judiciaire efficace, les arrestations arbitraires et les tensions relatives au droit à la propriété ainsi que les prisons qui sont surchargées. Le problème le plus important demeure la militarisation de certains camps à l'extérieur du Rwanda et l'accumulation d'armes à l'intérieur de ces camps, liées au phénomène connexe d'infiltration armée transfrontière de ces camps à l'intérieur du Rwanda. Toutefois, a-t-il estimé, il ne fait aucun doute que la MINUAR a contribué à instaurer une atmosphère de sécurité et de confiance à travers le pays.

Le représentant a indiqué que sa délégation renouvelait son appel à la communauté internationale pour qu'elle aide financièrement le Gouvernement rwandais. Le Nigéria, a-t-il affirmé, qui appuie la prorogation du mandat de la MINUAR jusqu'au 8 décembre 1995, se prononcera en faveur du projet de résolution.

(A suivre)

M. NUGROHO WISNUMURTI (Indonésie) a estimé que la MINUAR avait joué un rôle significatif en vue d'assurer la stabilité actuelle dans le pays. Il a jugé impératif que le Gouvernement du Rwanda maintienne cette stabilité afin d'établir une paix juste et durable. L'Indonésie se félicite à cet égard du fait que le Gouvernement rwandais ait pris la responsabilité d'assurer la sécurité de ses citoyens, tâche fondamentale d'un Etat souverain. Elle a ainsi appuyé la demande faite par le Gouvernement rwandais de réduire de manière substantielle la composante militaire de la MINUAR. L'Indonésie se félicite de l'accord entre le Gouvernement du Rwanda et les Nations Unies sur la réduction du niveau de la force.

Il est indispensable de déployer des efforts en vue d'améliorer la sécurité au Rwanda, ce qui aurait une influence positive sur le retour des réfugiés. Ces efforts ne seraient toutefois pas couronnés de succès si la fourniture d'armes et de matériel aux éléments du gouvernement précédent reste impunie. La solution de ce problème nécessite une coopération non seulement entre le Gouvernement du Rwanda et la MINUAR, mais aussi celle des pays voisins. Une approche régionale en vue de résoudre ce problème serait ainsi la bienvenue.

M. D.C.M. NKGOWE (Bostwana) s'est félicité de la détermination manifestée par le Gouvernement et le peuple rwandais pour reconstruire le pays. Il reste toutefois de nombreux défis à relever, notamment pour instaurer un système judiciaire efficace. A cet égard, le Bostwana félicite le Gouvernement rwandais d'avoir décidé de présenter une liste de douze candidats aux postes de juges de haut rang. Cette mesure est importante pour rétablir le système judiciaire rwandais, crucial pour le processus de réconciliation nationale. Le représentant a souligné que le retour de l'ordre aurait un effet psychologique positif sur la population rwandaise et les réfugiés installés dans les pays voisins. La reconstruction rapide du système judiciaire permettrait également de juger, sans tarder, les suspects enfermés dans les prisons surchargées.

Le Bostwana ne doute pas que le Gouvernement rwandais dispose de l'autorité voulue pour assurer la protection de ses ressortissants. En conséquence, il apparaît opportun que le Conseil de sécurité révise le mandat de la MINUAR. Le Bostwana appuie la réduction de la force, comme l'a souhaité le Gouvernement rwandais.

La MINUAR a fortement contribué à la création d'un climat de paix et continuera de jouer un rôle important dans l'oeuvre difficile de reconstruction. L'adaptation de son mandat n'est pas le signe d'un échec de la MINUAR, mais signifie plutôt que des changements qualitatifs se sont produits, qui exigent une réduction quantitative du personnel de la MINUAR.

(à suivre)

UNAMIR-KIGALI●RWANDA 95-12-08 ; 15:12 ; 21298325 91→ COMMCEN:# 08

Le représentant a par ailleurs souligné que la réconciliation nationale demeure le plus grand défi. Il existe deux millions de réfugiés rwandais dans les camps de Tanzanie et du Zaïre. Il ne sera pas possible d'établir une paix durable tant que de si nombreuses personnes se trouveront dans ces camps de réfugiés, et la communauté internationale a l'obligation morale de fournir une aide matérielle ou autre pour contribuer à ce processus. Le rapatriement exigera des ressources importantes que le Gouvernement rwandais ne saurait assurer à lui seul.

M. JULIO RENDON BARNICA (Honduras) a indiqué que son pays appuyait la recommandation du Secrétaire général en faveur de la prorogation du mandat de la MINUAR jusqu'au 8 décembre 1995 et qu'il adopterait le projet de résolution. Il a constaté que la présence de la MINUAR demeure un facteur qui contribue à instaurer la confiance et la sécurité au Rwanda.

M. Barnica a déclaré que la situation avait changé au Rwanda et que les données n'étaient plus les mêmes qu'il y a un an. Selon M. Barnica, le peuple rwandais a besoin de justice, les victimes et leurs familles attendent que l'on juge les responsables du massacre de l'an dernier. Si celles-ci n'obtiennent pas justice, la prolongation du cycle de violence est à craindre, a-t-il affirmé, précisant qu'il convenait de réparer l'appareil judiciaire national. Il a noté que les pays voisins avait un rôle à jouer pour rétablir la justice au Rwanda. Le représentant a regretté la lenteur de l'assistance économique au Rwanda. Le Rwanda n'a pas besoin d'une assistance internationale au compte-gouttes, a-t-il souligné.

M. QIN HUASUN (Chine) a déclaré que la pratique des opérations de la paix des Nations Unies a montré au fil des années que celles-ci ne pouvaient réussir que dans le cas où elles suivaient à la lettre les objectifs et les principes de la Charte des Nations Unies ainsi que les principes qui ont déjà prouvé leur efficacité au cours de l'histoire. Ces principes, a-t-il ajouté, incluent principalement le respect de la souveraineté des pays concernés, la non-ingérence dans leurs affaires intérieures, le non-recours à la force sauf en cas de légitime défense, la stricte neutralité sans intervention dans leurs différends et conflits internes. Toute opération qui s'écarterait de ces principes connaîtra des échecs, a-t-il observé.

M. Huasun a estimé que la situation au Rwanda se normalisait, précisant que le pays s'était désormais mis dans la voie de la reconstruction. Le Rwanda, a-t-il toutefois noté, reste confronté à certaines difficultés, comme le rapatriement des réfugiés et des personnes déplacées ou l'afflux des armes à l'intérieur du pays. Le représentant a indiqué que son pays voterait en faveur du projet de résolution et a souhaité que son adoption contribue à promouvoir la paix et la stabilité au Rwanda et à aider le peuple rwandais à achever la tâche de réconciliation nationale.

(à suivre)

M. STEPHEN GOMERSALL (Royaume-Uni) s'est félicité de l'adoption de la résolution qui proroge le mandat de la MINUAR jusqu'au 8 décembre 1995. Il s'est également félicité du résultat des discussions qui ont eu lieu entre le Gouvernement rwandais et les Nations Unies qui permettront à la MINUAR de s'assurer qu'elle dispose des moyens militaires que le Commandant de la Force juge nécessaires pour mener à bien le mandat.

M. Gomersall a estimé que tous les pays de la région devaient poursuivre leurs efforts afin de maintenir l'embargo sur les armes et d'empêcher les activités visant à déstabiliser le Rwanda. Le représentant a également observé que la MINUAR constitue un élément essentiel de la plate-forme sans laquelle aucun progrès ne pourra être réalisé. Toutefois, a-t-il ajouté, beaucoup doit encore être fait en commun avec le Gouvernement rwandais et la communauté internationale afin de développer un climat qui permette aux réfugiés et aux personnes déplacées de retourner chez eux en toute sécurité.

M. FRANCESCO PAOLO FULCI (Italie) s'est félicité de l'adoption de la résolution présentée au Conseil, qui marque le début d'une étape nouvelle de coopération entre les Nations Unies et le Rwanda, caractérisée par l'unité des intentions et des objectifs. L'Italie est satisfaite de l'esprit de compromis et de souplesse qui a régné au cours des consultations de ces derniers jours, qui a permis de lancer une phase nouvelle au Rwanda. Toutes les conditions semblent maintenant réunies pour que le Rwanda soit ajouté à la liste des opérations réussies de l'Organisation, comme en El Salvador et en Haïti. La résolution adoptée, a-t-il noté, permet d'effectuer des ajustements réalistes au mandat de la MINUAR, compte tenu des conditions actuelles du pays et des signes nombreux qui attestent du retour progressif à la normale au Rwanda.

L'Italie estime indispensable de relancer le système judiciaire international, et estime que le Tribunal international doit commencer à fonctionner sans tarder. Il convient en outre de trouver une solution définitive au problème des réfugiés. L'Italie est reconnaissante à cet égard au Zaïre et aux autres pays voisins d'avoir assuré une part considérable du fardeau que constitue les réfugiés. Elle appuie en outre l'appel contenu dans la résolution en vue de convoquer une conférence régionale sur la sécurité et la stabilité dans la région des Grands Lacs. Cette réunion devrait voir l'adoption de mesures élargies d'instauration de la confiance, qui permettraient d'établir la sécurité dans la région tout entière.

Mme MADELEINE ALBRIGHT (Etats-Unis) a appuyé fermement les efforts déployés par le Rwanda en vue d'instaurer une société pacifique, juste et ouverte. Notre objectif, aujourd'hui, est d'ouvrir un nouveau chapitre pour cette terre troublée, au cours duquel le Gouvernement rwandais et la communauté internationale travailleront ensemble en vue de promouvoir la justice pour les victimes du génocide et de placer le peuple rwandais sur la voie d'un avenir meilleur.

(à suivre)

UNAMIR-KIGALI●RWANDA 95-6-12 ; 15:14 ; 21290325 91→ COMMCEN:#10

Les efforts déployés en vue d'atteindre ces objectifs ne sauraient être couronnés de succès sans la coopération unique entre la communauté internationale et le Gouvernement du Rwanda. La MINUAR continue de jouer un rôle crucial dans ces efforts, notamment afin d'aider le Gouvernement rwandais à préparer le pays au rapatriement volontaire et sûr de ses réfugiés. Les centaines de milliers de réfugiés et de personnes déplacées constituent une tragédie humaine et contribuent aux tensions dans la région.

Des rapports indiquent que des camps et des base sont utilisés pour le recrutement et l'entraînement militaires, ainsi que pour effectuer des incursions à l'intérieur du Rwanda. Ce risque doit être examiné, et les Etats-Unis se félicitent que la résolution demande au Secrétaire général, en coopération avec le Gouvernement du Rwanda et d'autres gouvernements de la région, de faire une enquête sur ces courants d'armes qui affectent le Rwanda. Les Etats-Unis se félicitent que la MINUAR aura pour mandat d'assurer la sécurité du personnel du Tribunal international, car la justice est un élément essentiel de la réconciliation, et les enquêteurs, procureurs et juges du Tribunal ont besoin d'une protection impartiale.

M. MOHAMMED ABDULLAH SALIN AL-SAMEEN (Oman), soulignant qu'il y a un an depuis la tragédie du Rwanda, s'est félicité du retour progressif à la stabilité dans ce pays. Il a dénoncé les raids militaires effectués par des éléments des milices de l'ancien régime, se déclarant inquiet du fait que celles-ci possèdent encore des armes.

La MINUAR a assumé dans des conditions souvent difficiles un rôle prépondérant pour alléger les souffrances. La force a contribué à restaurer la confiance. La présence de la MINUAR permet de créer des conditions propices au retour des réfugiés, ainsi qu'à la reconstruction nationale. Le représentant a affirmé que, pour toutes ces raisons, sa délégation avait voté en faveur de la résolution.

M. SERGEY V. LAVROV (Fédération de Russie) a espéré que les autorités rwandaises parviendront à mettre fin aux problèmes nés de la guerre civile et favoriseront le retour des réfugiés rwandais à leur lieu d'origine. Il s'est félicité à cet égard de l'adaptation du mandat de la MINUAR, qui, a-t-il espéré, permettra de favoriser le retour à la réconciliation nationale dans le pays. Le représentant a souligné que son pays est particulièrement attentif à la situation au Rwanda, et que la MINUAR compte des observateurs militaires russes. Il s'est inquiété de la persistance de la militarisation dans certains camps, et s'est félicité de l'action utile du Haut Commissariat pour les réfugiés, qui a su faire régner l'ordre dans les camps proches du Rwanda. Il a espéré que les pays voisins du Rwanda prendront toutes les mesures voulues pour mettre fin aux fournitures illégales d'armes, ce qui contribuera beaucoup au maintien de la stabilité dans la région.

(à suivre)

M. JEAN-BERNARD MERIMEE (France) a rappelé que sa délégation s'est prononcée en faveur de la résolution 997 qui maintient une présence des Nations Unies au Rwanda. Le Gouvernement rwandais a demandé que les Nations Unies tirent les conclusions de l'évolution de la situation et que l'opération des Nations Unies déployée au Rwanda ne se voit plus confier de tâches de maintien de la paix proprement dites. La MINUAR, ainsi reconfigurée, aura pour tâche principale d'apporter son assistance au Gouvernement rwandais, notamment pour ce qui constitue la question essentielle et prioritaire : le retour et la réintégration des réfugiés dans leur communauté. La France espère que le Gouvernement rwandais continuera de faire tous les efforts possibles pour en favoriser la reprise, et est certaine que, sur la base des efforts ainsi entrepris, la communauté internationale continuera d'apporter son assistance au peuple rwandais.

M. Mérimée a estimé que la question des réfugiés ne saurait être résolue dans un cadre exclusivement national. C'est la raison pour laquelle la France continue d'appeler de ses voeux l'organisation d'une conférence sur la paix, la sécurité et la stabilité afin que les problèmes que rencontrent les pays de la région des Grands Lacs puissent être résolus dans un cadre régional. La confiance au Rwanda ne saurait être restaurée s'il n'est pas mis un frein à la contrebande d'armes qui alimente les tensions dans la région. La clarification du régime de l'embargo imposé par la résolution 918, l'éventuel déploiement d'observateurs militaires dans les pays voisins dont la tâche sera de surveiller l'application de cet embargo sont autant de mesures allant en ce sens.

Mme MARIA FERNANDA CANAS (Argentine) a estimé que le retour volontaire des réfugiés au Rwanda est un élément indispensable pour la réconciliation et la reconstruction de ce pays. L'Argentine appuie pleinement la réorientation du mandat de la MINUAR, a-t-elle affirmé. Elle a demandé aux Etats voisins de prendre des mesures afin qu'ils mettent fin aux activités extérieures de déstabilisation du Rwanda et empêchent les fournitures et ventes d'armes. Il convient également, a-t-elle ajouté, de fournir des ressources au Rwanda, lesquelles permettront de rétablir la confiance dans ce pays et contribueront au retour des réfugiés.

M. DUSAN ROVENSKY (République tchèque) a souligné que l'amélioration de la situation au Rwanda est due aux efforts importants déployés par le Gouvernement rwandais, avec l'aide d'autres membres de l'OUA et de la communauté internationale en général. Beaucoup reste toutefois à faire avant que le Rwanda ne revienne à la normale et qu'une réconciliation nationale véritable ne prenne place. Cette dernière exige que soit créé un climat de stabilité, de tolérance et de confiance qui encouragera les deux millions de réfugiés et de personnes déplacées à rentrer dans leurs foyers. La création d'un climat favorable au retour des réfugiés est la responsabilité première du Gouvernement rwandais, qui doit tout faire pour prévenir les violences contre les réfugiés retournant chez eux, et, lorsque cela est nécessaire, châtier les responsables conformément à la loi.

(A suivre)

La République tchèque considère en outre qu'il importe de mettre sur pied, le plus vite possible, un système judiciaire national efficace et de rendre opérationnel le Tribunal international sur le Rwanda. Un autre élément de stabilité est la situation économique du pays. Le Rwanda ne saurait faire face seul au problème de sa reconstruction économique, et il s'avère donc indispensable d'accélérer l'exécution de l'assistance économique promise, qui contribuera à sa reprise économique à court terme. Sur le long terme, la solution aux problèmes du Rwanda passe par une approche sous-régionale. La République tchèque se félicite à cet égard de l'intention du Secrétaire général de convoquer une conférence internationale sur la sécurité, la stabilité et le développement dans la région des Grands Lacs.

M. MANZI BAKURAMUTSA (Rwanda) a déclaré que le Rwanda, il y a dix mois, était un pays détruit, avec un huitième de sa population décimée par un génocide aveugle prôné et planifié par le Gouvernement de l'époque. Il a ajouté que le Gouvernement rwandais reconnaissait avec le Secrétaire Général la nécessité de revoir le mandat de la MINUAR. La situation a évolué, le mandat actuel est dépassé, a-t-il expliqué. Le Gouvernement voudrait assurer la paix et instaurer la confiance entre les Rwandais sans aucun intermédiaire, a-t-il indiqué, ajoutant que tant qu'il y aura un intermédiaire cette confiance ne pourra jamais s'établir pleinement. Il est nécessaire de favoriser les contacts directs entre la population et son Gouvernement, a-t-il précisé.

Le Rwanda est convaincu que si la MINUAR a un mandat clair, réaliste et réalisable, la collaboration sera parfaite entre le APR et la MINUAR, a-t-il estimé. M. Bakuramutsa a mis l'accent sur l'insécurité qui règne dans le camp des réfugiés qui menace la paix dans le pays et dans les pays voisins, ainsi que sur l'embargo d'armes imposé au Gouvernement rwandais qui facilite les criminels de l'ancien Gouvernement qui ont planifié le génocide de l'an dernier au Rwanda. Il est regrettable que le nouveau Gouvernement d'unité nationale demeure l'unique victime de cet embargo puisqu'il est difficilement applicable au point de vue technique, étant donné que l'ancien régime ne représente aucune entité politique visible.

