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**Regional conference on assistance to  
refugees, returnees and displaced persons  
in the Great Lakes Region.**



BUJUMBURA 12-17 FEBRUARY 1995

**PLAN OF ACTION**

**A. PREAMBLE**

1. Following the succession of tragic events which have been hitting both Burundi and Rwanda for a number of years, Central and Eastern African countries are now facing the worst refugee problem in the whole continent. It was against this background that the 60th Ordinary Session of the OAU Council of Ministers meeting in Tunis, Tunisia, in June 1994, adopted Resolution CM/Res.1527 (LX) which was further endorsed by the 49th Ordinary Session of the United Nations General Assembly through its Resolution A/Res.49/7. The resolutions called for the holding of a Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region.

2. The objective of the Conference was to reach firm commitments on immediate, practical measures necessary to address the serious security and humanitarian concerns in the region.

3. The Regional Conference was accordingly held at Ministerial level in Bujumbura, Burundi, from 15 - 17 February 1995 and addressed the problem of refugees, returnees and displaced persons in the Great Lakes region on a humanitarian and non-political basis. The Conference, which was held under the auspices of the Organization of African Unity (OAU) and the United Nations High Commissioner for Refugees (UNHCR), was attended *inter alia* by the countries of the region, Tunisia, Egypt and Ethiopia, in their respective capacities as current, past and future Chairmen of the OAU, the OAU Commission of Twenty on Refugees, Members of UNHCR's Executive Committee, other countries, the Economic Community of the Countries of the Great Lakes (CEPGL), United Nations Agencies and other international organizations, as well as by representatives of Non-governmental Organizations (NGO).

4. The Conference was apprised of the social, economic and political manifestations of the problem of refugees, returnees and displaced persons in the Great Lakes Region. It noted the high number of refugees, returnees and displaced persons involved, for targeted action and response, and that these refugees are mainly found in camps in Zaire, Tanzania, Rwanda, Burundi and Uganda. The Conference reaffirmed that the right of return applies to all refugees.

5. The Conference underscored the fact that the problem of refugees and displaced persons in the region had become alarming as the very survival of hundreds of thousands of the affected persons was increasingly being threatened, in addition to the threat to the general stability of countries in the region. The above adverse effects arising from the continued presence of refugees and persistent movements of displaced persons on the development process in the affected countries were equally alarming and a source of grave

concern. The Conference expressed particular concern about the situation of many refugee and displaced women and about the tragedy of large numbers of unaccompanied children.

6. The Conference reaffirmed that the impunity of those who have instigated, prepared or committed acts of genocide and other serious violations of international humanitarian and human rights law, as well as assassinations of democratically-elected leaders cannot be accepted. Impunity for such crimes would constitute inter alia a major impediment towards national reconciliation, solutions to the problems of displacement and the prevention of new displacements.

7. The Regional Conference expressed the hope that a broader United Nations Conference on peace, security and stability in the region, called for by the UN Security Council, would soon be held to examine the root causes of the problems in the region, in order to promote peace, security and sustainable development in the region.

8. Accordingly, the Conference, having deliberated on all major aspects and causes of the problem, demonstrated concerted and practical action by adopting the present PLAN OF ACTION, which focuses on voluntary repatriation as the most preferred durable solution to the refugee problem in the Great Lakes Region. The PLAN OF ACTION underscores the important roles to be played by the countries of origin, the countries of asylum, the donor community, the United Nations System, the OAU, CEPGL, ICRC and the Non-governmental Organizations.

#### B. PRINCIPLES, POLICIES AND GUIDELINES

9. The problem of refugees, returnees and internally displaced persons should be addressed on a strictly humanitarian and non-political basis. In this context, all directly affected States should be guided by the principle of solidarity with the individuals in the search for human solutions to their problems.

10. The institution of asylum for refugees, as enshrined in the relevant international and regional refugee instruments must be upheld. Pending their voluntary repatriation, or pending the identification of other appropriate solutions, refugees should continue to benefit from international protection and basic humanitarian assistance.

