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TUNIS DECLARATION

18 MAR 1996

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## TUNIS DECLARATION ON THE GREAT LAKES REGION

March 18, 1996

Presidents Mobutu of Zaire, Museveni of Uganda, Bizimungu of Rwanda, Ntibantunganya of Burundi, and Mkapa of Tanzania met in Tunis, Tunisia from March 16-18, 1996 to carry forward their African Initiative to promote peace, justice, reconciliation, stability, and development in the Great Lakes region. Former Presidents Carter of the United States, Nyerere of Tanzania, and Toure of Mali served as facilitators. The Heads of State reviewed the progress made toward the achievement of their commitments undertaken in Cairo, Egypt on November 29, 1995, decided on additional measures that must be taken to meet fully these commitments, and pledged themselves and their countries to undertake further actions to achieve their common goals for the region.

The Heads of State agreed that, while useful steps had been taken since Cairo, serious problems persist. These include intimidation in the refugee camps, concerns of some of the refugees about their security, cross-border raids into Rwanda and Burundi, inadequate judicial systems in Rwanda and Burundi, and continued violence in Burundi with little progress toward constructing a long-term government structure that will ensure protection of the rights and interests of all groups, including minority groups.

The Heads of State expressed their conviction that these problems can be addressed with the steps described below, which have been taken or will be taken. Together they will significantly reduce tension, hostility, insecurity, and distrust in the area, encourage the return of refugees, stimulate economic rehabilitation and development, and advance efforts to fashion long-term government structures acceptable to their citizens.

They also urged Rwanda and Burundi to enhance and strengthen further the process of confidence building through broad national consultative mechanisms to achieve long-term solutions and national reconciliation.

## On a regional level:

1. The Heads of State reaffirmed their rejection of the ideology of genocide.
2. The Heads of State and their ministers have initiated a dynamic and sustained dialogue, involving frequent meetings with each other, to plan and undertake concerted endeavors in the region. This productive consultative relationship will continue at the Heads of State level.
3. The Heads of State expressed approval that, consistent with the Cairo Declaration, the Governments of Zaire and Rwanda had agreed in January

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44 on the return to Rwanda of heavy military equipment taken into Zaire by  
45 ex-Armed Forces of Rwanda. Zaire, on February 13, 1996, returned the  
46 military equipment which it had been able to identify and possess and  
47 agreed to continue its search efforts as promised to find the other  
48 equipment and to return it as found to the Rwandan government.  
49

50 4. Cross border incursions continue, and increasingly, the perpetrators kill  
51 civilians, particularly local officials, and lay land mines as they retreat. But  
52 some significant actions have been taken. There is now greater  
53 cooperation and information sharing among governments of the region.  
54 • Tanzania has rounded up and confined 400 persons known to be involved  
55 in such activities. President Mkapa stressed that refugees in Tanzania  
56 received neither arms deliveries nor military training. Because of fighting  
57 in Burundi spilling across its border, Tanzania has increased its level of  
58 troops in the area as a deterrent.  
59

60 --Additionally, the Heads of State pledge to:

61  
62 --take more rigorous efforts to shut down arms flow and military  
63 training to rebel groups engaged in cross-border incursions,  
64 including urging the UN to station monitors at airports and border  
65 points.  
66

67 --Heads of State will restrict the travel of leaders associated with  
68 cross border incursions and urge other countries to take similar  
69 action and freeze the financial assets these persons hold abroad; and  
70

71 --Heads of State will permit the Commission of Inquiry established  
72 by UN Resolution 1013 to investigate reports of military training  
73 and arms transfer to former Rwanda government forces.  
74

75 5. The Heads of State reiterated their hope that most of the refugees will  
76 return home in a relatively short period of time. They recognized,  
77 however, that many refugees would not likely repatriate in the near future  
78 because of their real or perceived association with the genocide in Rwanda.  
79 In the camps themselves, intimidation is continuing. They also note that  
80 some bureaucratic procedures pertaining to logistics and registration are  
81 playing into the hands of intimidators and endanger refugees intending to  
82 repatriate.  
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84 --It should be noted that Zaire has arrested a few intimidators who have  
85 been removed from the refugee camps. In addition, Zaire has banned  
86 political activities of the RDR in camps.

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--Tanzania and Burundi have banned RDR political activity, and has tightened security control within the camps. Tanzania has identified the key intimidators in the camps and intends to separate them from the other refugees and house them in a camp in the interior. It is seeking financial assistance to carry through these plans

--More needs to be done to separate the intimidators, including armed factions, from the other refugees in order to enable them to make a free choice about repatriation. Conscious of the need to avoid forced repatriation, the Heads of State challenge the international community to work with them and finance a major effort that would permit this choice. This effort would consist of the following components:

--preparing the home communes to receive the refugees, including the placement in the communes of an adequate number of human rights and other monitors to ensure security;

--taking measures involving camp administration and management that will guard against cases of insecurity in the border areas.