M. DETLEV GRAF ZU RANTZAU (Allemagne) a indiqué que son pays s'était prononcé en faveur de la résolution prorogeant de six mois le mandat de la MINUAR. Il a estimé que la MINUAR avait besoin d'une base solide pour accomplir son travail. Cette base, a-t-il précisé, lui est offerte par la résolution adoptée aujourd'hui. Il a affirmé qu'avec le retour des réfugiés dans leur pays, la réalisation de la justice est l'une des conditions indispensables à la réconciliation nationale au Rwanda. Ceux qui se sont rendus coupables de génocide doivent être traduits devant un tribunal, a-t-il déclaré, tout en soulignant que le Rwanda a besoin dans ce domaine d'une assistance substantielle.

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UNAMIR-KIGALI●RWANDA 95-12-12 15:15 2129863259→ COMMCEN:#13

UNITED NATIONS

95 JUN -9 20 : 30 UNAMIR

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To: M. Ismael Diallo, Porte-parole,
MINUAR, Kigali
Fax # 3-3090

From: Lucrèce

Subject: Projet de résolution révisé (en français seulement) sur la situation au Rwanda

MESSAGE:

Cher Ismael,

Je t'envoie la version révisée en français seulement, car les Anglais n'ont pas changé le leur parce que c'était des révisions orales. Donc tu peux utiliser la version anglaise que Jocelyne t'avait envoyée ce matin.

Tu auras les communiqués de presse en français et en anglais un peu plus tard.

Bon Week-end

Lucrèce

Texte du projet de résolution (S/1995/465)

Le Conseil de sécurité,

Rappelant toutes ses résolutions précédentes sur la situation au Rwanda, en particulier sa résolution 872 (1993) du 5 octobre 1993, par laquelle il a créé la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR), et ses résolutions 912 (1994) du 21 avril 1994, 918 (1994) du 17 mai 1994, 925 (1994) du 8 juin 1994 et 965 (1994) du 30 novembre 1994, qui énoncent le mandat de la MINUAR,

Ayant examiné le rapport du Secrétaire général sur la MINUAR en date du 4 juin 1995 (S/1995/457),

Rappelant aussi sa résolution 955 (1994) du 8 novembre 1994, portant création du Tribunal international pour le Rwanda, et sa résolution 978 (1995) du 27 février 1995, concernant la nécessité d'arrêter les personnes soupçonnées de certains crimes au Rwanda,

Soulignant qu'il importe de parvenir à une réconciliation authentique de tous les membres de la société rwandaise dans le cadre de l'Accord de paix d'Arusha,

Prenant note avec une vive préoccupation d'informations selon lesquelles des éléments de l'ancien régime mèneraient des préparatifs militaires et feraient des incursions de plus en plus fréquentes au Rwanda et soulignant la nécessité de prendre des mesures efficaces pour que les Rwandais se trouvant actuellement dans des pays voisins, y compris ceux qui sont dans des camps, n'entreprennent pas d'activités militaires destinées à déstabiliser le Rwanda et ne reçoivent pas d'armements, étant donné qu'il est fort probable que ces armements seraient destinés à être utilisés au Rwanda,

Soulignant que des efforts accrus sont indispensables pour aider le Gouvernement rwandais à instaurer un climat de stabilité et de confiance propre à faciliter le retour des réfugiés rwandais se trouvant dans des pays voisins,

Soulignant aussi qu'il est nécessaire d'accélérer le versement de l'aide internationale pour le relèvement et la reconstruction du Rwanda,

Demandant de nouveau à tous les États d'appliquer les recommandations adoptées par la Conférence régionale sur l'assistance aux réfugiés, rapatriés et personnes déplacées dans la région des Grands Lacs, tenue à Bujumbura en février 1995,

(à suivre)

Mesurant l'utilité du concours que les spécialistes des droits de l'homme déployés au Rwanda par le Haut Commissaire aux droits de l'homme ont apporté en vue de l'amélioration de la situation générale,

Considérant qu'il incombe au Gouvernement rwandais d'assurer la protection et la sécurité de l'ensemble du personnel de la MINUAR et des autres membres du personnel international servant au Rwanda,

Réaffirmant qu'il est nécessaire de régler à long terme les problèmes de réfugiés et problèmes connexes dans les États des Grands Lacs et notant avec satisfaction, par conséquent, que le Secrétaire général a l'intention de nommer un Envoyé spécial chargé de procéder à des consultations concernant la préparation et la convocation, dans les plus brefs délais, de la Conférence régionale sur la sécurité, la stabilité et le développement,

1. Décide de proroger le mandat de la MINUAR jusqu'au 8 décembre 1995 et autorise une réduction des effectifs, qui seront ramenés à 2 330 soldats trois mois après l'adoption de la présente résolution et à 1 800 soldats un mois plus tard;

2. Décide de maintenir à son niveau actuel l'effectif des observateurs militaires et du personnel de la police civile;

3. Décide, compte tenu de la situation actuelle au Rwanda, de modifier le mandat de la MINUAR en lui assignant les fonctions suivantes :

a) User de ses bons offices pour faciliter la réconciliation nationale dans le cadre de l'Accord de paix d'Arusha;

b) Aider le Gouvernement rwandais à faciliter le retour librement consenti des réfugiés, en toute sécurité, ainsi que leur réinsertion dans leur milieu d'origine, et, à cette fin, appuyer les efforts faits par le Gouvernement rwandais pour instaurer un climat de stabilité et de confiance, grâce à des activités de surveillance menées dans l'ensemble du pays par des observateurs militaires et des observateurs de police;

c) Faciliter l'aide humanitaire, ainsi que la fourniture d'une assistance et de services spécialisés en matière de génie civil, de logistique, de santé publique et de déminage;

d) Aider à l'instruction d'une force de police nationale;

(à suivre)

e) Contribuer à assurer la sécurité, au Rwanda, du personnel et des locaux des organismes des Nations Unies, du Tribunal international pour le Rwanda, notamment en assurant en permanence la protection du Bureau du Procureur, ainsi que des spécialistes des droits de l'homme, et contribuer également, si besoin est, à assurer la sécurité des organismes humanitaires;

4. Souligne que les restrictions imposées par la résolution 918 (1994) en vertu du Chapitre VII de la Charte des Nations Unies s'appliquent à la vente ou la livraison des armements et des matériels qui y sont spécifiés à des personnes se trouvant dans des États voisins, si ces armements ou ces matériels sont destinés à être utilisés au Rwanda;

5. Demande aux États voisins du Rwanda, de façon à éliminer des facteurs contribuant à la déstabilisation de ce pays, de prendre des mesures pour veiller à ce que ces armements et ces matériels ne soient pas fournis aux camps de réfugiés rwandais se trouvant sur leur territoire;

6. Prie le Secrétaire général de tenir des consultations avec les gouvernements de pays voisins concernant la possibilité de déployer des observateurs militaires des Nations Unies, et de consulter en priorité le Gouvernement zaïrois concernant le déploiement d'observateurs, y compris dans les aérodromes situés dans l'est du Zaïre, afin de contrôler la vente ou la livraison d'armements et de matériels susmentionnés; prie aussi le Secrétaire général de lui faire rapport sur cette question un mois au plus tard après l'adoption de la présente résolution;

7. Prend note de la coopération existant entre le Gouvernement rwandais et la MINUAR aux fins de l'accomplissement de son mandat, et prie instamment le Gouvernement rwandais et la MINUAR de continuer à mettre en oeuvre les accords conclus entre eux, en particulier l'Accord sur le statut de la Mission, en date du 5 novembre 1993, ou tout accord qu'ils pourraient conclure ultérieurement pour remplacer cet Accord en vue de faciliter la mise en oeuvre du nouveau mandat;

8. Rend hommage aux États, aux organismes des Nations Unies et aux organisations non gouvernementales qui ont fourni une aide humanitaire aux réfugiés et aux personnes déplacées qui étaient dans le besoin, les encourage à persévérer et demande au Gouvernement rwandais de continuer à faciliter l'acheminement et la distribution des secours;

9. Demande aux États et aux organismes donateurs d'honorer l'engagement qu'ils ont pris d'apporter une aide au relèvement du Rwanda, d'accroître l'aide qu'ils apportent déjà à cette fin et, en particulier, de favoriser la mise en place à bref délai et le fonctionnement efficace du Tribunal international ainsi que le rétablissement de l'appareil judiciaire rwandais;

(à suivre)

10. Encourage le Secrétaire général et son Représentant spécial à continuer de coordonner les activités des Nations Unies au Rwanda, dont celles des organisations et organismes qui s'occupent de questions humanitaires et de développement, ainsi que celles des spécialistes des droits de l'homme;

11. Prie le Secrétaire général de lui présenter d'ici au 9 août 1995, puis le 9 octobre 1995 au plus tard, un rapport sur la manière dont la MINUAR s'acquitte de son mandat, sur la situation humanitaire au Rwanda et sur les progrès réalisés en ce qui concerne le rapatriement des réfugiés;

12. Décide de rester activement saisi de la question.

OUTGOING FACSIMILE

DATE: 9 June 1995

TO: Mr. Wilfrid De Souza UNAMIR Kigali, Rwanda	FROM: FTBP Florence Barrillon-Pomés Africa Division II, DPA New York
FAX NUMBER: 3-3090	FAX NUMBER: 212-963-4037
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As promised.

Regards

FTBP

FBT

2/5

Note for the file

On 8 and 9 June 1995, the Security Council met in informal consultations to further discuss a draft resolution on the mandate of UNAMIR. The draft resolution had been put into blue text in the late evening of 8 June 1995. A day later, the debate had been re-opened at the request of Rwanda.

Rwanda had proposed further amendments in order to clarify some confusions within the text of the draft resolution, particularly with regard to operative paragraph 3 (d) and 7. The US made suggestions for change in paragraph 6. The Russian Federation slightly amended paragraphs 5 and 6 (see final text of the draft resolution attached).

At the proposal of the President, the Security Council agreed to bring that resolution immediately to a formal meeting of the Council. The Council agreed that the amendments to the blue text be presented orally by the President.

In the formal meeting of the Security Council, the draft resolution was adopted unanimously as resolution 997 (1995) of 9 June 1995. Explanations of the vote before the vote were made by Nigeria, Indonesia, Botswana, Honduras and China. Statements following the vote were made by the UK, Italy, the US, Oman, the Russian Federation, France, Argentina, the Czech Republic, Rwanda, and Germany.

Rwanda expressed its satisfaction that UNAMIR finally had a mandate based on the reality in Rwanda. It thanked the Secretary-General, the SRSG and the Force Commander of UNAMIR for their work and cooperation with the Government of Rwanda. Two proposals were made for further action by the Security Council:

(a) Because of the insecurity in the refugee camps and its implications for peace and stability in the area, Rwanda requested the Secretary-General to report to the Security Council on the situation in the refugee camps. Rwanda suggested that an international commission be formed to look into the matter. It requested non-governmental organizations and the media (journalists) to comment on the situation and to support the commission once established.

(b) Since the arms embargo was still maintained, Rwanda felt that it remained its sole victim. Rwanda doubted that it would affect the real criminals which were allowed to arm itself with impunity. Rwanda expressed the view that it was difficult to implement the arms embargo at persons in the camps or at the camps as a whole. Rwanda, therefore, requested that the Security Council review its resolution 918 (1994) of 17 May 1994.

D. Wilke, 9 June 1995

UNITED NATIONS

RES 997 (1995) **S** 3/5

Security Council

PROVISIONAL

S/1995/465
8 June 1995

ORIGINAL: ENGLISH

(Amendments made orally by President SC in formal meeting !! 1.-S.)

(9)

Draft resolution

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR), and its resolutions 912 (1994) of 21 April 1994, 918 (1994) of 17 May 1994, 925 (1994) of 8 June 1994, and 965 (1994) of 30 November 1994, which set out the mandate of UNAMIR,

Having considered the report of the Secretary-General on UNAMIR dated 4 June 1995 (S/1995/457),

Recalling also its resolution 955 (1994) of 8 November 1994 establishing the International Tribunal for Rwanda, and its resolution 978 (1995) of 27 February 1995, concerning the necessity for the arrest of persons suspected of certain offenses in Rwanda,

Stressing the importance of achieving genuine reconciliation among all members of Rwandan society within the frame of reference of the Arusha Peace Agreement,

Noting with great concern reports of military preparations and increasing incursions into Rwanda by elements of the former regime and underlining the need for effective measures to ensure that Rwandan nationals currently in neighbouring countries, including those in camps, do not undertake military activities aimed at destabilizing Rwanda or receive arms supplies, in view of the great likelihood that such arms are intended for use within Rwanda,

Underlining the need for increased efforts to assist the Government of Rwanda in the promotion of a climate of stability and trust in order to facilitate the return of Rwandan refugees in neighbouring countries,

Emphasizing the necessity for the accelerated disbursement of international assistance for the rehabilitation and reconstruction of Rwanda,

Calling again upon all States to act in accordance with recommendations adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held in Bujumbura in February 1995,

Recognizing the valuable contribution that the human rights officers deployed by the High Commissioner for Human Rights to Rwanda have made towards the improvement of the overall situation,

Acknowledging the responsibility of the Government of Rwanda for the safety and security of all UNAMIR personnel and other international staff serving in the country,

Reaffirming the need for a long-term solution to the refugee and related problems in the Great Lakes States, and welcoming, therefore, the intention of the Secretary-General to appoint a special envoy to carry out consultations on the preparation and convening, at the earliest possible time, of the regional Conference on Security, Stability and Development,

1. Decides to extend the mandate of UNAMIR until 8 December 1995 and authorizes a reduction of the force level to 2,330 troops within three months of the adoption of this resolution and to 1,800 troops within four months;

2. Decides to maintain the current level of military observers and civilian police personnel;

3. Decides, in the light of the current situation in Rwanda, to adjust the mandate of UNAMIR so that UNAMIR will:

(a) Exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;

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

(c) Support the provision of humanitarian aid, and of assistance and expertise in engineering, logistics, medical care and demining;

(d) Assist in the training of a national police force; ~~[illegible] as the Government of Rwanda has entered into bilateral arrangements for the establishment of other training programmes;~~

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

4. Affirms that the restrictions imposed under Chapter VII of the Charter of the United Nations by resolution 918 (1994) apply to the sale or supply of

arms and matériel specified therein to persons in the States neighbouring Rwanda, if that sale or supply is for the purpose of the use of such arms or matériel within Rwanda;

5. Calls upon the States neighbouring Rwanda to take steps, with the aim of putting an end to factors contributing to the destabilization of Rwanda, to ensure that arms and matériel are not transferred to Rwandan camps within their territories; (2) such

6. Requests the Secretary-General to consult the Governments of neighbouring countries on the possibility of the deployment of United Nations military observers, and to consult, as a matter of priority, the Government of Zaire on the deployment of observers including in the airfields located in Eastern Zaire, in order to monitor the sale or supply of arms and ~~related~~ matériel ~~to Rwanda~~; and further requests the Secretary-General to report to the Council on the matter within one month of the adoption of this resolution; (3) referred to above

7. Takes note of the cooperation existing between the Government of Rwanda and UNAMIR in the implementation of its mandate and urges the Government of Rwanda and UNAMIR to continue to implement the agreements made between them, in particular the Status of Mission Agreement of 5 November 1993 or any subsequent agreement concluded to replace that agreement in order to facilitate the implementation of the new mandate. (5)

8. Commends the efforts of States, United Nations agencies and non-governmental organizations which have provided humanitarian assistance to refugees and displaced persons in need, encourages them to continue such assistance, and calls upon the Government of Rwanda to continue to facilitate their delivery and distribution;

9. Calls upon States and donor agencies to fulfil their earlier commitments to give assistance for Rwanda's rehabilitation efforts, to increase such assistance, and in particular to support the early and effective functioning of the International Tribunal and the rehabilitation of the Rwandan judicial system;

10. Encourages the Secretary-General and his Special Representative to continue to coordinate the activities of the United Nations in Rwanda including those of the organizations and agencies active in the humanitarian and developmental field, and of the human rights officers;

11. Requests the Secretary-General to report to the Council by 9 August 1995 and 9 October 1995 on the discharge by UNAMIR of its mandate, the humanitarian situation and progress towards repatriation of refugees;

12. Decides to remain actively seized of the matter.

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR-MINUAR

Bureau du Porte-parole

INAMA ISHINZWE UMUTEKANO Y'UMURYANGO W'ABIBUMBYE YAHAYE MINUAR MANDA NSHYA IVUGURUWE KUGEZA KU ITARIKI 8 UKUBOZA MURI UYU MWAKA 1995

Inama ishinzwe umutekano y'umuryango w'abibumbye yahaye MINUAR manda nshya izageza kw' itariki 8 ukuboza muri uyu mwaka. Inama ishinzwe umutekano kw'isi yemeje kandi kugabanya abasirikare ba MINUAR ku buryo ku itariki 9 z'ukwezi kwa nzeri hazasigara abasirikare 2.330, hanyuma ku itariki ya 9 ukwakira hakazasigara abasirikare 1.800. Umubare w'abasirikare bashinzwe kugenzura umutekano n'abapolisi b'abasiviri ba MINUAR uzahama uko usanzwe.