11. However, individuals against whom there are serious reasons for considering that they have committed crimes against peace, war crimes, crimes against humanity, serious non-political crimes prior to fleeing into the country of refuge, or acts contrary to the purposes and principles of the United Nations or of the OAU, should be excluded from international refugee protection and assistance, in accordance with the 1951 UN Refugee Convention and the 1969 OAU Refugee Convention. The implementation of any such exclusion in the individual case should not, however, directly or indirectly, endanger the safety or well being of bona fide refugees, of humanitarian personnel or of local communities. If it is determined that certain individuals do not deserve international refugee protection, in which case the principle of non-refoulement does not apply, such persons may be subjected to extradition procedures, under conditions of due process of law. It is recalled in this context that, in accordance with the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, persons guilty of instigating, preparing

or committing acts of genocide must be punished, either in the country where such acts were committed, or by an International Tribunal.

12. The countries of asylum and of origin, and the international community should mobilize all possible efforts to assist, wherever possible, with the repatriation and reintegration of Burundese and Rwandese refugees wishing to return at the present stage. In addition to voluntary repatriation, other durable solutions may be considered including naturalization and settlement in countries of asylum. Efforts to facilitate the voluntary return home of internally displaced persons in Burundi and Rwanda should continue and, if possible, be intensified.

13. In order to avoid instability and so as not to endanger the process of national reconciliation and confidence building, repatriation movements to the extent possible, should take place in an organized manner, and should avoid areas which are not yet stable. The future pace and timing of return movements should reflect the experiences gained in the first phases of repatriation, and should take into account further developments in refugee camps as well as in Burundi and Rwanda, or parts thereof.

14. In accordance with international law and practice, all stages of repatriation should be governed by the following principles which may have corresponding relevance with respect to the return of internally displaced persons to their home areas:

- (a) the right to depart safely from the country of asylum and to return to the country of origin;
- (b) non-discrimination, implying equal treatment and a balanced approach with regard to all individuals and groups wishing to return;
- (c) voluntariness based on informed consent, through the strict observance of the principle of non-refoulement, and access to objective information on conditions in the country of origin;
- (d) return in conditions of safety and dignity, implying physical safety, during and upon return to home areas and treatment in accordance with basic humanitarian and human rights standards; with full access to and by UNHCR and other relevant bodies for the purpose of monitoring the well-being of the returnees; while not implying immunity from prosecution for crimes falling within the purview of the International Tribunal for Rwanda or of corresponding national legislation;
- (e) respect for private property, implying that the governments concerned must ensure the reinstallation of returning refugees and internally displaced persons in their homes and land, while finding alternative solutions when this is legally or otherwise impossible; in all cases, voluntary repatriation shall involve persons, their livestock and household properties.

15. A peaceful resolution of the problem of displacement in the Great Lakes Region, and in particular any strategy aimed at ensuring the voluntary return and reintegration of refugees and internally displaced persons, requires the commitment of the respective countries of origin and of asylum, and of the international community, to take a number of concrete measures. These measures follow hereafter.

C. MEASURES TO BE TAKEN IN AND/OR BY THE COUNTRIES OF ORIGIN

16. Countries of origin have a fundamental role to play. In particular, they should create conditions conducive to the voluntary repatriation of refugees and the return of displaced persons to their places of habitual residence in conditions of safety and dignity.

**BURUNDI**

17. In view of the recurrent political tension, the Government of Burundi should pursue its initiatives aimed at promoting and strengthening national reconciliation, reconstruction and democracy, including the organization of a national debate as stipulated in the Convention of Government signed on 10 September 1994, and in which all the strata of the population should be invited to participate.

18. In order to promote full respect for human rights and an environment that would eliminate causes for future coerced displacement, the following action is recommended:

- (a) strengthening of the judicial system, with the assistance of the international community, to enhance its quality and effectiveness, especially in the first place in relation to sub-paragraphs (c), (d) and (f) of this paragraph;
- (b) provision by the Government of Burundi of adequate and appropriate means to set up a special disarmament unit, backed by the on-going political initiatives, to counter the proliferation of arms and disband the militia;
- (c) putting an end to acts committed with impunity which remain a fundamental and persistent threat to the restoration of law and order and security, and for that purpose, with the help of the international community, taking concrete measures to facilitate the speeding up of an international judicial enquiry as a prelude to the trial of those persons responsible for the assassination of the democratically elected President during the 21 October 1993 attempted coup d'etat and for the resultant massacres;
- (d) taking punitive measures against members of the Armed Forces found guilty of indiscriminate acts of reprisal or other violations of human rights, as well as measures to prevent the reoccurrence of any such acts in the future;
- (e) disseminating, as widely as possible, the Geneva Conventions of 1949 and their Additional Protocols of 1977, as well as the minimum humanitarian behavioral norms prepared in Burundi with

the assistance of the ICRC; continuing to acknowledge the specific role of the ICRC as a neutral and independent intermediary and to facilitate its activities.