6. The Heads of State pledged full support to the International Criminal Tribunal for Rwanda and other jurisdictions in accordance with UN security resolution 955 (1994) of November 8, 1994. They promised to turn over to these jurisdictions indicted persons located in their countries and urged all other countries to do the same. President Mkapa said that the genocide suspects located in Tanzania are under surveillance and will be picked up if indicted by the jurisdictions. The Heads of State further affirmed that they will cooperate fully in the investigations of the competent jurisdictions. They will similarly support the work of the International Commission of Inquiry for Burundi. The Heads of State of Rwanda and Burundi pledged to guarantee the security for personnel and witnesses relevant to the work of the International Tribunal and the Commission of Inquiry.

7. The Heads of States expressed continuing concern about the use of radio broadcasts and the print media to spread hate and fear in the region. The participants pledged to take action to curtail the illegal and inflammatory radio broadcasts from one country to another, and reaffirmed their requests for assistance. President Mkapa stressed that Tanzania would not permit hostile propaganda to be broadcast into neighboring countries. President Mobutu said he had asked for assistance to locate and halt inflammatory radio broadcasts despite questions of sovereignty.

130 President Carter agreed to continue his discussions with experts to  
131 ascertain how and whether technical assistance can be provided to locate  
132 and prevent such broadcasts.  
133

134 Within Rwanda:  
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136 8. President Bizimungu expressed deep concern about the slow rate of  
137 refugee repatriation. Whereas 26,000 refugees from Burundi returned to  
138 Rwanda between December 1995 and February 1996, perceived insecurity  
139 within Burundi may have motivated some to repatriate. The refugee flows  
140 from Tanzania and Zaire during the same period amounted to 2000 and  
141 20,000, respectively. President Bizimungu attributed these small flows to  
142 intimidation in the refugee camps.  
143

144 9. Consistent with the principle of justice with reconciliation and to  
145 demonstrate to the refugees its strong desire for them to return, the  
146 Government of Rwanda reaffirms its obligation to ensure the safety of  
147 returnees, protect their legal rights, and recover their property. To this  
148 end, the Rwandan Government has:  
149

150 --announced a decision to establish special procedures to expedite  
151 legal proceedings for the large number of persons held on charges  
152 relating to genocide. These mechanisms, which include specialized  
153 chambers within ordinary courts, will enable the judicial system to  
154 carry out an expeditious and systematic categorization of genocide  
155 perpetrators; release those for whom adequate evidence is lacking;  
156 permit plea agreements when appropriate; and conduct early trials  
157 of those charged. It has trained personnel in arrest procedures and  
158 is appointing prosecutors to authorize all arrests.  
159

160 --in recognition that many refugees fear they will be arrested when  
161 they return, agreed to activate the review mechanism (Commission  
162 de Triage) to investigate cases (subject to judicial oversight) prior  
163 to arrests. It also accepts that defendants should have the  
164 opportunity to have the advice of legal counselors. It called upon  
165 the international community, particularly African states, to provide  
166 support for a mechanism to assist those who cannot afford legal  
167 counsel. The Government of Rwanda expects its genocide trials to  
168 begin in May 1996.  
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170 --trained 300 new magistrates, 90 new prosecutors, 250 new  
171 investigators, and has prepared files on thousands of individuals  
172 now ready for trial. The Government of Rwanda expressed

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appreciation to other countries who have provided technical and other assistance for this training and hopes that future assistance, particularly in the legal area, will be extended when requested.

--attached special importance to the UN High Commissioner for Human Rights in Rwanda and declared that it would welcome the strengthening of this office and the deployment of an expanded number of human rights monitors throughout the country. It is prepared to permit the number of such monitors to increase to an authorized level of 300, and called on the international community to provide the resources to finance the critical work of the human rights monitors.

--continue with programs to promote greater professionalism and discipline within the armed forces, gendarmerie, and the police force, including training in non-lethal riot control. It plans to build more barracks for the soldiers and move forward in collaboration with the World Bank to establish a commission on demobilization and reintegration and initiate its work as soon as possible. The government promotes, within the framework of demobilization, integration into the military of those members of the ex-FAR who were not involved in the genocide.

--pledged to encourage initiatives undertaken by indigenous NGOs to rebuild civil society; urged NGOs operating in camps to transfer progressively their services and personnel from countries of asylum to countries of origin; and emphasized the need for these organizations to focus more on rehabilitation and development and less on relief.

--pledged to work out quickly the modalities with international financial institutions and the donor community to permit the early allocation of existing and future pledges of assistance toward critical rehabilitation and development projects. At present only 40 percent of funds pledged have been disbursed.