Mu cyemezo cyayo nomero 997, inama ishinzwe umutekano kw'isi yavuguruye inshingano za MINUAR, ubungubu MINUAR ikaba ishinzwe ibi bikurikira:

- Gukora uko ishoboye kose ngo ifashe igihugu kugera ku bwiyunge bw'abaturage, hakurikijwe muri rusange amasezerano y'amahoro y'Arusha;

- Gufasha Leta y'u Rwanda muri gahunda yatuma impunzi zitahuka ku bushake kandi mu mutekano zigatuzwa iwabo uko bikwiye; ibyo bikaba bisaba ko abasirikare n'abapolisi ba MINUAR bagenzura ibibera mu gihugu hose kugira ngo batere inkunga Leta y'u Rwanda mu bikorwa igumya kwerekana bigamije kugarura umwuka wo kwizerana mu benegihugu;

- Gutera inkunga imiryango ifasha abaturage mu bikorwa binyuranye nk'ubwubatsi bw'ingeri zose, ubuvuzi no gutegura ibisasu byatezwe mu ntambara;

- Gufasha igihugu kwigisha abajandarume;

- Gufasha Leta kubungabunga umutekano w'abakozi b'umuryango w'abibumbye bari mu Rwanda n'aho bakorera, kurinda umutekano w'urukiko mpuzamahanga mu Rwanda, harimo no kurinda igihe cyose ibiro by'umushinjacyaha w'urwo rukiko no kurinda abakozi b'umuryango w'abibumbye bagenzura iyubahirizwa ry'uburenganzira bw'ikiremwamuntu, ndetse no kurinda, mu gihe bibaye ngombwa, umutekano w'imiryango mpuzamahanga itagengwa na Leta ikora imirimo yo gufasha abaturage.

****

MINUAR yashyizweho n'inama ishinzwe umutekano y'umuryango w'abibumbye mu cyemezo cyayo 872 cyo mu mwaka w'1993, ku itariki ya 5 ukwakira. Mu kindi cyemezo nomero 918 cyo mu mwaka w'1994 cyongewe muri izo nshingano za MINUAR harimo kurinda umutekano w'abasiviri n'abandi bantu bakora mu miryango ifasha abaturage. Icyo cyemezo cyongereye umubare w'abasirikare ba MINUAR bagera ku 5.500 kandi gishyiraho iteka rica kugurisha intwaro u Rwanda.

Icyemezo gishya cyafashwe cyongeyeho ko iryo teka rica igurishwa ry'intwaro rinabuza kugurisha intwaro mu bihugu bituranye n'u Rwanda, mu gihe izo ntwaro cyangwa ibindi bikoresho by'intambara ari ibyo gukoreshwa mu Rwanda. Icyo cyemezo rero kirasaba Leta z'ibyo bihugu gukora uko bishoboye kugira ngo hatagira intwaro zinjira mu nkambi z'impunzi ibyo bihugu bicumbikiye.

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Intumwa ya Zaire mu nama ishinzwe umutekano y'umuryango w'abibumbye yasabye ko hashyirwaho komisiyo yigenga yashobora kubeshyuza ibirego by'abavuga ko Zaire ifite uruhare mu kugurisha no gutanga intwaro zo gukoreshwa mu Rwanda. Yakomeje avuga ko Leta y' u Rwanda yagombye kugarura umwuka mwiza mu gihugu kugira ngo impunzi zishobore gutahuka.

Intumwa y'u Rwanda nayo yafashe ijambo nyuma y'itora ryabaye kuri icyo cyemezo, isaba ko umuryango w'abibumbye wakuraho itegeko ribuza ibihugu kugurisha intwaro Leta y'u Rwanda, no gushyiraho komisiyo mpuzamahanga yakwiga ikibazo cy'inkambi z'impunzi. Yavuze kandi ko ivugururwa ry'inshingano za MINUAR ryerekana ukuntu ibintu byahindutse mu gihugu.

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UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR-MINUAR

Office of the Spokesman

SECURITY COUNCIL EXTENDS AND ADJUSTS MANDATE OF UNAMIR UNTIL 8 DECEMBER 1995

Resolution 997 (1995) adopted unanimously 9 June 1995

Text of the Resolution

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR), and its resolutions 912 (1994) of 21 April 1994, 918 (1994) of 17 May 1994, 925 (1994) of 8 June 1994, and 965 (1994) of 30 November 1994, which set out the mandate of UNAMIR,

Having considered the report of the Secretary-General on UNAMIR dated 4 June 1995 (S/1995/457),

Recalling also its resolution 955 (1994) of 8 November 1994 establishing the International Tribunal for Rwanda, and its resolution 978 (1995) of 27 February 1995, concerning the necessity for the arrest of persons suspected of certain offences in Rwanda,

Stressing the importance of achieving genuine reconciliation among all members of Rwandan society within the frame of reference of the Arusha Peace Agreement,

Noting with great concern reports of military preparations and increasing incursions into Rwanda by elements of the former regime and underlining the need for effective measures to ensure that Rwandan nationals currently in neighbouring countries, including those in camps, do not undertake military activities aimed at destabilizing Rwanda or receive arms supplies, in view of the great likelihood that such arms are intended for use within Rwanda,

Underlining the need for increased efforts to assist the Government of Rwanda in the promotion of a climate of stability and trust in order to facilitate the return of Rwandan refugees in neighbouring countries,

Emphasizing the necessity for the accelerated disbursement of international assistance for the rehabilitation and reconstruction of Rwanda,

Calling again upon all States to act in accordance with recommendations adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held in Bujumbura in February 1995,

Recognizing the valuable contribution that the human rights officers deployed by the High Commissioner for Human Rights to Rwanda have made towards the improvement of the overall situation,

Acknowledging the responsibility of the Government of Rwanda for the safety and security of all UNAMIR personnel and other international staff serving in the country,

Reaffirming the need for a long-term solution to the refugee and related problems in the Great Lakes States, and welcoming, therefore, the intention of the Secretary-General to appoint a special envoy to carry out consultations on the preparation and convening, at the earliest possible time, of the regional Conference on Security, Stability and Development,

1. Decides to extend the mandate of UNAMIR until 8 December 1995 and authorizes a reduction of the force level to 2,330 troops within three months of the adoption of this resolution and to 1,800 troops within four months;

2. Decides to maintain the current level of military observers and civilian police personnel;

3. Decides, in the light of the current situation in Rwanda, to adjust the mandate of UNAMIR so that UNAMIR will:

(a) Exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;

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

(c) Support the provision of humanitarian aid, and of assistance and expertise in engineering, logistics, medical care and demining;

(d) Assist in the training of a national police force;

(e) Contribute to the security in Rwanda of personnel and premises of United Nations agencies, of the International Tribunal for Rwanda, including full-time protection for

the Prosecutor's Office, as well as those of human rights officers, and to contribute also to the security of humanitarian agencies in case of need;

4. Affirms that the restrictions imposed under Chapter VII of the Charter of the United Nations by resolution 918 (1994) apply to the sale or supply of arms and matériel specified therein to persons in the States neighbouring Rwanda, if that sale or supply is for the purpose of the use of such arms or matériel within Rwanda;

5 Calls upon the States neighbouring Rwanda to take steps, with the aim of putting an end to factors contributing to the destabilization of Rwanda, to ensure that such arms and matériel are not transferred to Rwandan camps within their territories;

6. Requests the Secretary-General to consult the Governments of neighbouring countries on the possibility of the deployment of United Nations military observers, and to consult, as a matter of priority, the Government of Zaire on the deployment of observers including in the airfields located in Eastern Zaire, in order to monitor the sale or supply of arms and matériel referred to above; and further requests the Secretary-General to report to the Council on the matter within one month of the adoption of this resolution;

7. Takes note of the cooperation existing between the Government of Rwanda and UNAMIR in the implementation of its mandate and urges the Government of Rwanda and UNAMIR to continue to implement the agreements made between them, in particular the Status of Mission Agreement of 5 November 1993 and any subsequent agreement concluded to replace that Agreement in order to facilitate the implementation of the new mandate;

8. Commends the efforts of States, United Nations agencies and non-governmental organisations which have provided humanitarian assistance to refugees and displaced persons in need, encourages them to continue such assistance, and calls upon the Government of Rwanda to continue to facilitate their delivery and distribution;

9. Calls upon States and donor agencies to fulfil their earlier commitments to give assistance for Rwanda's rehabilitation efforts, to increase such assistance, and in particular to support the early and effective functioning of the International Tribunal and the rehabilitation of the Rwandan judicial system;

10. Encourages the Secretary-General and his Special Representative to continue to coordinate the activities of the United Nations in Rwanda including those of the organizations and agencies active in the humanitarian and developmental field, and of the human rights officers;

11. Requests the Secretary-General to report to the Council by 9 August 1995 and 9 October 1995 on the discharge by UNAMIR of its mandate, the humanitarian situation and progress towards repatriation of refugees;

12. Decides to remain actively seized of the matter.

NB

- The UNAMIR had originally been established by resolution 872 (1993) of 5 October 1993. Resolution 918 (1994) had expanded the mandate of the Mission to include responsibility for the security of civilians and of humanitarian operation, had increased its strength up to 5,500 troops and imposed an arms embargo on Rwanda.

- By its action today, the Council affirmed that the Chapter VII restrictions imposed by resolution 918 (1994) apply to the sale or supply of arms and matériel to persons in the States neighbouring Rwanda, if such arms or matériel are for use within Rwanda. It called upon the States neighbouring Rwanda to take steps to ensure that such arms and matériel are not transferred to Rwanda camps within their territories.

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- In a statement to the Council, the representative of Zaire called for an independent investigation to refute the claims that his country had been involved with the sale or supply of arms for use in Rwanda. He said it was up to the Government in Rwanda to create a favourable climate for the return of the refugees.

- The representative of Rwanda, speaking after the vote, called for an end to the arms embargo against his Government and for an international commission to study the problem of the refugee camps. He added that the change in the UNAMIR mandate reflected the changed situation in his country.

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PRESS BRIEFING BY SECRETARY-GENERAL'S SPECIAL REPRESENTATIVE FOR RWANDA

Shaharyar M. Khan, the Special Representative of the Secretary-General for Rwanda, this morning briefed correspondents on the new mandate for the United Nations Mission in Rwanda (UNAMIR), which the Security Council was expected to approve today. (The Council, by its resolution 997 (1995), subsequently approved UNAMIR's mandate for a six-month period, until 8 December.)

In considering how the new mandate had evolved, it was necessary to address four points, he said. First, any effort at reconciliation in Rwanda must be based on the return of the nearly 2 million refugees to the country, most of whom were in Zaire, United Republic of Tanzania and Burundi. Efforts must be undertaken to bring about their voluntary return in conditions of dignity and safety.

The Council resolution on UNAMIR would underline the need to continue the process of reconciliation and would cite the Bujumbura Declaration as the basis for the refugees' return, he continued. That Declaration stated precisely what the Government of Rwanda must do; the obligations of countries where the refugees now resided; and what agencies and donor countries must do to facilitate the refugees' return. Their return was an essential to rebuilding stability in Rwanda.

Secondly, there was a need for justice in Rwanda -- immediate justice, he said. Most families had been affected by the genocide, directly or indirectly. The people saw that an International Tribunal had been established "for the so-called big fish", but felt the process was going too slowly. That was partly because financial support, although forthcoming, had been slow.

There was also a need for justice to be administered at the national level with regard to the 42,000 prisoners now being held, he said. Prison conditions were appalling. Foreign support was required to continue the repair of the national system of justice at all levels, including the gendarmerie, prosecutors and judges. Fifty members of the international community would be arriving soon to begin helping in that process.

While the next two to three months would not see the functioning of a perfect system of justice, it was better to have an immediate, imperfect system in place now, he went on. That was important, not only in view of the 42,000 prisoners, but because of the psychological impact of seeing the process of justice begin. Only when justice was seen as being carried out would it be possible to move forward in the process of reconciliation.

(more)

A third concern was the major problem of cross-border military infiltrations, he said. Guerrilla attempts at blowing up buildings and institutions led the defending force to look suspiciously on the population, which, in turn led to repression and generated a vicious cycle. It was important to discipline all military activities in the camps.

Broadly speaking, there were two types of camps, he said. The United Nations High Commissioner for Refugees (UNHCR) had been actively involved with the camps for civilians, which had seen some improvement. However, UNHCR had no involvement in the purely military camps, where military training was taking place. Zaire and Tanzania had asked for international support to help control that process of military training.

Fourthly, there was a need to expedite the disbursement of financial aid, he said. Out of over $700 million pledged at the round-table in Geneva, only $69 million had actually been seen, and most of that had been spent on debt-servicing. That left a relatively small amount for a country that had been completely shattered. That, in turn, made it very difficult to encourage refugees to return to a country which could not deliver basic requirements, including, for example, teachers' salaries.

Turning to the subject of the new mandate of UNAMIR, he said there was a need to reflect the changed situation since the establishment of that Mission. At that time, there were two parties contending for power under the Arusha Accords, and the United Nations was to be the arbiter. However, the Accords, though signed, had not taken off. Following the genocide, UNAMIR had sought to protect the innocent -- the non-combatants. On 19 July 1994, a new, sovereign Government had been formed, and the United Nations was now dealing with a single Government, which had stated its responsibility for the protection of its people.

The proposed new mandate envisaged a reduced number of troops, he said. It focused on national reconciliation and on the need for UNAMIR to facilitate the voluntary and safe return of refugees, as well as their rehabilitation and reintegration into home communities. Police and monitors would be retained, and the Mission would provide security to international personnel in the country.

A correspondent asked whether agreement had been reached with the Government of Rwanda, which had wanted small contingents. Mr. Khan said the matter had been satisfactorily resolved, arriving at a figure of 2,330 to be reached within three months of today's expected mandate renewal. Those levels would be further reduced to 1,800 within four months. In addition, the current levels of 320 military observers and 65 civilian police would be maintained.

Asked to comment about the relations between UNAMIR and the Government, Mr. Khan confirmed that those relations had been strained and that there had been non-cooperation. However, at higher levels, there was a spirit of cooperation, and it was hoped that the new mandate would encourage a new era of cooperative relations.

(more)

A correspondent asked about a proposal to station additional peace-keepers in neighbouring countries to monitor arms supplies to the camps. Mr. Khan said the proposal was still alive and was mentioned in the resolution. However, the actual numbers would have to be arrived at in consultations with Tanzania and Zaire.

How many people were involved in the cross-border infiltrations and how often did they occur? a correspondent asked. Mr. Khan said that over the past six months, the infiltrations – mainly from Zaire, and not Tanzania – had been increasing. Earlier, there had been raids involving banditry, such as attacking and taking cattle. Now, however, they were more of a military nature and had become more organized. In the western region, at the frontier between Rwanda and Zaire, there were almost daily incursions, which were clearly part of a campaign.

Asked if the numbers involved were in the thousands or the hundreds, Mr. Khan said they were small groups. It was "very much a guerrilla type of activity", with small groups raiding and then returning.

A correspondent said there were reports that France had been funding those groups in Zaire and asked if the issue had been raised with the Government of France. Mr. Khan said he had absolutely no evidence that France or any other country was funding such activities, either in Zaire or in Tanzania. However, money was available to those groups, and it was being spent at arms bazaars worldwide.

Asked to speculate on the source of that money, Mr. Khan said that when members of the former Government had left the country, they had taken all of its liquid assets with them. Beyond that, he could not speculate on who might be assisting them.

In response to another question, he confirmed that the new mandate would put greater emphasis on humanitarian rather than security aspects of the Mission. The mandate was based on consultations within the Security Council, of which Rwanda was a member. Negotiations between the United Nations and the Government had made it possible to present a "dish" to the Council. Emphasis would now likely be placed on protecting Rwandan citizens and encouraging the safe return of the refugees, in conditions of dignity and fairness. For that purpose, UNAMIR needed a certain visible presence.

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POSTAL ADDRESS—ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017
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REFERENCE	FACSIMILE
TO: Ismael Diallo UNAMIR Spokesman	FROM: Hiro Ueki OFFICE OF THE SPOKESMAN FOR THE SECRETARY-GENERAL UNITED NATIONS - NEW YORK
Facsimile: 3-3090	Facsimile: 212-963-7055 Telephone: 212-963-1262
Number of pages: 4	Date: 9 June 95

MESSAGE:

Please find attached the transcript of Mr. Khan's briefing held at UN HQs at 11:30 AM today...

Regard!

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* *** *

PROCEEDINGS OF THE SECURITY COUNCIL

Wednesday, 7 June 1995

INFORMAL CONSULTATIONS

Rwanda

Commenting on the report of the Secretary-General (S/1995/457), delegations acknowledged recent improvements in the situation on the ground and recognized the Rwandan Government's ability to control its territory; however, they highlighted a number of concerns raised in the report, such as little progress in national reconciliation, overcrowded prisons, lack of an effective judicial system, militarization of the border refugee camps and cross-border infiltration. Delegations agreed with the need to increase assistance to the Rwandan justice system and the International Tribunal, to promote the safe return of refugees and to encourage the international community to disburse funds for the rehabilitation of Rwanda's institutions.

In terms of specific issues, Nigeria, Czech Republic, Russian Federation, United Kingdom and United States expressed concern with the state of cooperation between UNAMIR and the Government. Indonesia and Botswana raised the prospect of reconsidering the UN arms embargo to enable the Rwandan Government to provide for the country's security. The United States underlined that the draft resolution should make clear that the arms embargo also applied to those Rwandese in neighbouring countries who were engaged in military activities aimed at destabilizing Rwanda.