- (f) collaborating closely with the various bodies of the United Nations, as well as the OAU military and civilian observers whose role should be reinforced;
- (g) enhancing the role of the OAU in Burundi;
- (h) strengthening the role of the United Nations in Burundi in conformity with the report\* to the Secretary-General of the United Nations and carrying out a sizeable expansion of the Office of the United Nations High Commissioner for Human Rights in Burundi in close consultation with the Special Representative of the Secretary-General of the United Nations to ensure a visible and effective presence of neutral and competent observers to help restore confidence and to intensify its advisory services in the field of human rights.

19. The Conference called on all citizens, the media and the political leaders in Burundi to show moderation in order to avoid a new outbreak of violence.

20. In addition, to reassure refugees and internally displaced persons, the Government should:

- (a) conclude and implement Tripartite Voluntary Repatriation Agreements with the UNHCR and the asylum countries;
- (b) implement urgently the provisions of the Convention of Government of 1994 concerning returnees and internally displaced persons;
- (c) adopt concrete measures to ensure security for all displaced persons and returnees, as well as for the entire population living on the hills, including the establishment of Open Relief Centres or other mechanisms of assistance and protection;
- (d) grant full access to UNHCR and OAU and any other relevant international observers for the purpose of returnee monitoring;
- (e) publicly reassure refugees and internally displaced persons regarding the right to restoration of their private property, while adopting concrete measures to clarify the legal status of property left behind by refugees, including those who fled prior to October 1993, notably in 1972;
- (f) show respect for the private property of returnees and displaced persons;

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\* official reference number and title to be included in Geneva

- (g) organize confidence building visits to refugee camps and facilitate similar visits by potential returnees to their home areas.

21. In the strict and urgent implementation by all the parties concerned, of the provisions of the Convention of Government signed in September 1994, the Government of Burundi should pursue the initiatives aimed at strengthening national reconciliation and security.

#### **RWANDA**

22. The Conference noted with satisfaction the Rwanda Government's efforts at establishing a broad-based Government of National Unity, a broad-based National Assembly, a National Army and the re-establishment of the civil administration in Rwanda in the spirit of the Arusha Accord. The Conference is convinced that these measures and other initiatives aimed at strengthening national reconciliation and security will encourage the voluntary return of refugees and the reintegration of returnees and internally displaced persons\*. It also called for the further strengthening of the civil administration. The Conference therefore urged and encouraged the Government of Rwanda to continue with its programmes in the following areas:

- (a) pursuing full cooperation with the deployment of Human Rights Monitors, UNAMIR and UNHCR, other UN organizations and NGOs, in areas of return, and the continuation of the acknowledgment of the specific role of the ICRC as a neutral and independent intermediary and support to its activities;
- (b) terminating the impunity of persons guilty of acts of genocide and of other serious violations of humanitarian and human rights law by cooperating closely with the International Tribunal for Rwanda or through national prosecution in accordance with due process of law. The Government of Rwanda is encouraged to pursue its efforts to establish an independent and effective judicial system as well as legal institutions, particularly the Supreme Council of Magistrates for the restoration of justice, and to reinforce public order. In the meantime, the Government is encouraged to continue applying temporary measures to secure the transparency and fairness of arrest procedures;
- (c) the pursuance of appropriate measures against soldiers and civilians who take the law into their own hands and the fostering of confidence among all segments of the population, be they civilians or military. Emphasis should also be placed on the need to widely disseminate the Rules and Principles of the Geneva Conventions of 1949 and the Additional Protocols of 1977 which duly contribute to a culture of peace and tolerance;

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\* The Delegation of Rwanda declared that the description "internally displaced persons" was no longer appropriate in relation to those living in camps in South-West Rwanda. The Delegation nevertheless accepts the principles and obligations in this PLAN OF ACTION with regard to these persons.