--reiterated its determination to strengthen administrative procedures that ensure respect of property rights, including land, as well as enable expeditious return of properties to their legitimate owners immediately on demand. In accordance with the Arusha agreement, new sites have been identified to develop for resettling old refugees, and the Government of Rwanda requested international technical and financial assistance in preparing these

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216 lands for settlement. The government will endeavor to provide  
217 special assistance for widows (including land owning rights), for  
218 orphans, and for communities that receive large numbers of  
219 returning refugees.  
220  
221 --encouraged refugee repatriation by actively promoting "look and  
222 see" cross-border visits by refugees, sent senior government  
223 officials into camps in Tanzania and Burundi to explain conditions  
224 inside Rwanda and urged refugees to come home, plans to make  
225 similar visits to camps in Zaire, and is encouraging international  
226 organizations and NGOs to intensify the campaign to provide  
227 objective information to the refugee camps on events and  
228 developments inside Rwanda. President Mobutu and President  
229 Bizimungu agreed that a high level Rwandan team would visit  
230 refugee camps in Zaire very soon.  
231  
232 --collaborated closely with UNHCR and the countries of Tanzania,  
233 Zaire, and Burundi in preparing for the refugee return and  
234 encouraging them to do so. Through this continuing collaboration,  
235 and with technical support and equipment, these governments and  
236 UNHCR should be able to ensure that processing and other re-entry  
237 requirements can be met with minimum delay to the returning  
238 refugees.  
239  
240 --agreed to take concrete steps to encourage dialogue, social  
241 healing, and integration among all Rwandese, including those  
242 refugees who were not involved in the genocide and who seek to  
243 rebuild Rwanda. The Government of Rwanda requested the  
244 facilitators of the Great Lakes Summit to make contact with  
245 influential personalities among the refugees to encourage them to  
246 come home and to assist in promoting repatriation of other  
247 refugees.  
248  
249 --demonstrating its commitment to transparency, agreed to make  
250 public a report on implementation of the recommendation of the  
251 Commission established to investigate the Kibeho incident, as well  
252 as the outcome of the Commission on Inquiry into the Kanama  
253 incident.  
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255 Within Burundi:  
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257 10. The Head of State of Burundi and his delegation emphasized their  
258 commitment to bring to an end the climate of insecurity and impunity that

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has paralyzed the country. They will move with speed and determination to launch a process leading to new institutional structures agreed upon and supported by all citizens that will ensure protection of the rights of all Burundians, and their participation within the political and economic life of the nation. To that end the Head of State and his delegation:

--welcomed that former Tanzanian President Mwalimu Julius K. Nyerere accepted the mandate given to him by the international community, and endorsed by the Heads of State of the region, to assist the people of Burundi in finding means to achieve peace, stability, and reconciliation within Burundi as a basis for a lasting political settlement. This settlement must include the resolution of fundamental problems relating to the access, control, and management of power, so that either the ethnic or political minority is reassured. The Government of Burundi is committed to take concrete steps to fight exclusion, extermination and genocide which have been used by some to achieve and monopolize power. For the success of any such dialogue, there should be an end to killings within Burundi. All parties, internal and external, should take all possible steps to create the necessary environment for successful progress.

--declared that the National Debate on the major problems facing the country will be launched urgently. The debate will seek a consensus for constitutional structures as described above, which will promote peaceful coexistence among all Burundians. All parties and groups that seek these goals and renounce violence as a means to reach political ends could participate. These principles will be incorporated into the constitution.

--reported positively on the dialogue and growing collaboration among the government, different socio-political partners, and the security forces. They reaffirmed their intention and determination to continue their collaboration. The representatives of the political parties, Frodebu and Uprona, who participated in the Tunis summit, made it clear that they appreciate and support the efforts of the government to restore peace and security to the country.

--reaffirmed its commitment to repatriate the refugees and reintegrate the displaced and dispersed elements of the population, premised on reconciliation at the community level. Adequate security will be essential. International assistance will be required

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initially for communities heavily impacted by returnees, and to promote self-sufficiency of all returnees.

--agreed to create the necessary conditions of security to facilitate the reintegration on campus and in hostels those students who have left them.

--reiterated their commitment to guarantee the security of personnel of the UN, OAU, and humanitarian agencies in order that they can fulfill their mandate, particularly concerning affected populations.

--reaffirmed their commitment to continue to intensify their comprehensive dialogue aimed at ensuring the security of all and restoring mutual confidence among all Burundian citizens. This debate should lead to the establishment of a National Pact of Peaceful Coexistence between the different components of the country and of a constitution adapted to universal democratic principles and to the specificities of Burundi in order to put in place the indispensable instrument for the organization of free and fair elections in 1998.

--declared their support for the deployment of UN Human Rights monitors based on the needs expressed by the government, stated strong hopes to see the current number substantially increased, and pledged to deploy these monitors to all sections of the country and ensure that they can safely carry out their functions.