Nigeria, Botswana, Honduras, Oman, Indonesia, Italy, Russian Federation, and Argentina stressed the importance of regional efforts to promote security, particularly through the OAU; several of these delegations cited the importance of convening the Regional Conference on Security, Stability and Development. Argentina supported the need to reactivate the Bujumbura Declaration of February 1995.

On the restructured mandate, members supported the Secretary-General's recommendations regarding (1) tasks specifically required to sustain UNAMIR, including the protection of UN premises, the International Tribunal personnel and those of UN agencies, and (2) tasks aimed at assisting the Rwandan Government in confidence-building and in the promotion of a climate conducive to stability and to the return of refugees and IDPs. Supporting the report's recommendation to extend the mandate for six months, delegations noted the differences between the Government and the Secretary-General on the number of UNAMIR troops required to implement the mandate. They agreed to await the outcome of the Secretary-General's discussions with a delegation sent by the Government since UNAMIR's Chapter VI mandate necessitated the consent of the Government. In this

context, China and Germany underlined that the decision on the mandate would have to take into consideration the views of the Kigali authorities.

Responding to the SRSG's recommendations on the border camps, made during informal consultations of 5 June, the United States indicated that her Government had approached the Zairian authorities to propose that small teams of 3-4 observers be positioned at airfields in eastern Zaire; it would be useful to authorize UNAMIR to place observers in eastern Zaire to monitor possible arms shipments and military activities. She hoped that language could be found, in the draft resolution, to allow monitors into such airfields and other locations in eastern Zaire where military activities were alleged to occur "at the discretion of the force commander and with the consent" of the Government of Zaire. France suggested that "special measures" could be taken in this regard, such as the ad hoc deployment of civilian observers in sensitive border areas and airports in all countries bordering Rwanda. Nigeria supported the view of the SRSG that the refugee camps should be moved away from Rwanda's borders; this would still not separate the "killers" from the true refugees and would not change the situation on weapons in the camps. Indonesia considered it essential for the Council, in close cooperation with Rwanda's neighbours, to intensify its efforts in establishing a monitoring mechanism to avoid further violations of arms deliveries to elements of the former Government. The Czech Republic noted that it would be useful, in the draft resolution, to appeal to neighbouring countries to take steps to prevent incursions and the arming of the camps.

Rwanda, commenting on specific paragraphs in the report, noted that on political aspects, it did not indicate the Government's efforts to facilitate the return of refugees at a time when other countries were trying to arm those refugees. On the overcrowded jails, he maintained that one could not call for better conditions in prisons when the justice system needed to be developed. On security, he stated that undisciplined UNAMIR soldiers were involved in acts unacceptable to the Government; the Government had asked the Secretariat to work on ways to improve this situation, but there appeared to be a tendency to defend UNAMIR and its troops.

On para. 10 of the report regarding the Kibeho incident, Rwanda stated that if the last sentence could be relocated, the meaning of the entire paragraph would change. He reiterated that the Kibeho massacres had begun within the camp, leading the population to break through the line of RPA guards. On the Independent Commission of Inquiry, he pointed out that the Government had already set up its national commission and had "shouldered its responsibility". On para. 49 regarding financial aspects, he invited DPKO to analyze what would be the "impact on UNAMIR" if half of its budget were given to the Government. He

also maintained that several points were unanswered in the report. Despite Ms. Ogata's explanations, he wished to have more information on the militarization of the refugee camps. The Government must shoulder its responsibilities throughout Rwandan territory, since confidence in the country would not exist as long as there was an "intermediary" or a "mentality of tutors". Concerning the situation within and outside Rwanda, he stated that NGOs and journalists should not take "initiatives" beyond the mandate of the Council.

After delegations had made their interventions, the President announced his intention to fax a draft resolution on the renewal of the UNAMIR mandate this afternoon to members. He hoped that on 8 June the draft could be discussed with a view to reaching agreement on 9 June, the expiration of the UNAMIR mandate. Responding to several points voiced by members, Special Representative Khan, referring to the militarization of the refugee camps, clarified that he did not feel that there was encouragement or acquiescence from the Zairian nor Tanzanian governments. On the contrary, both governments had indicated a need for assistance to ameliorate this problem. Turning to the camps themselves, Mr. Khan stated that arms sales and military training were occurring in primarily military camps not covered by UNHCR.

On the idea of deploying UN monitors to the camps as well as the airports of Zaire, Mr. Khan felt the Council should take such a step, although UNAMIR could probably not incorporate this endeavour into its activities. Perhaps the monitoring of the camps could occur within another UN operation, such as the UNAMUR operation on the Rwandan/Ugandan border, due to the sensitivities of the Zairian authorities. On the consultations to reach an agreement on the number of UNAMIR troops, Mr. Khan said that while he supported the Rwandan Government's proposal on the total number, he felt that the four support units -- medical, engineering, logistics and communications -- should be brought in because these were "part and parcel" of UN efforts to promote confidence-building in the country.

Rwanda, commenting on the border camps, maintained that UNHCR was not monitoring former Government soldiers in the UN camps; there were also close relations between former RGF soldiers in the UN camps and those in the other camps. He noted that despite its denials, the Zairian Government was hosting camps that were not allowed to be monitored by UNHCR; that was why his delegation had asked the Secretariat to provide information on these separate camps. He continued to hope that the Secretariat would take his request seriously, as to date only NGOs were providing information. The President, referring to his conversation with Ms. Ogata yesterday, recalled that the High Commissioner had stated that the rearming of refugees was not related to the UNHCR camps; the problem was with smaller camps

outside of UNHCR's responsibility. The President recalled that Ms. Ogata had underlined the need for the reactivation of the Bujumbura Declaration in this context.

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UNAMIR
95 JUN -6 17 16

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TO: ISMAEL DIALLO SPOKESMAN'S OFFICE, UNAMIR	FROM: HIRO UEKI OFFICE OF THE SPOKESMAN FOR THE SECRETARY-GENERAL OF THE UNITED NATIONS TELEPHONE: (212) 963-1262
FACSIMILE: 3.3090	FACSIMILE: (212) 963-7055
PAGE 1 OF 5	DATE: 6 JUNE 995
SUBJECT: SG'S REPORT ON UNAMIR (S/1995/457)	

-- MESSAGE --

Please find attached the concluding section of the Secretary-General's report on UNAMIR issued today at HQs.

Regards.

to facilitate the delivery and distribution of humanitarian assistance to refugees and displaced persons in conformity with international principles (S/PRST/1995/22).

IX. ADMINISTRATIVE AND FINANCIAL ASPECTS

48. The General Assembly, by its decision of 6 April 1995, authorized me to enter into commitments up to $19,342,000 gross ($18,989,000 net) for the period from 10 June to 9 July 1995, subject to the extension of the mandate of UNAMIR beyond 9 June 1995. Should the Council decide to extend the mandate of UNAMIR, I shall request the General Assembly at its resumed forty-ninth session to make adequate financial provision for the operation of the Mission.

49. As of 17 May 1995, unpaid assessments to the UNAMIR Special Account amounted to $70.1 million, and the total amount of outstanding assessed contributions for all peace-keeping operations amounted to $1,854.1 million.

X. CONCLUSIONS AND RECOMMENDATIONS

50. The Rwandan people have endured the most horrific and unspeakable suffering. The political goal of the United Nations in Rwanda is to assist them to achieve peace, stability and reconstruction in accordance with the principles of the Arusha peace agreements. This goal can be attained only if those who are guilty of genocide are brought to trial and if the leaders and people of Rwanda have the political will to achieve national reconciliation through mutual respect and understanding. The United Nations is prepared to continue its efforts to assist in this difficult process. UNAMIR has made a significant contribution to the relative stability and normalization achieved in Rwanda over the past year. However, the complex situation described in sections II and III above has led the Government of Rwanda to raise questions about the future role of this operation.

51. The current mandate of UNAMIR was designed at a time when Rwanda was in the midst of a devastating genocide and civil war. The main responsibility entrusted to UNAMIR under Security Council resolution 918 (1994) of 17 May 1994 was to contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda. The war and the genocide came to an end with the establishment of the present Government of Rwanda on 19 July 1994. Since that time, the situation has changed radically. The changes undoubtedly call for adjustments in the mandate of UNAMIR, so that its role can reflect the present situation.

52. In anticipation of the expiry of the mandate of UNAMIR on 9 June 1995, my Special Representative has engaged in extensive consultations with the Government of Rwanda, with a view to achieving a common understanding of the role that the United Nations could usefully play in the future. At the outset, the Government made it clear that it would insist on a sharp reduction both in the scope of UNAMIR's tasks and in troop levels.

53. During these consultations, my Special Representative discussed with the Government a new mandate comprising tasks which, in my judgement, should be performed by UNAMIR during the next six months. These tasks would continue to be carried out with full respect for the Government's sovereign authority. They would entail shifting the focus of UNAMIR's mandate from a peace-keeping to a confidence-building role. On this basis, UNAMIR would undertake the following tasks:

(a) Tasks specifically required to sustain a United Nations peace-keeping presence in Rwanda, mainly in Kigali. These would include the protection of United Nations premises, protection of International Tribunal personnel and, as required, of United Nations agencies and NGOs, including a ready reserve and the necessary command, control and support elements;

(b) Tasks aimed at assisting the Government of Rwanda in confidence-building and in the promotion of a climate conducive to stability and to the return of refugees and displaced persons. These would entail monitoring throughout the country with military/police observers, as a complement to human rights monitors; helping in the distribution of humanitarian assistance; facilitating the return and reintegration of refugees in cities and communes; providing assistance and expertise in engineering, logistics, medical care and demining; and stationing a limited reserve of formed troops in certain provinces. These troops would not undertake any patrolling duties but would assist in the performance of the above tasks, as required.

54. Following consultations with my Special Representative and the Force Commander, it is estimated that, in order to carry out these functions, UNAMIR would require approximately 2,330 formed troops, 320 military observers and 65 civilian police. This would constitute a substantial reduction from the present authorized strength of 5,500 troops, 320 military observers and 120 civilian police. The reduction would begin as soon as possible and be implemented gradually over the next two to three months, on the understanding that, after 9 June 1995, the infantry battalions currently deployed in the provinces would change over from their present tasks to those outlined above.

55. The proposed force would be structured along the following lines: an infantry battalion of 800 all ranks, based in Kigali and reinforced by essential support units such as headquarters staff (50), communications (50), engineering (200), medical (100), logistics (100) and military police (30). In addition, one independent infantry company would be deployed in each of the present UNAMIR sectors of operation. These 5 independent companies, totalling about 1,000 troops, would include elements from the support units or specialists, as required for specific humanitarian tasks.

56. However, during the consultations held with my Special Representative, the Rwandan Government proposed a different and more limited role for UNAMIR, arguing that the present conditions on the ground called for a drastic reduction in the number of United Nations troops. It took the position that most of the peace-keeping functions heretofore discharged by UNAMIR had become redundant. The concept of promoting security and confidence through the presence of UNAMIR could no longer be accepted, since the Government had assumed responsibility for national security throughout the country. The protection of humanitarian

convoys was also the responsibility of the Government and UNAMIR's role should be a monitoring one only. The issue of border monitoring was discussed, but the Government considered that there was no need for UNAMIR to play such a role in Rwanda. In addition, it expressed the view that the present training programme carried out by the UNAMIR civilian police component should be replaced by bilateral arrangements and could continue only until those arrangements were in place.

57. In short, the Rwandan Government has proposed that UNAMIR should be reduced to a maximum of 1,800 formed troops, to be deployed in Kigali as well as in the provinces. UNAMIR's mandate would be extended for six months, on the understanding that there would be no further extension and that steps to reduce UNAMIR troops outside Kigali should commence immediately.

58. An analysis of this proposal has indicated that, with a total of 1,800 formed troops, plus 65 civilian police, UNAMIR would not have the strength to perform adequately the tasks described in paragraph 53 above. While I understand the position of the Government of Rwanda, I am convinced that UNAMIR remains an essential component of the international community's efforts to assist the Government and people of Rwanda and that it must have the capability to discharge its functions effectively. At the same time, since UNAMIR is a peace-keeping operation established under Chapter VI of the Charter, its continued presence in Rwanda depends on the consent and active cooperation of the Government. I therefore intend to continue consultations with the Government of Rwanda and shall report orally to the Council on the outcome of these consultations before the Council decides on the future mandate of UNAMIR.

59. Subject to that report, I recommend that the Security Council renew the mandate of UNAMIR, adjusted to accommodate the tasks outlined in paragraph 53 above, for a period of six months, ending on 9 December 1995. During that period, my Special Representative would continue to exercise his good offices to facilitate, in consultation with the Government of Rwanda, the process of national reconciliation, in accordance with the principles set out in the Arusha peace agreements. UNAMIR, in cooperation with UNDP, United Nations agencies and NGOs, would also assist in the implementation of an integrated multifunctional plan of action in the field of rehabilitation, resettlement, repair of infrastructure and the revival of justice. The funds committed to such projects could be channelled by donor countries through the Rwanda Trust Fund, in order to allow for a prompt, flexible and efficient utilization of resources.

60. In accordance with the Nairobi Summit Declaration of January 1995, the Bujumbura Declaration of February 1995 and formal agreements signed by Rwanda, a major effort needs to be made to persuade the two million Rwandan refugees to return to their homes in safety and dignity. This should be without prejudice to effective action, under due process of law, against criminals accused of genocide, in accordance with Security Council resolution 978 (1995). In this connection, immediate steps should be taken by the international community to support the earliest activation of the International Tribunal and the rehabilitation of the Rwandan national system of justice. At the same time, effective measures should be taken to ensure that Rwandan nationals currently in neighbouring countries are not allowed to receive arms supplies or to undertake military activities aimed at destabilizing Rwanda. I am, in particular,

concerned that, unless more vigorous action is taken to prevent such activities, there could be a serious escalation in cross border clashes that would add a new dimension to the tragedy of Rwanda and lead to unpredictable consequences.

61. The implementation of the steps mentioned in paragraphs 59 and 60 above will contribute to peace and security in Rwanda. However, much more needs to be done. International assistance to Rwanda needs to be accelerated if the vital institutions in the country are to have any chance of recovering. It is essential that we find ways to improve the procedures that have delayed the disbursement of assistance to resolve situations that require priority attention. With respect to the long-term solution of the refugee and related problems in the Great Lakes States, I intend to appoint a special envoy to carry out consultations with countries concerned, as well as OAU, on the preparation and convening of the Regional Conference on Security, Stability and Development at the earliest possible time.

62. In concluding this report, I wish to express my appreciation to my Special Representative, Mr. Shaharyar Khan, to the Force Commander, Major General Guy Tousignant, and to all UNAMIR military and civilian personnel for their outstanding contribution to the United Nations and to the cause of peace and stability in Rwanda.

United Nations Nations Unies

INTEROFFICE MEMORANDUM MEMORANDUM INTERIEUR

TO / A: Mr. Jean-Claude Aimé
Chief of Staff
Executive Office of the Secretary-General

DATE: 5 June 1995

REFERENCE:

THROUGH / S/C DE:

FROM / DE: Neylan Bali
Director, Security Council Affairs Division

SUBJECT / OBJET: **Security Council: Report on activities**

Attached please find, for the information of the Secretary-General, a note on the proceedings of the Security Council today.

#3-5598 J. Bile

FC
Copy: ED
SPA
Spokesman
For info. 7/6/95

cc: Mr. Goulding

PROCEEDINGS OF THE SECURITY COUNCIL

Monday, 5 June 1995

INFORMAL CONSULTATIONS

Rwanda

Special Representative Shaharyar Khan stated that the situation in Rwanda contained a number of positive aspects that went largely unreported: the private sector was returning, markets were functioning, schools were open and electricity was back in the cities. On the negative side, Mr. Khan stressed that the prison situation was probably the worst in the world, with 42,000 detainees in a prison system that could accommodate 10% of that figure. The return of refugees was down to a trickle from a high of 40,000 in December and "aggravation" had been expressed from returning refugees against UNAMIR. Mr. Khan said that the Kibeho killings were the most dramatic example of this aggravation. What had occurred at the Kibeho camp had "gone wrong locally"; officers and soldiers had not carried out their orders. The incident at Kibeho, the largest camp for IDPs, had drawn the attention of the world, whereas the closure of the other seven camps without incident had gone by unnoticed. This showed due credence was not being given to positive aspects taking place in Rwanda.

Mr. Khan drew attention to three areas of frustration that reflected the great tensions simmering below the surface. First, there was the lack of justice apparent in the inoperability of the national justice system and the slow start to the International Tribunal. There was great frustration in the fact that many suspected perpetrators of genocide were known and living freely in neighbouring countries, with few signs of being brought to justice. Chief Prosecutor Judge Goldstone had said that the first trials would take place in the second half of 1995. Mr. Khan hoped that the International Tribunal and the national system of justice could be quickly activated as both would have an important psychological impact. He maintained that it was preferable to have an imperfect justice system functioning quickly than none at all.