- (d) ensuring respect for the property rights of refugees and internally displaced persons by:
  - i) continuing to apply concrete measures to adjudicate property disputes in a fair and expeditious manner;
  - ii) enacting legislation to regulate the strictly temporary and provisional nature of any house occupation on an emergency basis, to be authorized and recorded by designated officials;
- (e) rapid and massive rehabilitation, reconstruction and development assistance to enable the country to return to normalcy and to absorb the returnees;
- (f) disseminating factual information through the mass media to counter propaganda in the camps so that the refugees are given accurate information to make informed choices on repatriation;
- (g) strengthening of transit points to facilitate orderly repatriation and the reintegration of returnees;
- (h) implementing repatriation arrangements in accordance with the Tripartite Agreements between the countries of origin, the countries of asylum and UNHCR.

23. More specifically, to reassure refugees and internally displaced persons, the Rwandese authorities are advised to:

- (a) conclude and implement Tripartite Voluntary Repatriation Agreements with other asylum countries and UNHCR, similar to those already signed with Burundi and Zaire;
- (b) continue to disseminate solemn declarations, by all relevant and competent authorities welcoming back the refugees and internally displaced persons in safety and dignity, and (re)emphasizing that any occupation of their land or homes will be terminated after their return;
- (c) continue taking concrete steps to delineate and develop, as soon as possible, areas identified for the settlement of refugees who left more than ten years ago, in conformity with the principles of the Arusha Protocol of 1993, and for the settlement of other refugees who cannot be reinstated in their properties;
- (d) continue its policy of cooperating fully within the framework of a coordinated humanitarian response and building upon the work of the "Integrated Operations Centre", with UN agencies and NGOs to facilitate the return home of internally displaced persons, which return should take place on a voluntary basis;
- (e) continue their visits to refugee camps in the countries of asylum and to make statements on national reconciliation likely to restore confidence in the refugee camps and facilitate similar visits by potential returnees to their home areas;



- (f) continue its policy of national reconciliation, thus contributing to the voluntary repatriation of refugees and to the reconstruction of the Rwandan Nation.
24. The Conference noted that there were unregistered Rwandese refugees especially in Kenya and Uganda who may need to be identified and assisted to repatriate.

D. MEASURES TO BE TAKEN IN AND/OR BY THE COUNTRIES OF ASYLUM

25. The Conference reaffirmed the humanitarian character of granting asylum to refugees. In this regard, the countries hosting refugees from the Great Lakes Region were encouraged to continue granting asylum and to assist refugees in line with the 1951 United Nations Convention and its 1967 Protocol, both relating to the status of refugees, as well as the 1969 OAU Convention relating to the Specific Aspects of Refugee Problems in Africa and the 1981 OAU Charter on Human and People's Rights. Attention was also drawn to the fact that the granting of asylum should not be seen as an unfriendly or hostile act, but rather should be seen as a responsibility and an obligation under international law. The Conference commended all the countries of the Sub-Region which, for many years, have continued to grant asylum to successive groups of refugees, in spite of the severe strains this has imposed on their national resources and on their natural environment. It also commended all relevant international organizations and NGOs, for their meritorious work in providing humanitarian assistance to refugees and internally displaced persons.

26. The Conference, however, requested the countries of asylum in the Great Lakes Region, in close collaboration with UNHCR and with the help of the international community, to ensure that the following measures are taken:

- (a) restoring public order in the refugee camps and full respect for individual freedoms, in order to ensure the following:
  - i) the unimpeded and fair distribution of humanitarian assistance, especially to vulnerable refugees, including women, children and the elderly;
  - ii) the safety of humanitarian personnel and the protection of storage points and facilities;
  - iii) the security of all refugees including those wishing to be repatriated through the establishment of security staging areas and corridors to the border in accordance with the decisions of the Nairobi Summit of 7 January 1995;
  - iv) in the case of Zaire, the earliest possible implementation of arrangements agreed upon with UNHCR on 27 January 1995, and full cooperation with the planned international technical and monitoring support;
- (b) reconstituting the membership of refugee committees, where these have been an obstacle to the repatriation efforts, and ensuring the designation of new representatives including a reasonable number of women;