--reaffirmed their determination to guarantee security for personnel and witnesses relevant to the work of the International Commission of Inquiry for Burundi.

--in order to begin the process by which the population will regain confidence in the security forces (as pledged in Cairo,) committed to undertake a comprehensive training program to enhance professionalism and discipline within the security forces. Such training would include how to uphold international human rights conventions while carrying out military responsibilities. The Government of Burundi also intends to redefine the respective structures and mission of the security and defense forces so that they will assume responsibility for the security of all elements of the population. The international community should be prepared to provide the necessary technical assistance.

344 --once again called upon the international community in general and  
345 neighboring countries in particular to prevent armed external  
346 attacks on Burundi and to dismantle the networks of arms flow  
347 across borders.  
348  
349 --condemned the ideology of exclusion and genocide and expressed  
350 a strong desire for the expeditious establishment by the countries of  
351 the region of an early warning mechanism to prevent destabilization  
352 and human rights violations, as well as dissemination of the  
353 ideology of ethnic hatred, exclusion, and genocide.  
354  
355 --agreed to develop a democratic media policy, including provisions  
356 for independent and autonomous media; guarantee wider access to  
357 information to journalists on all sides; and support initiatives that  
358 promote responsibility of the media. As expressed in Calro, they  
359 reaffirmed their deep concern over the use of radio broadcasts to  
360 spread hate and fear in the region. The participants pledged to take  
361 all possible action to terminate the illegal and inflammatory radio  
362 broadcasts from one country into another. They called upon the  
363 international community to assist by providing technology to  
364 identify and demobilize mobile transmitters.  
365  
366 --pledged to guarantee neutrality and independence of the courts,  
367 and take concrete steps to improve the system of justice, including  
368 accelerating the trials of those accused of crimes against humanity;  
369 the training of lawyers, judges, and magistrates; and judicial  
370 assistance to defendants. They reiterated their request to the  
371 international community for assistance, including the use of foreign  
372 lawyers, to achieve these goals  
373  
374 --pledged their commitment to organize democratic elections in  
375 1998.  
376

377 **Appeal to the International Community:**  
378

379 To enable the governments to fulfill the commitments made above, the Heads of  
380 State call upon the international community to assist in arranging and disbursing the  
381 necessary funding to achieve them. In Rwanda and Burundi, in addition to funding for  
382 rehabilitation, resettlement, and development, international assistance will be required for  
383 improving the systems of justice, development of democratic media policy, deployment of  
384 human rights monitors, and professionalization of the security forces. Member states of  
385 the UN are requested to respond generously to the appeals from UNHCR and UNHCHR.  
386 A greater proportion of funding should go to projects within the countries of origin.

387 Funding must also be obtained in order to conduct the National Debate in Burundi, restore  
388 the environment in countries of asylum, and continue the work of the International  
389 Tribunal for Rwanda and the Commission of Inquiry for Burundi. Zaire and Tanzania  
390 require financial, and in some cases technical, assistance for their efforts to separate  
391 intimidators from bonafide refugees. The facilitators agreed to work to obtain and  
392 expedite funding for these efforts.  
393

394 In recognition of the close collaboration between governments in the region and  
395 the international and regional governmental organizations and donor governments, as well  
396 as local and international NGOs, the Heads of State declared their willingness to work  
397 closely with these groups, and particularly with the UN, OAU, and World Bank, in the  
398 future. The focus of this collaboration should be the accomplishment of concrete  
399 programs and projects on the ground that will promote justice, reconciliation, peace,  
400 stability, and development.  
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402 The Heads of State requested that former Presidents Carter, Nyerere, and Toure  
403 and Archbishop Tutu continue their efforts to facilitate contact and actions by their five  
404 governments, track comprehensively the achievements made at this meeting and in Cairo,  
405 and prepare recommendations for consideration by these governments at their next  
406 meeting. General Touré, who consulted extensively in the region since the Cairo Summit,  
407 suggested the following for future consideration: greater regional collaboration and  
408 economic and security matters; cooperation among African states in the areas of health,  
409 agriculture, and education; and a mechanism to accomplish these purposes. They also  
410 accepted the invitation by CNN to arrange for participation in person or by satellite of the  
411 five Heads of State and the facilitators at the internationally broadcast CNN World Report  
412 in early May at which time they will be able to share worldwide their assessment of the  
413 situation in the Great Lakes region and the efforts being undertaken to deal with the  
414 complex, interrelated problems of the area.  
415

416 The Heads of State were pleased by the frank, open, and constructive discussions  
417 that characterized the Summit. They commended The Carter Center for arranging the  
418 meeting.  
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420 The Heads of State and their delegations expressed their profound appreciation to  
421 President Ben Ali and the Tunisian people for their support and hospitality for this historic  
422 meeting.  
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Jimmy Carter (witness)

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