The second problem-area related to financial issues. At the Geneva Round Table Conference in January 1995, donors had pledged $714 million, yet to date only $294 million had been contracted out. Of this figure, $43 million had actually been disbursed because $26 million had gone towards debt repayment. Mr. Khan said he sometimes felt "embarrassed" spending $500,000 per day on UNAMIR when the Government did not have the means to do anything. That imbalance needed to be addressed; a catalyst was necessary

for disbursement to start. The third and perhaps most difficult area was "cross-border militarization". At the root of the tension were some 2 million refugees, located mainly in Zairian and Tanzanian border camps where military training was taking place. The Governments of those two countries had asked UNAMIR to help deter such cross-border infiltration, which was causing the Rwandan Government and Army to become tense, to suspect a great number of people as collaborators and carry out mass arrests. There were also reports of arms shipments coming into the camps; although there was no evidence that specific countries were involved in such shipments, Mr. Khan maintained that the weapons were probably coming from the "international arms bazaar". The Rwandan Government and people were frustrated, because the "world was doing nothing" while humanitarian aid was being given to those people responsible for the genocide in the border camps. At the same time, the UN arms embargo did not even permit the Government to provide the Army with non-lethal equipment such as uniforms. Mr. Khan stated that the question therefore arose on how long the Government would be able to sustain attacks from across the Great Lakes region without striking back.

As to the future mandate of UNAMIR, Mr. Khan said that discussions were being held in a cooperative manner between UNAMIR and the Government. However, a qualitative change was needed in the mandate to reflect that there was now a sovereign Rwandan Government in effective control of its territory. In this context, the Kigali authorities had made three points: (1) the Government, not the UN, was responsible for providing protection for its own citizens, (2) the UNAMIR mandate should move from peace-keeping to confidence-building so that national reconciliation could move forward, and (3) the Government did not share UNAMIR's views on the number of UN personnel required to implement the mandate. Mr. Khan had been advised that there needed to be a total of 1,800 UNAMIR troops augmented by engineering, communications, medical and logistics units to enable UNAMIR to operate in the provinces and channel back refugees from the Goma, Bukavu and other camps. Finally, Mr. Khan underlined that UNAMIR's presence should be a willing one, accepted with an "open heart" by the Government, unlike the conditions during the three previous months when UNAMIR had to operate in a difficult atmosphere. UNAMIR must help Rwanda to achieve national reconciliation.

The United States considered the UNAMIR mandate important; her delegation had taken account of the elements underlined by the SRSG to implement that mandate. Her Government would be "looking at the numbers" of UN troops to see whether they could fulfill the mandate. The United Kingdom was "a little alarmed" with the SRSG's comments regarding armed infiltration; the UK had

always believed the right approach was to restrict arms rather than to lift the UN arms embargo. Non-lethal equipment could be considered favourably, however. On the Zairian border camps, the United Kingdom also wished to know whether the SRSG believed the Zairian army could increase patrolling in the camps; in the UK's view, the SRSG's remarks "seemed to come close to cutting off" aid to the refugee camps outside Rwanda. On the UNAMIR mandate, the United Kingdom agreed on the need to reconfigure the mandate and expressed hope that it would be possible to reach agreement on the number of UNAMIR troops as outlined in para. 55 of the report of the Secretary-General (S/1995/457). On the SRSG's focus on the need for confidence-building, his delegation maintained that the international community through UNAMIR played a role in providing these assurances. He recalled that it was not long since the events at Kibeho, when UNAMIR's presence had facilitated the right type of response. He underlined the vital role of UN human rights monitors and hoped the Kigali authorities would take this point into account.

On the militarization of the border camps, Nigeria underlined the need to identify those "faceless arms merchants" who were responsible for providing weapons to the former Government and asked how the arms embargo could be realistically tightened. He also agreed on the need for a "further adjustment" in the size of the UNAMIR force; the Rwandan Government should take into account, however, how long it took the international community to get back to previous levels after the troops were reduced in 1994. Italy underlined the need for renewed cooperation between UNAMIR and the Kigali authorities; a future decision on the size and mandate of UNAMIR should be taken in close cooperation with the Government. On the question of the weapons in the refugee camps, particularly those in Zaire, France cautioned that Ms. Ogata had indicated that it was UNHCR's responsibility to respond to the allegations made; in this regard, he asked whether the SRSG had discussed these matters with UNHCR. On the mandate, his delegation viewed two essential elements of importance: (1) the Rwandan Government was sovereign on its own territory, (2) the presence of UN troops was essential, and the UN should not try to go below a "minimum force presence".

Mr. Khan expressed the personal view that the two most important priorities were to (a) deploy UN monitors in the border refugee camps, and (b) move the camps away from the borders of Rwanda. On the former, he suggested that a number of UN monitors should be stationed at the border camps and the airports in Zaire to verify the Zairian Government's promise that it was not providing arms to former Rwandan Government soldiers in the camps. On the latter priority, he recalled that he had

negotiated with the Zairian and Tanzanian authorities on the prospect of moving the refugees deeper into those countries; the transfer never took place because it was too costly and this was also the case when a similar attempt was made in January 1995. He believed that a limited number of personnel could be supported with more funds so that such camps could be moved more than 100 kms. from the borders instead of 800 kms; if not, he feared a "conflagration". If the Council were to take action along these lines, it would be seen in Rwanda that the international community was bolstering UNHCR's efforts. He stressed in this context that the Bujumbura Accord needed to be reactivated; this agreement specified what needed to be done.

Rwanda stated that his delegation was in full agreement with the items mentioned by the SRSG except for several points. First, his Government might have difficulty accepting the troop levels recommended. Second, the Government felt that one could not speak of national reconciliation without speaking of justice. Mr. Khan maintained that national reconciliation was a "pyramid", and the focus should not be at the top but the grass-roots -- the people returning to their homes and being reassured by the Army and Government. On the issue of justice, he said that the Council should impress upon a number of countries to comply with resolution 978 (1995) and turn in former Government officials suspected of committing genocide. The International Tribunal needed to receive additional financial aid.

On the return of refugees, Rwanda wondered whether all refugees should be urged to return to Rwanda, given that some had committed acts of genocide. On the UN arms embargo, he lamented that the current Government was having to live with an embargo imposed on the former Government, which was being allowed to arm itself outside Rwanda; he wondered in this context whether the embargo could be extended to the refugee camps.

Indonesia maintained that national reconciliation should begin while the process of the administration of justice was being pursued. He noted that the question of finance would be the source of success -- or failure -- of both UNAMIR and the Government. Mr. Khan replied that the UN could act as a catalyst to encourage the Rwandan Government to submit more projects to be financed, while the donor community could eliminate bureaucratic delays. On the militarization of the border camps, Indonesia suggested that there be increased UN monitoring of the camps; arms suppliers in the camps must be found. On the arms embargo, as Chairman of the Security Council Committee on the Rwandan arms embargo, he stated that his delegation would have to look again at the embargo to determine whether it could cope with the present-day needs of the Kigali authorities.

The Russian Federation underlined the militarization of the camps and the formation of armed groups crossing into Rwanda as several of the most serious problems; although there were no clear answers, there was a need to try to find solutions and to help the Government counteract this threat. China expressed hope that the Council would cooperate with the delegation of the Government scheduled to arrive in New York. The Czech Republic asked how UNAMIR Radio had performed and whether it would continue to broadcast after the changes in the mandate. Mr. Khan replied that it had been decided that UNAMIR Radio would remain very non-political and it was hoped that the number of programmes would be increased.

Argentina also remained concerned with the militarization of the camps, an issue which needed to be considered along with the question of the arms embargo. This created a special situation, to which her Government was committed to resolving. On the desired level of UNAMIR troops, her delegation underlined that it was essential that the number of troops be reduced in order to decrease local animosity towards UN forces.

HUMAN RIGHTS WATCH ARMS PROJECT

May 1995 Vol. 7, No. 4

RWANDA/ZAIRE

Rearming with Impunity

International Support for the Perpetrators of the Rwandan Genocide

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I. INTRODUCTION AND SUMMARY

After a year in exile, the perpetrators of the Rwandan genocide have rebuilt their military infrastructure, largely in Zaire, and are rearming themselves in preparation for a violent return to Rwanda. Waging a campaign of terror and destabilization against the new government in Kigali, they have vowed, in the words of one official of the former Rwandan government, Col. Theoneste Bagasora, to "wage a war that will be long and full of dead people until the minority Tutsi are finished and completely out of the country."[1] Several members of the international community, including France, Zaire and South Africa, have actively aided and abetted this effort through a combination of direct shipments of arms, facilitating such shipments from other sources, and providing other forms of military assistance, including training.

This report, which is based on four months of field investigation in central Africa, presents evidence of continuing arms shipments and other forms of military assistance to the forces of the ousted Rwandan government in Zaire. This assistance has continued despite an international arms embargo on Rwanda, imposed by the United Nations in May 1994, and despite the fact that the recipients are accused of the gravest of crimes, the crime of genocide.

Human Rights Watch calls on the international community to strictly enforce the existing arms embargo by placing United Nations monitors at key airports in Zaire; to extend the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) to include the Rwandan refugee camps in Zaire; and to disarm the armed forces and militias affiliated with the ousted government of Rwanda in Zaire. Human Rights Watch also calls on France, Zaire and South Africa to fully disclose the nature of their military and security assistance and arms transfers to the ousted Rwandan government, and to provide full information on training activity, by their own military trainers and/or at their own military bases, involving members of the ousted Rwandan government's armed forces and militias.

Over a horrific period of three and a half months in the spring of 1994, hundreds of thousands of Rwandan men, women and children were murdered during a violent campaign of genocide led by the Rwandan government, armed forces and Hutu militias. The victims were mostly Tutsi, as well as Hutu politicians and community leaders who had shown a willingness to form a more democratic government that respected the rights of all Rwandans.[2] At the height of the genocide, the Rwandan Patriotic Front (RPF) renewed a military offensive against the government in Kigali.[3] It succeeded in defeating the government forces and winning control over the country by mid-July, thus effectively halting the genocide. The defeated government and army, in fear of retribution for the crimes committed, led a mass exodus of the Hutu population into neighboring countries, causing a refugee crisis unprecedented in scale and the speed in which it occurred. The international community, which had shamefully stood by during the height of the genocide, shifted into action only after waves of refugees began sweeping across the border into Zaire in July 1994. Among the refugee population were the bulk of those responsible for the genocide.

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[1] Interview with Col. Theoneste Bagasora, Counselor to the Minister of Defense of the ousted government of Rwanda, and its chief arms procurer, Goma, November 30, 1994.

[2] See Human Rights Watch/Africa, "Genocide in Rwanda, April-May 1994" vol. 6, no.4 (New York: May 1994).

[3] The Rwandan Patriotic Front was formed mainly from Rwandan exiles in neighboring Uganda. Denied their right to return home, the RPF launched a military invasion into northeastern Rwanda on October 1, 1990. Prior to the genocide, the RPF had signed a cease-fire document and agreed to a political settlement based on the Arusha Accords of August 1993

Ensconced in refugee camps, primarily in eastern Zaire, the perpetrators of the Rwandan genocide have regrouped, rebuilt their military infrastructure, and succeeded in asserting their control over the civilian population in most of the camps during the last year.[4] Acting with impunity, these forces rule over the refugee population through intimidation and terror, effectively preventing the return of refugees to their homes in Rwanda, while inducting fresh recruits into the former Rwandan Armed Forces (FAR) and militias.[5] Emboldened by military assistance, including arms, from France and Zaire, among other countries, they have openly declared their intent to return to Rwanda and, in the words of one ex-FAR commander, Col. Musonera, "kill all Tutsi who prevent us from returning."[6] Currently, the ex-FAR has an estimated troop strength of 50,000 men in over a dozen camps, and has brought the militias more tightly under its control.[7] These forces have launched cross-border raids to destabilize the already precarious situation in Rwanda and to obtain information and experience for a future offensive against the current government in Kigali.[8] In addition, the ex-FAR and Rwandan Hutu militias have aligned themselves with Hutu militias from neighboring Burundi, inflaming an already tense situation inside Burundi and threatening to regionalize the conflict.[9]

As they prepare to resume fighting, members of the ousted Rwandan government, ex-FAR and militias continue to enjoy impunity from arrest and prosecution for their alleged involvement in last year's genocide. An international tribunal established to try Rwandans for genocide, other crimes against humanity and war crimes in 1994 has yet to hand down its first indictments. Rwanda's shattered judicial system is ill-equipped to prosecute the estimated 30,000 people who clog the country's jails on suspicion of participation in the killing.[10] This lack of accountability has meant the absence so far of an effective deterrent to a resumption of the genocide, and has fueled the political and military ambitions of former Rwandan officials and their extremist Hutu followers. Undaunted by fear of prosecution, they hold audiences with journalists,

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[4] Members of the ousted Rwandan government, armed forces and militias also reside in or travel for strategic reasons to refugee camps in Tanzania and Burundi which are designated "civilian." However, the key members of the ousted government and the largest number of army and militia members, as well as their commanding officers, reside in eastern Zaire because of assistance provided by sympathetic Zairian civil and military authorities, as observed by Human Rights Watch over the course of the field investigation.

[5] In this report, the FAR will be referred to as the "ex-FAR" in the period after July 1994.

[6] Interview with Col. Musonera, Bukavu, March 4, 1995.

[7] This figure is based on estimates by international NGO and United Nations staff, and observations by the Human Rights Watch researcher. In 1990, the FAR had a troop strength of 5,000. Then, following the invasion by the RPF from Uganda, new recruitment by the FAR assisted by French training raised the number of troops to about 30,000. The further increase to 50,000 in the camps in Zaire since July 1994 should be credited to two factors: the incorporation of the Hutu militias into the ex-FAR, and a vigorous recruitment drive among men implicated in the genocide.

[8] See also Human Rights Watch/Africa, "Rwanda: A New Catastrophe? Increased International Efforts Required to Punish Genocide and Prevent Further Bloodshed," vol. 6, no. 12 (New York: December 1994).

[9] Based on observations by Human Rights Watch in eastern Zaire and Burundi during the field investigation, and interviews with Rwandan and Burundian political and militia leaders in Nairobi, February 1995.

[10] See Human Rights Watch/Africa, "The Aftermath of Genocide in Rwanda: Absence of Prosecution, Continued Killings" (New York: September 15, 1994); and Human Rights Watch/Africa and Fédération Internationale des Ligues des Droits de l'Homme, "Rwanda: The Crisis Continues," vol. 7, no. 1 (New York and Paris: April 1995).

United Nations agency staff and representatives of nongovernmental organizations (NGOs) in the camps and towns of eastern Zaire, in the Zairian capital Kinshasa, and in Nairobi, the capital of Kenya, to boldly justify their actions.[11] Some have traveled to foreign countries seeking assistance for their military cause.[12] They have been disturbingly successful in this endeavor.

The ex-FAR and militia auxiliaries have access to sufficient funds to buy weapons on the open market. Most of Rwanda's hard currency and financial assets were taken out of the country by officials of the rump government and officers of the ex-FAR and militias when they fled the country last summer. Additional money and assets in foreign countries (including at least Kenya, Tanzania, Zaire and the Netherlands) controlled by the ousted Rwandan government continue to be available to its leadership in exile.[13] A racket in looted goods, including Rwandan government vehicles, provides profit for the civilian and military officials who fled Rwanda to Zaire.[14] Cash income generation schemes run by former Rwandan civil and military authorities both in the civilian refugee camps and local Zairian communities provide for the maintenance and salaries of officers and troops.[15]

The international arms embargo, imposed by the U.N. Security Council against Rwanda on May 17, 1994, has presented the only nominal obstacle to the ousted Rwandan government's quest for arms.[16] The

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[11] Despite a refusal by the United Nations High Commissioner for Refugees (UNHCR) to meet with the "government-in-exile," UNHCR officials do meet with some of its leaders, including those implicated in the genocide, such as François Karera, the former prefect of greater Kigali, who runs the Katale camp in the Goma area. (Based on observations in Goma, November 29, 1994).

[12] Interviews with senior ex-FAR officials, including Gen. Augustin Bizimungu, Gen. Kabiligi, and the chief arms procurer for the ex-FAR, Col. Theoneste Bagasora, during the course of the field investigation.

[13] For example, the government that took over in Rwanda in July 1994 was not able to take possession of the Rwandan embassy in Kenya until December 1994 (because of a delay in recognition of the new government by Kenya), by which time all embassy assets had been removed by members of the previous regime, including money in the embassy's bank accounts. Interviews with Jacques Nziza, chargé d'affaires at the Rwandan embassy in Kenya (until April 1995), Nairobi, February 3, 1995; and with Cyprien Habimana, ambassador of the former government of Rwanda to Kenya, Nairobi, February 4, 1995.

[14] As observed by Human Rights Watch and based on interviews with Zairian military staff, as well as former Rwandan government and military officials.

[15] Income generation schemes include, among others, the sale of international relief supplies on the open market, taxi and bus services, the sale of firewood and bamboo, and illegal trade in wildlife.

[16] Paragraph 13 of U.N. Security Council Resolution 918 reads: "...all States shall prevent the sale or supply to Rwanda by their nationals or from their territories or using their flag vessels or aircraft of arms and related *matériel* of all types, including weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts..." (S/RES/918 (1994), 17 May 1994). In the view of Human Rights Watch, the arms embargo "on Rwanda" applies to both the current government of Rwanda and the former government, now in exile in Zaire, Kenya and elsewhere. The embargo was intended as a measure to stop the genocide in the spring of 1994. A subsequent change of government should not, in the view of Human Rights Watch, mean that the embargo would not apply to the "government-in-exile," especially in light of the evidence that the ousted government is a fighting force that has committed genocide and has vowed to resume its actions against the Tutsi population in Rwanda at the earliest opportunity. In a later resolution, Resolution 6025 of April 27, 1995, the Security Council invited "States and organizations which have information on the transport of arms into countries neighboring Rwanda for the purpose of their use in Rwanda in contravention of resolution 918 (1994) to pass this information to the Committee established under resolution 918 (1994) and requests that Committee to consider this

embargo has not been actively enforced, however, and shipments of arms have reached the ex-FAR in Zaire during the last year, mostly via the airport at Goma in eastern Zaire. These military supplies have not only enlarged the ex-FAR's stockpiles for future conflict but boosted its morale.