- (c) ensuring respect of the civilian, humanitarian and non-political character of asylum in general and of refugee camps and settlements in particular, and to this end:
  - i) take measures to prevent refugees or other persons living in or outside refugee camps from engaging in any subversive activities against any Member State of the OAU, in particular by use of arms, through the press, or by radio; and
  - ii) prohibit radio stations or other forms of media inciting ethnic hatred.
- (d) ensuring the safety of refugees in camps and settlements against armed attacks;
- (e) whenever possible, relocating refugee camps away from the border, in conformity with the 1969 OAU Convention, taking also into consideration environmental hazardous areas; disarming armed individuals, and separating as agreed at the Nairobi Regional Summit of 7 January 1995, the intimidators in refugee camps as well as those individuals against whom there are serious reasons for considering that they have committed crimes against peace, war crimes, crimes against humanity and serious non-political crimes or acts contrary to the purposes and principles of the UN and OAU;
- (f) concluding Tripartite Voluntary Repatriation Agreements with Burundi and Rwanda, where necessary;
- (g) intensifying efforts to address the issue of reunification of unaccompanied minors in conformity with the relevant international instruments.

#### E. MEASURES TO BE TAKEN BY THE INTERNATIONAL COMMUNITY

27. The Conference appreciated that there were humanitarian programmes financed and undertaken by various donor countries, United Nations Agencies, in particular UNHCR, Inter-governmental Organizations, the International Movement of the Red Cross and Red Crescent and Non-governmental Organizations for the benefit of refugees, returnees and displaced persons in the Great Lakes Region. However, because of the magnitude of the problem, the demands were continuous and more needs were bound to arise as the situation continued to persist and deteriorate. Additional material resources are therefore required to provide urgent relief assistance to the refugees and displaced persons whose very survival remains a major concern. This assistance is considered to be temporary in nature, in anticipation of the early repatriation of refugees.

28. In addition to food aid, donors should redouble their response to other basic needs such as in the fields of health, education, water, sanitation and logistical support, as well as in the wider areas of rehabilitation, reconstruction and reforestation which merit adequate attention and support by the donor community. In this respect, donors should ensure proper coordination with the national authorities concerned, taking into account national procedures and regulations.

29. The Conference also called on the international community to continue, and in particular the UN system, to reinforce coordinated and integrated responses to strengthen appropriate links and complementarity among the various programmes adopted to solve the plight of refugees, and to enhance the pursuit of economic rehabilitation and reconstruction in the countries affected.

30. The international community is expected to:

- (a) provide support to and encourage initiatives in Burundi and Rwanda aimed at national reconciliation and at promoting conditions conducive to the voluntary return of refugees and displaced persons;
- (b) provide adequate support to Tanzania to enhance security measures already taken in the refugee camps, and regarding Zaire, to the early implementation of the arrangements agreed upon between Zaire and UNHCR, as contained in the agreement of 7 January 1995, by responding positively to the request as recently formulated by UNHCR for such support;
- (c) cooperate with and support the International Tribunal for Rwanda, thus enabling it to function effectively and to start prosecuting at the earliest possible date; support the efforts of the Government of Rwanda to establish an independent and effective judicial system;
- (d) continue to support human rights monitoring operations in Rwanda as part of the action undertaken by the United Nations High Commissioner for Human Rights, and support the establishment of a similar operation in Burundi;
- (e) support initiatives for an expanded role of the OAU civil and military observers in Burundi;
- (f) assist the governments of the countries of origin to organize confidence building visits to refugee camps with the cooperation of the asylum countries and facilitate similar visits by potential returnees to their home areas;
- (g) support and encourage initiatives taken by the Economic Community of the Great Lakes States (Burundi, Rwanda and Zaire) aimed at strengthening the climate of peace at the common borders and in the refugee camps, by controlling the movement of instruments of war and by preventing subversion as well as incursions by uncontrolled elements on either side of the common borders;
- (h) provide support for initiatives which will broaden the participation of civil society and local NGOs in the rehabilitation and reconciliation processes in the region.

31. The Conference recognized that the problem of refugees, returnees and displaced persons was a global responsibility and emphasized the need for equitable burden-sharing taking into consideration that the asylum countries and the countries of origin were among the least developed countries. The international community was therefore urged to assist asylum countries and

countries of origin through the adoption of the following concrete measures aimed at alleviating and redressing the negative impact on the local communities directly caused by the presence of refugees and displaced persons:

- (a) arresting and reversing environmental degradation;
- (b) rehabilitation of damaged infrastructure including schools, roads, water sources, health facilities etc.;
- (c) encouraging the restoration of normalcy through provision of assistance to destabilized local communities;
- (d) assistance to host countries in the maintenance of law and order in and around refugee camps;
- (e) assistance to host countries in refugee identification exercise, where this will be necessary.