This report is based on a field investigation by a researcher of the Human Rights Watch Arms Project in Rwanda, Zaire, Tanzania and Burundi from November 1994 through March 1995 [17] Additional material was collected in South Africa in January 1995. The researcher gained regular access to former Rwandan government officials, military commanders and bases, and was able to observe ex-FAR and militia training.

On the basis of the evidence outlined below, we conclude that Zairian forces close to president Mobutu Sese Seko have played a pivotal role in facilitating the re-emergence as a powerful military force of those directly implicated in the Rwandan genocide. Zaire has offered the former Rwandan government armed forces and allied militias shelter and protection, and rather than arresting those suspected of crimes pending their indictment for trial by the International Tribunal, has permitted them freedom of movement. In addition, the government of Zaire has permitted its territory and facilities to be used as a conduit for weapons supplies to the ex-FAR (detailed below), and private cargo companies based in Zaire have acted under contracts with Zairian officials to transport a large quantity of these weapons.

Zaire has a history of support for the ousted Rwandan leaders. President Mobutu of Zaire and president Juvénal Habyarimana of Rwanda were staunch allies, for example in their political struggles against president Museveni of neighboring Uganda. Zaire sent troops into Rwanda to aid the FAR in its fight against the RPF's invasion from Uganda in 1990, and helped train Habyarimana's newly-created Presidential Guard. Following the ouster of the Rwandan government in July 1994, the Zairian authorities have been on record as refusing to tolerate the existence of any Rwandan government-in-exile in their territory, and have proclaimed Zaire's "political neutrality" in the Rwandan civil war.[18] Nevertheless, Human Rights Watch was able to interview officials representing the Rwandan "government-in-exile," such as prime minister Jean Kambanda, in Goma and Bukavu during the course of the investigation, and officials of the Habyarimana government were still declaring openly on April 26, 1995 that the "Rwandan government-in-exile" was based in Zaire.[19]

Behind Zaire stands France, a former colonial ruler in Africa that continues to wield enormous economic, political and military power in the continent. France was the main ally of the Habyarimana government until July 1994. It sent in 300 troops to support the government after the invasion by the RPF in October 1990 — a force later reduced to 170 soldiers — and provided military training to the FAR. In early 1993, after a new offensive by the RPF, France increased its military presence in Rwanda to 680 troops, ostensibly to "protect French citizens and other foreigners," although French troops were seen assisting the

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information as a matter of urgency and to report thereon to the Security Council."

[17] The researcher spent two additional months in the same countries, as well as Uganda, in a private capacity from August through October 1994. Some of the interviews conducted during this period have also been used for this report.

[18] As reported by *Agence France Presse*, April 26, 1995 (*Foreign Broadcast Information Service*, FBIS-AFR-95-081, April 27, 1995, p. 4).

[19] Ibid.

FAR in combat against the RPF.[20] Even after the departure of French uniformed soldiers with the arrival of U.N. forces in December 1993 (under the Arusha Accords), France continued to provide training to the militias.[21] After the start of the genocide on April 6, 1994, France dispatched 460 troops to evacuate its citizens, but failed to take action against its allies who had launched a genocidal rampage against the Tutsi population. Following the defeat of the Habyarimana government in July 1994, France has continued to support the ousted leaders in exile, as described below.

Other countries, like South Africa, the Seychelles and China, have also either provided weapons support to the ex-FAR and militias, or have facilitated the supply of arms from ostensibly private sources.

The descriptions of arms shipments provided in this report are not exhaustive but merely indicative of the arms and ammunition which the ousted Rwandan government forces in Zaire have received during the post-embargo period of 1994-95.

Human Rights Watch holds that gross abusers of human rights should not receive arms and other forms of military assistance. The international community should in particular withhold any form of assistance to the perpetrators of genocide. Certain allies of the ousted Rwandan government, however, appear to have been guided more by geopolitical and financial than by moral or legal considerations during the past year. While public scrutiny and adverse international opinion may have discouraged open foreign support of the ex-FAR, clandestine support has continued. Some of the countries that had armed the Rwandan government prior to the genocide and international arms embargo[22] now operate through middlemen and rely on false end-user certificates to conceal the final destination of weapons. While the indirect flow of arms to the perpetrators of the genocide may have slowed their resupply, the rapid re-militarization of the ex-FAR and militia that has taken place underscores the abiding threat of a resumption of the genocide campaign in Rwanda. Through this report, and the specific recommendations it makes, Human Rights Watch seeks to contribute to further international measures aimed at bringing the perpetrators of the Rwandan genocide to justice and thereby preventing a continuation of the bloodshed that engulfed Rwanda in the spring of 1994.

II. THE ROLE OF FRANCE

Arms flows to the FAR were not suspended immediately by France after the imposition of the arms embargo on May 17, 1994. Rather, they were diverted to Goma airport in Zaire as an alternative to Rwanda's capital, Kigali, where fighting between the FAR and the rebel RPF as well as an international presence made continued shipments extremely difficult. Some of the first arms shipments to arrive in Goma after May 17 were supplied to the FAR by the French government. Human Rights Watch learned from airport personnel and local businessmen that five shipments arrived in May and June containing artillery,

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[20] Human Rights Watch Arms Project, "Arming Rwanda: The Arms Trade and Human Rights Abuses in the Rwandan War," vol. 6, no. 1 (New York: January 1994), pp. 23-24.

[21] Rick Orth, "The Four Variables of Preventive Diplomacy: Application in the Rwanda Case." Paper presented at the 14th annual Africa Conference, The Johns Hopkins School of Advanced International Studies, Washington, D.C., April 7, 1995.

[22] Notably South Africa and France. See Human Rights Watch Arms Project, "Arming Rwanda

machine guns, assault rifles and ammunition provided by the French government.[23] These weapons were taken across the border into Rwanda by members of the Zairian military and delivered to the FAR in Gisenyi.[24] The French consul in Goma at the time, Jean-Claude Urbano, has justified the five shipments as a fulfillment of contracts negotiated with the government of Rwanda prior to the arms embargo.[25] In the view of Human Rights Watch, these shipments constituted a clear violation of the U.N.-imposed embargo, and are all the more to be condemned because the recipients were carrying out a campaign of genocide at the time.

In an interview with the Human Rights Watch researcher, the French consul also mentioned several other shipments of arms that arrived at Goma airport for the FAR in the May to July period from sources other than the French government.[26] Despite this, the government of France is not known to have reported these shipments to the Committee set up by the U.N. Security Council under Resolution 918 (1994).

In mid-June 1994, as the Rwandan government in Kigali was on the edge of collapse, the French government announced plans to dispatch 2,500 troops to Rwanda for humanitarian purposes. On June 22, the U.N. Security Council authorized the French intervention in Rwanda, called "Operation Turquoise." The next day, an advance team of French combat troops arrived in Goma and Bukavu to lay the groundwork for the French intervention. Soon after, the French government, without prior U.N. approval, declared its intention to carve out a "safe zone" in southwestern Rwanda. It was to this zone that the rump government and the majority of the Rwandan armed forces and militias retreated following the fighting in Kigali and the RPF's military advance. Under French protection, the FAR and militias were able to exert their control over the vast population that was quartered in the safe zone.[27] The rump government moved its radio station into the zone where it continued without interference to incite Hutu to kill Tutsi in its broadcasts.[28]

For the duration of Operation Turquoise, the FAR continued to receive weapons inside the French-controlled zone via Goma airport. Zairian soldiers deployed in Goma at the time assisted in the cross-border

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[23] Interviews with airport staff, local businessmen and air cargo company crews over the period of the field investigation. The precise dates of two of these shipments are known: May 25 and May 27, 1994.

[24] Interviews with airport staff, local businessmen, air cargo company crews and Zairian officials over the period of the field investigation.

[25] Interview with Jean-Claude Urbano, Goma, February 15, 1995. See also Chris McGreal, "Paris Stands by as Arms Pour Through Eastern Zaire," *The Guardian* (London), June 23, 1994.

[26] Interview, Jean-Claude Urbano, Goma, February 15, 1995. According to Urbano, the weapons were of Israeli, South African and Soviet manufacture. He also said that he was unaware of who had supplied the weapons or had facilitated their transfer, but that they "could have" come from private French arms dealers. Even private transfers must, however, be licensed by the French government.

[27] France declared that, if necessary, it would use force against any RPF encroachment on the zone. Raymond Bonner, "French Establish a Base Inside Rwanda to Block Rebels," *New York Times*, July 5, 1994.

[28] Bruno Delaye, Chief Counselor on Africa to the French Presidency, told Human Rights Watch/Africa in July 1994 that France was willing to stop the broadcasts but was unable to locate the transmitter. (Interview, Paris, July 1994). Human Rights Watch finds it wholly unbelievable that the French military, which had full control over the zone and had close relations with the FAR, was not in a position to locate this radio transmitter.

delivery of arms.[29] Some of these weapons arrived from Kinshasa, the Zairian capital, apparently from Zairian stocks, while others came from outside Zaire.[30] It is unlikely that the French military authorities present in the zone, who conducted regular patrols at the border post between Goma and Gisenyi, and had a continuous presence at Goma airport, were not aware of these weapons entering the safe zone. Yet the French authorities neither made an attempt to interdict these shipments nor reported them to the Committee set up by the Security Council under Resolution 918.

After the defeat of the Rwandan government and the subsequent refugee exodus into Goma in mid-July, French military leaders told the United Nations Assistance Mission for Rwanda (UNAMIR) that French troops had disarmed the Rwandan forces crossing the border into Zaire and had handed over their weapons to the Zairian authorities.[31] Given French knowledge of ongoing Zairian arms support of the FAR, the French decision to hand these weapons over to Zairian authorities was hardly appropriate.

French forces began withdrawing from Rwanda in mid-August. Local Rwandan gendarmes and administrators in the Cyangugu area of the French-controlled zone have told Human Rights Watch that they had arrested two prime suspects in the Rwandan genocide from that area, known locally as "Prima" and "Sebastial," in addition to many others, and handed them over into French custody during Operation Turquoise. These authorities added that these detainees were then escorted into Zaire in French vehicles as the French troops withdrew from Rwanda, and were subsequently released.[32] In the Cyangugu as well as the Gikongoro area of the French-controlled zone, UNAMIR officers claim to have seen lists, prepared by French authorities in the zone, of persons accused locally of genocide or other criminal activities, some of whom had been detained. Departing French troops did not hand over these lists to UNAMIR forces, however, and they released jailed prisoners before U.N. replacements arrived to take over from French command.[33]

Moreover, Human Rights Watch was able to confirm that French forces left behind at least one weapons cache in the Rwandan town of Kamembe in the safe zone for militia and ex-FAR personnel who remained. Our researcher viewed this cache in Kamembe, which contained over fifty assault rifles and several machine guns, on two occasions in August and September 1994, after having been informed of its existence by members of the defeated Rwandan army and gendarmerie, as well as UNAMIR officials.

According to U.N. officials, the French military flew key commanders, including Col. Theoneste Bagasora and *Interahamwe* militia leader Jean-Baptiste Gatete, and crack troops of the ex-FAR and militias out of Goma to unidentified destinations on a series of flights between July and September 1994.[34] Human

[29] Interviews with airport staff, local businessmen, air cargo company crews and Zairian officials over the period of the field investigation.

[30] Interviews with airport staff, local businessmen, air cargo company crews and Zairian officials over the period of the field investigation.

[31] Interviews with UNAMIR officials, Kigali, November 1994 and February and March 1995.

[32] Interviews in Kamembe, Gafunzo and Cyangugu, August 1994.

[33] Interviews with UNAMIR officials in Gikongoro and Cyangugu, August 1994.

[34] Interviews with U.N. officials, August 1994 - March 1995.

Rights Watch has received allegations that Hutu military and militia personnel continued to receive military training at a French military facility in the Central African Republic after the FAR's defeat.[35] Human Rights Watch learned from Hutu leaders that on at least one occasion members of Hutu militias from both Rwanda and Burundi traveled on an Air Cameroon flight from Nairobi to Bangui, capital of the Central African Republic, via Douala, Cameroon, between October 16 and 18, 1994, to receive training from French forces there.[36] Based on evidence it had acquired on its own, in late 1994 the government of Burundi asked the governments of France and the Central African Republic for official explanation of the kind of "education" being provided in the CAR to young Hutu men known to have links to the Hutu militias.[37]

III. THE ROLE OF ZAIRE

Zairian officials, including military chiefs, have played a key role both in supplying arms and facilitating arms flows to the FAR, before but also after the international community imposed an arms embargo against Rwanda on May 17, 1994.[38] Some officials have openly encouraged arms trafficking by private dealers through Zaire, generally in return for kickbacks.[39]

Cargo companies that are ostensibly private and that are either registered or based in Zaire transport many of the weapons that are being supplied covertly throughout Africa. Although some air transport companies may have links with the clandestine agencies of other countries, these companies operate under contract with Zairian government officials and senior officers in the Armed Forces of Zaire (FAZ), usually allied with president Mobutu, to transport the weapons from locations in Europe or Africa to Zairian regional allies, like the former government of Rwanda and UNITA.[40] According to company owners and staff,

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[35] Interviews with former Rwandan government officials, ex-FAR officers and militia leaders, as well as Burundian Hutu leaders, Nairobi, February 1995, and Uvira and Bujumbura, March 1995. France maintains a force of 1,200 soldiers, including paratroopers, in the Central African Republic, divided over two bases, in Bangui and Bouar.

[36] Interviews with former Rwandan government officials, ex-FAR officers and militia leaders, as well as Burundian Hutu leaders, Nairobi, February 1995, and Uvira and Bujumbura, March 1995.

[37] Interview with officials at the Burundian Ministry of Defence, Bujumbura, February 1995.

[38] Determining responsibility for such actions presents a problem in the Zairian context. Various Zairian military units report to different authorities in Zaire. Military divisions generally report to regional commanders, who in turn report to the minister of defense, an intimate of president Mobutu's. Elite divisions like the *Garde Civile* (Civil Guard) and the *Division Spéciale Présidentielle* (Special Presidential Division) report directly to military chiefs under president Mobutu. Often troops must raise funds for their own salaries, and for this purpose extort or steal from the local population with impunity, or engage in illegal trade in arms. This has reduced accountability of troops to the national authorities. Even if it may be difficult for these reasons to pinpoint precise responsibility for specific actions by the military, it is clear that ultimate responsibility for such actions lies with the government of president Mobutu.

[39] The *Service National d'Intelligence et de Protection*, SNIP, is the Zairian secret police agency under president Mobutu's direct control. In Goma, the SNIP agent responsible for immigration from Rwanda, Danny Bimbo, has been a key player in facilitating arms transfers to the ex-FAR from Goma airport. In an interview, Bimbo claimed he had received a number of Rwandan government vehicles as payment for his services. Interview, Goma, March 11, 1995.

[40] The companies operate under contracts with Zairian officials and military commanders to carry any type of [illegible] over a certain period. Cargo may include weapons.

company owners who refuse such contracts are threatened with cancellation of their companies' registration, confiscation of their assets, and even deportation. Pilots file false flight plans, often listing fictitious destinations such as Swaziland, Gabon, Libya and Nigeria, under pressure from contractual partners to disguise the true origin or destination of arms cargo; staff at N'Djili airport in Kinshasa are paid a minimum of $1,000 per flight by the cargo companies to file these false flight plans. Pilots also supply false cargo manifests — the documents describing the content of the cargo.[41] The Zairian contracts enabling the covert arms shipments constitute a form of indirect financial support for those procuring the weapons.

Human Rights Watch has evidence of a number of cargo flights that brought weapons into the Goma airport after the international community imposed an arms embargo against Rwanda in May 1994; most of these weapons were then delivered to the FAR in Gisenyi. Some of the planes are known to have been registered in Zaire, Nigeria, Liberia and Lebanon.[42] For example, one shipment in mid-June arrived on an aircraft registered in Liberia, with a Belgian crew from Ostend, which picked up arms in Libya, including artillery, ammunition and rifles from old government stocks.

Several of these planes, which are registered as owned by private cargo companies, were used in the same period to fly relief supplies into Goma airport for international NGOs. In at least two instances verified by Human Rights Watch, planes bearing the logos of NGOs alternately delivered relief supplies and arms to Goma airport in May and June 1994. One of these NGOs, when confronted with the evidence, immediately took steps to prevent a recurrence.[43]

In one important shipment, two planes of Air Zaire, a Zairian state company, flew weapons, reportedly antitank and fragmentation grenades, as well as high-calibre ammunition, to Goma from the Seychelles on the nights of June 16-17 and 18-19, 1994. These weapons were then transferred to the FAR in Gisenyi. A Zairian government functionary negotiated and accompanied the shipment from the Seychelles to Zaire.[44] These weapons were part of a stockpile that the Seychelles government had confiscated from a ship called *The Malo*. This ship was intercepted by the Seychelles navy in March 1993, reportedly on charges of illegally importing military arms and ammunition into the country.[45] The shipment was consigned for Somalia, where an international arms embargo was in place at the time. According to the Seychelles minister of defense, James Michel, end-user certificates for the shipment were provided by Zaire.[46] In this instance

[41] Interviews with cargo company staff and crews over the period of the field investigation.

[42] One of the planes was registered in Rwanda until the Hutu-controlled government was forced to flee the country in the summer of 1994; it was then registered in Zaire. The information on the cargo flights presented here is based on interviews with airport staff, local businessmen, air cargo company staff and crews, the former French consul in Goma and Zairian officials over the period of the field investigation.

[43] Communication, Goma, February 13, 1995, as well as interviews with NGO officials, Goma, February 1995.

[44] Interview with Col. Theoneste Bagasora of the ex-FAR, Goma, February 15, 1995; and interview with Fred Zeller, Kinshasa, March 9, 1995.

[45] "The Seychelles: Merchants of Death," *Indian Ocean Newsletter*, July 2, 1994.

[46] Telephone interview, January 26, 1995. According to Michel, the FAR had paid $300,000 for this shipment of arms. Michel was also quoted in the local press on this issue. "Pitiful Denial: Sale of Malo Arms," *Regar* (Seychelles), July 8, 1994.

end-user certificates served to conceal the ultimate destination of the weapons and provide a means of deniability for those involved in breaking the arms embargo against Rwanda.

Another shipment facilitated by the government of Zaire around the same time involved an American private arms dealer who allegedly was previously involved in covert CIA operations in support of UNITA in Angola, Fred Zeller. In an interview with the Human Rights Watch researcher, Zeller claimed to have been authorized by the Rwandan Central Bank to act as a middleman for an arms transfer from private sources headquartered in Belgium to the FAR in Rwanda via Goma airport. Zeller said he traveled to Belgium in May 1994 in the company of a high-ranking military official in the Zairian *Garde Civile* (Civil Guard); the government of Zaire issued end-user certificates for the weapons. The shipment was aborted when Belgian authorities arrested Zeller and three other Europeans involved in the deal on charges of attempting to cash American Express traveler's checks that had reportedly been stolen from the Rwandan Central Bank in Kigali.[47]

In early July, three planeloads of weapons arrived at Goma airport from the N'Djili airport in Kinshasa, the Zairian capital. The weapons were carried by private cargo companies under contract with the FAZ, and were accompanied by representatives of the FAR. Upon arrival in Goma, the weapons were loaded onto trucks by Zairian troops and members of the FAR, and taken across the border into Gisenyi. A fourth planeload of arms arrived at Goma on July 17. The weapons from this shipment were unloaded by Zairian soldiers and escorted by Zairian and Rwandan soldiers to an unknown destination. According to eyewitnesses, the four shipments included assault rifles, ammunition, mortars, grenades and landmines, and derived from Zairian stocks.[48]

In late July and August, four more planes landed at Goma carrying weapons for the ex-FAR, according to eyewitnesses. The Boeing 707 planes carrying these weapons were not registered in Zaire, and the origins of the weapons are not known. One shipment arrived on a Lebanese-registered plane which on previous occasions also had carried weapons for the ex-FAR. Ex-FAR officers and Zairian soldiers took delivery of this particular shipment, though onward destination of these weapons remains unclear.[49]

Following the retreat of the FAR from Rwanda in mid-July, Zairian troops made a public display of confiscating weapons from FAR soldiers and militia members crossing into Zaire at the Gisenyi-Goma border. The events were widely covered by the international media. By contrast, as observed by Human Rights Watch, during later border crossings at Bukavu in August, which took place mostly outside public view, Zairian troops made no such effort. But even at Goma in July, not all the FAR's arms were confiscated. A large number of Rwandan troops were allowed to drive military vehicles and government buses into Zaire, carrying with them not only military supplies but also goods looted from homes and businesses during their

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[47] The four men were later released. Interview with Fred Zeller, Kinshasa, March 9, 1995.

[48] Interviews with airport staff, local businessmen, air cargo company crews and Zairian officials over the period of the field investigation. According to these witnesses, the cargo plane carrying arms on July 17 came under fire by the RPF as it took off for Kinshasa later that day.

[49] Interviews with airport staff, local businessmen, air cargo company crews and Zairian officials over the period of the field investigation.

retreat. The ex-FAR and militias were able to take this equipment and goods to the camps that were set up inside Zaire.[50]

A vast quantity of weapons confiscated by Zairian troops in July remains unaccounted for by Zairian authorities, despite oral and written inquiries by the U.N. and western governments as to their whereabouts.[51] Human Rights Watch was able to obtain information about the fate of some of these weapons. According to eyewitnesses, at least one planeload of rifles was flown out of Goma to N'Djili airport in Kinshasa in July, reportedly for onward shipment to Angola. These same witnesses said the weapons were handed over to the rebel UNITA movement that has been fighting a war against the Angolan government.[52] According to Zairian military officers, one stock of well-preserved weapons is stored and regularly oiled at a Zairian military base in Goma.[53] In addition, many of the heavy weapons and equipment that the ex-FAR had managed to bring across the border, including French-made AML 60 and AML 90 armored cars, 120mm armored mortar carriers, various anti-aircraft guns, rocket launchers, howitzers, mortars and military trucks, have been kept in good condition at a second Zairian military base near the center of Goma. Human Rights Watch was able to view these weapons, and, during a series of visits to the base in December 1994 and February 1995, witnessed how ex-FAR soldiers were responsible for routine maintenance of these weapons and military vehicles.

According to eyewitnesses, several planeloads of arms arrived at Goma airport for the ex-FAR in February and March 1995. Human Rights Watch is currently investigating the origins of these shipments and the countries that enabled them to be made.[54]

Zaire has not only assisted the ex-FAR in weapons procurement, but also in setting up both military and civilian camps along the border with Rwanda, enabling the ex-FAR to regroup and rebuild its military infrastructure. In addition to the camps sheltering civilian refugees, Human Rights Watch has identified five types of military camps in eastern Zaire:

- Land in the North Kivu area was given to the former government of Rwanda to serve as the military headquarters of the presidential guard and other uniformed military units. The camp created there is known as Lac Vert. Human Rights Watch was able to view grenade and ammunition caches at the camp in December 1994.

[redacted]

[50] As our researcher was able to observe, many of these looted goods ended up in markets run by the ex-FAR in towns like Goma and Bukavu. Interviews with officers of the FAZ and ex-FAR, as well as NGO staff, Goma and Bukavu, November 1994 - March 1995.

[51] Interviews with U.N. officials in Kigali during the period of the field investigation, and with United States embassy officials, Kinshasa, March 9, 1995.

[52] Interviews with airport staff and air cargo company crews, Goma and Kinshasa, February and March 1995.

[53] Interviews with Zairian military officers, Goma, December 1994 and February 1995.

[54] Interviews with airport staff, local businessmen and air cargo company crews in Goma and Kigali, February and March 1995.

- A Zairian army/gendarmerie base near Bukavu, Panzi camp, was given to the ex-FAR and *Interahamwe* militias. At the camp, Human Rights Watch was able to take a brief look into one building that contained a stock of assault weapons during a visit in March 1995.

- In the South Kivu area, nearly eighty kilometers outside of Bukavu, the ex-FAR and militias were permitted to set up a covert military training camp known as Bilongue. Human Rights Watch was able to gain admission to the camp and observe military training in March 1995.

- Further south in the Uvira region, the ex-FAR and militias, in collaboration with Hutu militias from Burundi, administer and control refugee camps recognized as "civilian" camps by the United Nations High Commissioner for Refugees (UNHCR) and local Zairian authorities, from which they launch cross-border raids into both Rwanda and Burundi. Human Rights Watch visited the camps of Kamanyola, Kanganiro, Lubarika, Luvungi and Luberizi in the Uvira area in February and March 1995.

- Small guerrilla camps on Idjwi Island in Lake Kivu are used mainly to train for and launch cross-border raids into Rwanda by commandos from the other military and civilian camps.[55]

Despite an agreement, in December 1994, between the UNHCR and local Zairian civil authorities to consolidate camps in the Uvira region for logistical and security reasons, the authorities in South Kivu have insisted that certain clearly military camps near the borders with Rwanda and Burundi be kept intact, despite clear evidence that they are being used as launching pads for cross-border raids. For example, when the UNHCR began consolidating camps in the Uvira area from twenty-six down to eleven in December 1994, the local authorities insisted on retaining those camps that were most militarized, such as Kamanyola, which is only 800 meters from the border with Burundi and a few kilometers from the border with Rwanda. Furthermore, the local authorities tried to prevent a strong presence of U.N.-sponsored Zairian troops in the Uvira area in February 1995, claiming that the camps shelter not only Rwandans but also Burundians and fall therefore outside the U.N. mandate.[56] The governor of South Kivu, Pasteur Kyembwa wa Lumona, has appointed administrators in key militarized "civilian" camps, who supervise these camps in cooperation with the UNHCR. Militia members have told Human Rights Watch in interviews that local Zairian authorities have permitted the ex-FAR and militias to conduct political, military and propaganda activities in the camps as long as these are kept out of the view of international relief workers. According to local sources, Zairian civil and military authorities have threatened local journalists and human rights activists in Goma and Bukavu, warning them not to report on the activities of the ex-FAR and militias, or the location of their camps.

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[55] This information was obtained from ex-FAR officers in Goma, Bukavu and Uvira in December 1994 and February-March 1995, and was confirmed by UNAMIR officials who said they had intercepted commandos operating from Idjwi Island. Interviews, Kigali and Cyangugu, February-March 1995.

[56] The reason why Zairian authorities in South Kivu want to limit the deployment of Zairian troops operating under U.N. aegis in these camps is that this would mean that international observers of the Civilian Security Liaison Group of the UNHCR would then also be deployed in greater numbers in these camps. As of April 27, 1995, all 1,500 members of the *Contingent Zairois pour la Securité dans les Camps* (Zairian Contingent for Security in the Camps) had been deployed in six camps and two command centers around Goma and Bukavu. Of the Civilian Security Liaison Group, twenty-seven officers had been deployed in Goma and Bukavu by that date. (UNHCR, "Internal Update on Rwanda-Burundi Operations," May 3, 1995).

Outside the camps, Zairian authorities have permitted full freedom of movement to both uniformed and non-uniformed ex-FAR soldiers, who often travel in former Rwandan government buses, and have provided them with Zairian armed escorts, as Human Rights Watch was able to observe. In addition, Zairian military and *Garde Civile* commanders have permitted elements of the ex-FAR and militias to reside in and conduct training exercises on some of Zaire's own military bases, both in the Kivu region and farther into the interior.[57]

IV. THE ROLE OF SOUTH AFRICA

Prior to the international arms embargo, South Africa was one of the main suppliers of arms to Rwanda.[58] After the embargo was imposed, South African government officials who previously had coordinated arms supplies to Rwanda helped to organize at least one shipment of arms to the FAR. Colonel Theoneste Bagasora, a senior official in the Ministry of Defense of the self-declared Rwandan government-in-exile, has stated that he met with South African officials at the end of May and early June 1994 to arrange further shipments of arms to the FAR.[59] According to Bagasora, the officials refused to consider direct South African arms shipments in violation of the embargo, but offered to help arrange shipments by other parties. Bagasora said that, following the meeting, he, a Zairian government representative, and Willem Ehlers who reportedly used to be an aide to the former president of South Africa, P. W. Botha, flew to the Seychelles on June 4, where they negotiated the purchase of arms for the FAR, which were subsequently flown to Goma.[60]

In February and March 1995, several planeloads of arms were flown directly from South Africa to Zaire, arriving at an airstrip in the Kivu region.[61] No further details on these shipments are available at this time

[57] According to Zairian commanders in Goma and Kinshasa, as well as ex-FAR officers and Hutu militia members in Goma, Bukavu and Uvira, interviewed over the period of the field investigation, several of these bases are used to train other foreign troops as well, such as "UNITA rebels" and "Sudanese government forces." This point has been confirmed by expatriates with access to these bases, interviewed in Goma and Kinshasa, February and March 1995.

[58] See Human Rights Watch Arms Project, "Arming Rwanda."

[59] Interview with Col. Theoneste Bagasora, Goma, February 15, 1995. These South African officials had been directly involved in the procurement of arms for Rwanda prior to the U.N.-imposed embargo.

[60] Interview with Col. Bagasora, Goma, February 15, 1995.

[61] Interviews with airport staff, local businessmen and air cargo company crews in Goma and Kinshasa, February and March 1995. Since 1993, Zaire has been on a South African Department of Foreign Affairs list of countries to which the South African armaments industry is forbidden by law to supply lethal weapons.

V. THE ROLE OF CHINA

Rwanda's vice-president, Maj. Gen. Paul Kagame, paid a visit to China at the end of March 1995, in part to dissuade the Chinese government from selling arms to the ex-FAR via Zaire.[62] Kagame's visit followed a few months after a visit to China by Agathe Kanziga, the widow of the late president of Rwanda, Juvénal Habyarimana, and her brother, Séraphim Rwabukumba, in October 1994.[63] News reports have suggested that they placed orders for Kalashnikov rifles, grenades and rocket-propelled grenade launchers to a total value of $5 million.[64] According to *The Observer*, a Chinese embassy official in Kigali stated that China "would not discourage the provision of arms to the Rwandan extremists if that was what the Zaire government was planning," and that there was no international arms embargo against Zaire. The paper quoted the official as saying that "China practises the politics of allowing people to solve their own problems."[65]

VI. MILITARY CAPACITY OF THE EX-FAR AND MILITIAS

Human Rights Watch has visited many of the ex-FAR and militia bases in Zaire.[66] At the bases — and even in some of the civilian refugee camps from which they also operate — the ex-FAR has managed to rebuild its formal military structure since its arrival in Zaire. Military ranks are recognized and military discipline is observed. Officers meet regularly with troops to instruct and coordinate activities and issue pay. In an important development, the militias have been brought more fully under the command structure of the ex-FAR since October 1994. The ex-FAR command maintains a direct link with the political establishment through the self-declared government-in-exile's Ministry of Defense. The ex-FAR also has an extensive communications network ranging from walkie-talkies to radio stations. Human Rights Watch was able to see a major communications center inside Lac Vert camp, near Goma.

The ex-FAR generally keeps its weapons out of public view, insisting that its troops not carry weapons in the camps and towns, especially around Goma and Bukavu which are frequented by international relief workers. By contrast, in the Uvira region of eastern Zaire, which is farther from the international public view, ex-FAR and militia members often carry weapons openly in the camps. Human Rights Watch ha

[62] Interview with an aide to Maj. Gen. Kagame, Kigali, March 29, 1995.

[63] Their visit coincided with a week-long official state visit to China by president Mobutu of Zaire during which China and Zaire signed an economic and technological agreement. (*Xinhua* news agency, Beijing, October 21, 1994, as reported in *Foreign Broadcast Information Service*, FBIS-CHI-94-205, October 24, 1995, p. 24). In January 1995, China and Zaire signed a cooperation agreement. (*Reuters*, January 20, 1995).

[64] "Bears Guard Honey," *Africa Confidential*, No. 228 (February 20, 1995). Séraphim Rwabukumba, along with Félicien Kabuga, reportedly is one of the main financiers of *Akazu*, an group affiliated with the Habyarimana family and its allies which has been involved in arms purchases for the ex-FAR.

[65] Mark Hubbard, "UN Alert Urged as Arms Pour in for New Rwanda War," *The Observer* (London), March 26, 1995.

[66] Unless noted otherwise, the information in this section is based on observations by the Human Rights Watch researcher, and was confirmed in interviews with ex-FAR and militia personnel, as well as with UNHCR and NGO staff involved in the humanitarian relief effort in eastern Zaire, during the period of the field investigation.

witnessed training by the ex-FAR and Rwandan militias close to civilian camps and inside military camps, as well as joint exercises involving both Burundian and Rwandan militias in the Uvira area.

Essential services (food, water, blankets and tents) provided by the international NGOs to the civilian camps have been pilfered by the ex-FAR and militias for use at their own military bases. Human Rights Watch has been able to ascertain that in at least two instances, in Panzi and Lac Vert, the ex-FAR has kept children, including child soldiers, on its military bases in order to retain access to NGO assistance which would otherwise be denied their camps because of their predominantly military character. In this way, some NGOs appear to be contributing indirectly to the ex-FAR's attempt to rebuild its military infrastructure. One international NGO, the relief agency Caritas Internationalis, has continued to provide food supplies to two explicitly military camps, Panzi and Bilongue; its staff in Bukavu claimed that the organization does not wish to distinguish between civilian and military recipients of its humanitarian aid.[67] Another NGO, the Japanese-based Asian Volunteer Network, provides medical treatment to sick and wounded soldiers at Panzi military camp, where it runs a field hospital.[68]

The ex-FAR also controls many predominantly civilian camps. Human Rights Watch has observed especially how militias operating under ex-FAR command have seized control of refugee camps in the Uvira region with mixed Rwandan and Burundian populations. The militias in these camps have taken control of food distribution, engage in theft, prevent the repatriation of refugees through attacks and intimidation, carry out vigilante killings and mutilations of persons suspected of crimes or of disloyalty, restrict the movement of persons in and out of the camps, recruit and train young men for incursions into Rwanda and Burundi, and actively launch cross-border raids. The U.N. and NGO community have tended to dismiss these raids as simple banditry. The ex-FAR and militia officials we interviewed, however, claim that most cross-border raids are carried out expressly to destabilize the situation in Rwanda (and Burundi) by creating tensions in local communities. Regardless of the precise purpose of the raids, they have enabled the participants to carry out reconnaissance, gain experience in guerrilla tactics, and steal cattle and other goods to finance the military build-up.