32. The Conference acknowledged the importance of the OAU Mechanism for Conflict Prevention, Management and Resolution in addressing crises in the Continent. Therefore, it requested the OAU to enhance its presence in the region and to continue to play an active rôle in fostering the reconciliation process in Burundi and Rwanda in tandem with the international community.

33. To this end, it has been decided to hold, under the auspices of UNDP, a Round Table of donors on the countries of the region, where there are zones which are seriously affected by damage resulting from the presence of refugees and displaced persons, in order to coordinate the actions to be undertaken in the framework of an integrated approach.

#### F. CONCLUSION AND FOLLOW UP ACTION

34. The situation of refugees, returnees and internally displaced persons continues to pose unprecedented challenges to the countries of asylum, to Burundi and Rwanda, and to the international community at large. The Conference recognized fully the major difficulties involved in addressing the situation, and in resolving the problem of massive displacement. All concerned must therefore give proof of their determination to implement the various components of this PLAN OF ACTION.

35. As a framework for reviewing progress in the implementation of the present PLAN OF ACTION, a Follow-up Committee is hereby established. It will meet at regular intervals and not later than June 1995 for its first meeting. The Preparatory Committee shall be transformed into the Follow-up Committee. Its membership shall also include a representative(s) of the OAU Commission of Twenty on Refugees.

36. Stressing the urgency of the security and humanitarian situations in the Great Lakes region, the Conference strongly urged that its decisions be implemented without delay. The Conference requested the Secretary-General of the Organization of African Unity and the United Nations High Commissioner for Refugees to submit reports to the next sessions of the OAU Council of Ministers and the United Nations General Assembly respectively, citing progress towards accomplishing the benchmarks established by the Conference as well as for the purpose of soliciting funding for the effective implementation of the PLAN OF ACTION.

37. The Conference expresses its gratitude to the Government of Burundi for the hospitality offered to all delegations, and to the Secretary-General of the OAU and the United Nations High Commissioner for Refugees for their prime role in organizing this Conference.



UNAMIR MINUAR

R W A N D A

UNAMIR

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OUTGOING FAX

TO: DR. SALIM A. SALIM, OAU SEC. GEN., ADDIS ABABA

FAX NO: 251.1.513036

512622  
517844

FROM: BOOH-BOOH, UNAMIR, KIGALI  
FAX NO: 1-212-963.3090 or 3097

SUBJECT: UNAMIR/OAU/TANZANIA Ceasefire proposal: Response from the Chief of Staff of the Rwandese Government Forces (RGF).

DATE: 30 APRIL 1994

MISC-461

1. You will recall that the OAU and the Facilitator requested me to submit the UNAMIR/OAU/TANZANIA ceasefire proposal drafted in Arusha on 24 April to the rwandese parties in conflict.
2. Upon my return to Kigali today, the Chief of Staff of the Rwandese Government Forces (RGF) presented me with the enclosed "observations" to our ceasefire proposal. You might note his most pertinent remarks.
3. After leaving Arusha, I continued my contacts in Nairobi and I had a hearing with President Daniel Arap Moi whose statemanship, guidance and full support in the peaceful resolution of the rwandese conflict are very much valued. I shall pursue my mediation efforts and I plan to meet with the President of Uganda in Kampala on Wednesday.
3. Regards.

UNITED NATIONS ASSISTANCE MISSION FOR RWANDA  
MISSION DES NATIONS UNIES POUR L'ASSISTANCE AU RWANDA

UNAMIR  
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SRSG



MINISTRE DE LA DEFENSE NATIONALE  
ARMEE RWANDAISE  
ETAT-MAJOR

G3

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/NZ.JB/

KIGALI, le 29 AVR. 1994

N° 0668 /G3.3.3

Son Excellence le Docteur Jacques Roger  
BOOH BOOH, Représentant Spécial du  
Secrétaire Général des Nations Unies au  
RWANDA

KIGALI

Objet: Transmission document.