VII. RECOMMENDATIONS

In light of the evidence collected by Human Rights Watch of continuing transfers of weapons and other military support by members of the international community to the perpetrators of the Rwandan genocide — transfers that have taken place in violation of the arms embargo imposed by the U.N. Security Council in 1994 — Human Rights Watch makes the following recommendations:

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[67] Interview with a Caritas official, Bukavu, December 6, 1994, as well as with staff of other NGOs active in the region. An official at Caritas Internationalis headquarters in Rome defended his organization's position by declaring that it had "no choice," because no one else was prepared to feed these people, who included "former soldiers and their families," and "they have to eat; they are not all murderers." He also said that Caritas would feed these people only if they came for food without their uniforms and their weapons. (Telephone interview, May 17, 1995). According to Human Rights Watch's observations, there are families only in Panzi camp, not in Bilongue. In both camps, all the men wear uniforms (in Bilongue, all belong to the ex-FAR; in Panzi, there are still militia members as well).

[68] Interview with Asian Volunteer Network staff, Bukavu, December 7, 1994, as well as with staff of other NGOs active in the region.

To the International Community:

- To strictly enforce the international arms embargo instituted against Rwanda under Security Council Resolution 918 (1994) on May 17, 1994, including the forces and supporters of the ousted Rwandan government, and to deploy U.N. monitors at Kinshasa, Goma, Bukavu and Uvira airports in Zaire for this purpose.

- To remove any doubt as to its meaning and scope of application, to reaffirm Security Council Resolution 918, specifying that the arms embargo applies to the former Rwandan government forces regardless of where they are located.

- To enforce Security Council Resolution 978 (1995), which urges states to "arrest and detain, in accordance with their national law and relevant standards of international law, pending prosecution by the International Tribunal for Rwanda or by the appropriate national authorities, persons found within their territory against whom there is sufficient evidence that they were responsible for acts within the jurisdiction of the International Tribunal for Rwanda."

- To secure the necessary funds for the International Tribunal for Rwanda to investigate and prosecute promptly those accused of directing the genocide, and to request that the Secretary General of the U.N. authorize funds for this purpose.

- To enlarge the presence of international observers in eastern Zaire by increasing the staff of the UNHCR Civilian Security Liaison Group.

- To act to restore security in the Rwandan refugee camps in Zaire so that the rights of refugees are protected, including their right to life and their right to return home safely and voluntarily. Specifically, the Security Council must act immediately to extend UNAMIR's mandate to include the Rwandan camps in Zaire, and to charge UNAMIR with the task of separating the "government-in-exile's" military and militias from the refugee population, and to disarm the ex-FAR and militias. Moreover, to encourage the UNHCR and international aid agencies to take effective control of relief distribution in the civilian refugee camps.

- To make future bilateral and multilateral aid to Zaire contingent on Zaire's full compliance with the international arms embargo against Rwanda, the cessation of assistance to the ex-FAR, and the directive to arrest those suspected of participation in the Rwandan genocide.

- To provide Tanzania with the resources to police the Rwandan refugee camps in the Ngara district and patrol its borders with Rwanda and Burundi, and to authorize Tanzanian troops to perform this task under U.N. auspices (just as the U.N. has sponsored Zairian troops to police the Rwandan camps in eastern Zaire).

- To cease and desist from doing business with cargo companies that are known to be shipping arms to the ex-FAR as long as these companies continue to accept contracts to transport arms to the ex-FAR.

To the Government of France:

- Fully to disclose the nature of French military and security assistance and arms transfers to the Rwandan government after May 17, 1994, including following that government's departure from Rwanda in July 1994, in light of the fact that such actions have supported a force that is widely recognized as having committed genocide. Specifically, but not exclusively, to provide full detail on the five shipments to the FAR between May 17 and the end of June 1994, which have been acknowledged by the former French consul in Goma, as well as by local ex-patriate and Zairian businessmen employed by the French government in Goma at the time.

- To make public information compiled during Operation Turquoise on the FAR and Hutu militia composition and individual command responsibilities, with a view to supporting the work of the International Tribunal for Rwanda.

- To make public information on the number and nature of arms, munitions and other military equipment held by the FAR and associated militias that came under the control of French forces during Operation Turquoise, and the final disposition of these weapons and equipment.

- To provide information on the precise whereabouts of light and heavy weapons confiscated from Rwandan soldiers and militias at the Rwandan border in 1994.

- To inform the international community about all training activity involving members of the former Rwandan government armed forces and associated militias by French military and security training teams, either by trainers on detached duty or at French military bases in Africa or in France itself. To provide information in particular on training activities reportedly carried out by France at bases maintained in the Central African Republic and Zaire between January 1994 and the present.

To the Government of Zaire:

- To end all assistance to the former government of Rwanda, the ex-FAR and Rwandan Hutu militias, in light of the fact that such assistance has buttressed a force that is widely recognized as having committed genocide.

- Fully to disclose the nature of Zairian military assistance and arms transfers to the Rwandan government after May 17, 1994, including following that government's departure from Rwanda in July 1994.

- Fully to disclose the nature of the services it has provided enabling the shipment of arms intended for the FAR/ex-FAR through Zaire after May 17, 1994.

- To arrest and prosecute all persons in Zaire who are implicated in arms transfers that are illegal under Zairian national law and constitute clear violations of the U.N. arms embargo.

To the Government of South Africa:

- Fully to disclose the nature of South African military assistance and arms transfers to the Rwandan government, including transactions undertaken by Armscor, after May 17, 1994. This should include transactions following that government's departure from Rwanda in July 1994, in light of the fact that such actions have supported a force that is widely recognized as having committed genocide.

Specifically but not exclusively, to provide full detail on the shipment to the FAR of weapons from the Seychelles in June 1994.

- To request the Cameron Commission to investigate the role of South African government officials in the Seychelles arms deal of June 1994.

ACKNOWLEDGMENTS

This report was written by Kathi L. Austin, director of the Africa Project at the Institute for Policy Studies and a consultant to the Human Rights Watch Arms Project. It was edited by Joost R. Hiltermann, the director of the Arms Project, and reviewed by Alison DesForges, Human Rights Watch consultant on Rwanda and Burundi. The report is based on a field investigation by Ms. Austin in Rwanda, Zaire, Tanzania, Burundi and South Africa from November 1994 through March 1995.

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Human Rights Watch Arms Project

Human Rights Watch is a nongovernmental organization established in 1978 to monitor and promote the observance of internationally recognized human rights in Africa, the Americas, Asia, the Middle East and among the signatories of the Helsinki accords. It is supported by contributions from private individuals and foundations worldwide. It accepts no government funds, directly or indirectly. Kenneth Roth is the executive director; Cynthia Brown is the program director; Holly J. Burkhalter is the advocacy director; Ann S. Johnson is the development director; Gara LaMarche is the associate director; Juan E. Méndez is general counsel; Susan Osnos is the communications director; and Derrick Wong is the finance and administration director. Robert L. Bernstein is the chair of the board and Adrian W. DeWind is vice chair. Its Arms Project was established in 1992 to monitor and prevent arms transfers to governments or organizations that commit gross violations of internationally recognized human rights and the rules of war and promote freedom of information regarding arms transfers worldwide. Joost R. Hiltermann is the director; Stephen D. Goose is the program director; Ann Peters is research associate; Kathleen A. Bleakley and Ernst Jan Hogendoorn are research assistants; William M. Arkin is consultant; Selamawit Demeke is associate.

REPUBLIQUE RWANDAISE

New York, 30th May 1995

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His Excellency Boutros
Boutros-Ghali
Secretary General of
the United Nations

NEW YORK

Your Excellency,

On the 9th June 1995, the present mandate of UNAMIR comes to an end. It is in may duty to communicate to you the instruction of my Government on the future role of UNAMIR before the matter is discussed in the Security Council.

It is probably useful to recall that since the 5th October 1993, when the United Nations Security Council by resolution 892 created UNAMIR I, the mandate of UNAMIR was revised. A number of times to cope with the realities on the ground. The original mandate of UNAMIR was:

a) Contribute to the security of Kigali inter alia within a weapon secure area established by the parties in and around the city;

b) To monitor observance of the Cease-fire Agreement, which calls for the establishment of cantonment and assembly zones and the democratization of the new demilitarized zone and other demilitarization procedure;

c) To monitor the security situation during the final period of the transitional government's mandate, leading up to the elections;

d) To assist with mine clearance, primarily through training programmes;

e) To investigate at the request of the parties or on its own initiative instances alleged non-compliance with the provisions of the Arusha Peace Accord relating to the integration of the armed forces, and pursue any such instances with the parties responsible and report thereon as appropriate to the Secretary General;

f) To monitor the process of repatriation of Rwandese refugees and resettlement of displaced persons to verify that is carried out in a safe and orderly manner;

g) To assist in the coordination of humanitarian assistance activities of the gendarmerie and police;

h) To investigate and report on incidents regarding the activities of the gendarmerie and police.

At the material time the arrival of and presence of United Nations Forces gave great hope to the Rwandese people who saw the forces as a contributory factor to the then engaged peaceful solution to the Rwandese conflict.

That hope was nonetheless dashed when the United Nations Forces became mere onlookers during the obvious preparations for genocide in Rwanda. It even became worse when on the 6th April 1994 UNAMIR, hiding behind a vage mandate refused to intervene and save the victims of the genocide. The withdraw of UNAMIR at that material time has left a very vivid dark image in the minds of most Banyarwanda vis-a-vis UNAMIR. Cries and pictures of innocent citizens who were being killed having sought protection in UNAMIR compounds, are still very fresh in their memories.

The reaction of the United Nations Security Council at the time, was to adopt resolution 91/1994 on the 21st April 1994 withdrawing the bulk of United Nations troops and leaving only a token figure of 270 men primarily to protect the United Nations personnel. That same resolution adjusted the UNAMIR mandate as follows:

a) To act as an intermediary between the parties in an attempt to secure their agreement to a cease fire;

b) To assist in the resumption of humanitarian relief operations to the extent feasible;

c) To monitor and report on developments in Rwanda including the safety and security of the civilians who sought refuge with UNAMIR. With this mandate and a number of troops, genocide continued unabaitted.

At a time when then Rwandese Patriotic Army was engaging the genocidal regime and its armed gangs, the United Nations adopted resolution 918/1994 on the 17th May 1994 expanding the UNAMIR force level up to 5,500 troops expanding also its mandate to:

a) Contribute to the security of displaced persons, refugees and civilians at risk in Rwanda including through the establishment and maintenance where feasible of secure humanitarian areas;

b) Provide security and support supplies and humanitarian relief operations.

Surfice for me to add that at the same time, a blanket arms embargo was imposed on Rwanda which embargo is still applied at the moment. The 5,500 United Nations troops did not foot in Rwanda until long after the genocide and the war had ended. Since that large force was deployed, it has played some positive role particularly during the transition in Zone Turquoise and other humanitarian activities. My government is cognisant of this and appreciates it. UNAMIR's mandate was again revised on the 30th November 1994, with the following mandate:

a) To contribute to the security and the protection of displaced people, refugees and civilians faced with danger in Rwanda, thanks notably to the creation and the maintenance, where this is possible, of protected areas for humanitarian purposes;

b) To assure security and support to the distribution of emergencies and humanitarian assistance operations;

c) To use its good offices to facilitate national reconciliation according to the Arusha Peace Agreement;

d) To contribute to assuring the security of International Tribunal staff for Rwanda and the specialists of Human Rights in Rwanda, notably to protect the prosecutor's office and to plan escort to assure security of missions carried out ouside of Kigali town;

e) To help to establish and to teach a new integrated police.

As we now come to review the usefulness of UNAMIR, I am under instructions to point out the following:

I. UNAMIR is in Rwanda because the Rwandese Government approves of its presence and any of its activities must have the full blessing of the Sovereign State of Rwanda;

II. The efforts of the International Community in assisting Rwanda in its reconciliation and reconstruction efforts are highly appreciated;

III. The size of UNAMIR must be commensurate with the mandat assigned to UNAMIR.

It is the considered view of my Government, that time has come that UNAMIR must immediately seize to be seen as a parallel force in Rwanda, with a mandate to ensure "security and protection" for anybody on the Rwanda soil. The National Security Services are capable and have full responsibility to carry out this task. It is also important that our friends in the International Community understand that the argument for the continued presence of United Nations forces as a confidence building measure is not founded. On the contrary, the presence of a massive foreign military personnel continues to create a false impression of a state of insecurity. It further compounds the reconciliation process as their presence all over the country is interpreted by some, as a lack of confidence in our Security Services.

My Government therefore is of the view that a very substantially reduced military component of UNAMIR is a must. My Government is also prepared to cooperate with UNAMIR as long as it is clearly understood that their mandate is limited to the following:

a) UNAMIR can assist in observer capacity in the process of voluntary and safe repatriation and resettlement of refugees:

b) UNAMIR will assist the Rwanda government in providing logistical support for the distribution of relief supplias;

c) The Special Representative of the Secretary General will continue his diplomatic work by using his good offices in the process of national reconciliation with the framework worked out by my Government;

d) UNAMIR will provide some protection to the United Nations installations and personnel including the International Tribunal personnel;

e) UNAMIR could assist Rwanda Government in such activities as demining when so requested by Rwanda Government.

In light of the above, and it being understood that after the 9th of June 1995, the UNAMIR presence will no longer pretend to deal with matters of security. The size of the military component will be reduced to only a reasonable number that can handle the above mandate. The exact figure will be communicated to you in due course. The position of my Government has been arrived at, after lengthy and constructive consultations between us and your Special Representative and we do hope that they will meet with the understanding of the entire membership of the Security Council.

Please accept, Your Excellency, the assurances of my highest considerations.

Manzi BAKURAMUTSA
Ambassador
Permanent Representative of
Rwanda to the United Nations

cc: H.E. Mr. Jean-Bernard
Mérimée
President of the
Security Council

NEW YORK

BACKGROUND

Hostilities between the Armed Forces of the Government of Rwanda and the Rwandese Patriotic Front (RPF) first broke out in October 1990. After a number of cease-fire, hostilities resumed in early February 1993. Negociations between Government of Rwanda and RPF were supported by the OAU and facilitated by Tanzania. Efforts by OAU and Tanzania led to a meeting between Government of Rwanda and RPF in Dar-es-Salam.

12 March 1993 : Security Council adopts Resolution 812 calling on Government of Rwanda and RPF to respect renewed cease-fire, resume nogociations, to allow the return of dispaced persons.

22 June 1993 : SC adopts Resolution 846 by which it authorizes establishment of the UN Observer Mission Uganda-Rwanda (UNOMUR)

ARUSHA PEACE TALKS

16 March to 4 August 1993 : Arusha talks successfully concluded with the signing of comprehensive peace agreement. Agreement called for a democratically elected government and provided for the establishment of a broad-based transitional Government until the elections.

UNAMIR IS ESTABLISHED

24 September 1993 : The SG recommends the establishment of a UN Assistance Mission for Rwanda (UNAMIR). According to the SG, the principal functions of UNAMIR would be to monitor the cease-fire; monitor the security situation during the final period of the transitional Government's mandate leading up to elections.

5 October 1993 : The SC adopts Resolution 872 by which it established UNAMIR for an initial period of six months.

The Council noted that UNAMIR's mandate would end following national elections and the tinstallation of a new governmenet in Rwanda. Those elections were scheduled to take place by October 1995, but no later than December 1995.

The deployment of a UNAMIR battalion inKigali that was composed of contingents from Belgium and Bangladesh was completed in Deember 1993. The SG's Special Representative for Rwanda, Jacques-Roger Booh-Booh, former Minister for Excternal Relations of Cameroon, arrived in Kigali on 23 November 1993.

10 December 1993 : At a special meeting, the Government and the RPF issued a joint declaration reaffirming their commitment to the provisions of the Arusha Agreement. They agreed for a broad-based transitional Government and the Transitional National Assembly before 31 December 1993.

18. In putting forward its proposals for a new mandate for UNAMIR as well as the specific tasks that the Mission could carry out under the mandate, the Rwandese government has explained that its thinking is based on the need to adapt the mandate to the current realities on the ground. Those realities, it points out, include the fact that the Government exercises sovereign authority over the national territory of Rwanda and is proceeding with efforts of stabilization and normalization nationwide. Consequently, the new mandate and resources required for its implementation, especially in the military component, should be modified to reflect the substantially reduced need for UNAMIR troops.

19. As a result of consultations between my Special Representative and the Rwandese government, I propose the following outlines of a new mandate for UNAMIR:

a) UNAMIR will contribute to the efforts of the government of Rwanda in the process of voluntary and safe repatriation and resettlement of refugees;

b) UNAMIR will provide protection and security to United Nations installations and personnel, including the International Tribunal and its personnel and the United Nations Human Rights Field Operation Headquarters, its field offices throughout Rwanda and their personnel;

c) UNAMIR will assist the government of Rwanda to provide security and support for the distribution of relief supplies and humanitarian relief operations;

d) The Special Representative of the Secretary-General will continue to exercise his good offices to assist the government of Rwanda in the process of national reconciliation within the framework of the Arusha Peace Agreement;

e) UNAMIR would assist the Rwandese government in de-mining operations, whenever called upon.

20. It is therefore recommended that a reduction of UNAMIR troops may be carried out in phases from 9 June over a period of 3/4 months. The remaining contingent may be deployed in Kigali and in agreed locations in Rwanda for the period until the mandate terminates on 9 December 1995.