Excellence Monsieur le Représentant Spécial,

J'ai l'honneur de vous transmettre le docume  
relatif aux commentaires et observations du Gouvernement Rwandais sur  
le projet d'Accord de cessez-le-feu, que vous m'avez envoyé  
le 26 Avril 1994.

Le Gouvernement Rwandais est d'accord pour  
un cessez-le-feu immédiat.

Les Forces Armées Rwandaises sont solidaires  
à la position du Gouvernement en ce qui concerne les parties devant  
négocier et conclure l'Accord, à savoir le Gouvernement Rwandais et  
le Front Patriotique Rwandais.  
Le découplage des FAR de son Gouvernement pour des buts encore  
inavoués N'a PAS de sens puisque le FPR est quant à lui une organisati  
politico-Militaire.  
A ce titre, les FAR qui mèneraient les négociations seraient mandatés  
par le Gouvernement Rwandais.

Veuillez agréer, Excellence Monsieur le  
Représentant Spécial, l'assurance de ma très haute considération.

  
BIZIMUNGU Augustin  
Général Major  
Chef EM AR

C.P.I:

- Monsieur le Ministre  
de la Défense  
KIGALI

OBSERVATIONS DU GOUVERNEMENT RWANDAIS SUR LE PROJET D'ACCORD  
DE CESSEZ-LE-FEU ENTRE LES REPRESENTANTS DES FORCES ARMEES  
RWANDAISES ET CELLES DU FRONT PATRIOTIQUE RWANDAIS

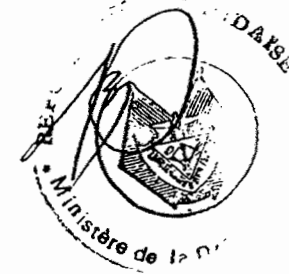
1° Le Gouvernement Rwandais n'a aucune objection à ce <sup>que</sup> l'accord de cessez-le-feu puisse intervenir entre les deux belligérants.

Cependant, comme le Protocole d'Accord sur le cessez-le-feu doit être signé par des Représentants attitrés du Gouvernement Rwandais et du Front Patriotique Rwandais, le titre du dit accord doit être amendé pour ne parler que du Gouvernement Rwandais d'une part et du Front Patriotique d'autre part.

2° Le Gouvernement Rwandais ne partage pas l'appréciation faite par la MINUAR au sujet des événements survenus dans la nuit du 06 au 07 Avril 1994 appréciation selon laquelle c'est par un accident d'avion survenu dans des circonstances douteuses que le Chef de l'Etat aurait trouvé la mort. Au Contraire, le Gouvernement Rwandais reste convaincu que l'avion présidentiel a été l'objet d'un attentat perpétré par des criminels.

3° Le projet se contente de recommander un cessez-le-feu immédiat précédé d'une trêve sans rien dire des conditions du dit cessez-le-feu. Le Gouvernement considère qu'un certain nombre de conditions doivent être arrêtées de commun accord par les deux parties et consignées dans le protocole d'Accord à signer. A ce titre, le Gouvernement préconise les conditions suivantes:

- I. Retour immédiat des deux belligérants dans leurs positions respectives antérieures à la reprise des hostilités par le FPR le 07 Avril 1994
- II. Arrêt des massacres de la population civile dans la zone contrôlée par les Forces du FPR.
- III. Retour des déplacés dans leurs biens





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IV. Retour à MULINDI du bataillon du FPR cantonné au CND dès lors que les Officiels qu'il était sensé garder ne sont plus à KIGALI.

4°. Le Gouvernement Rwandais estime que dans sa dimension actuelle la MINUAR ne pourrait pas contrôler et vérifier efficacement le respect du cessez-le-feu par les deux belligérants. Il recommande que l'accord de cessez-le-feu soit explicité quant au renforcement de la MINUAR dans un délai assez bref. S'agissant de la Commission Internationale d'enquête sur les tueries et les massacres survenus avant et après l'assassinat du Président de la République, ainsi que sur les circonstances de cet assassinat dont question au point 7, le Gouvernement Rwandais n'y voit aucun inconvénient. Toutefois, il insiste sur la composition de cette Commission pour que les organismes qui ont déjà pris position sur les événements malheureux survenus au RWANDA s'abstiennent d'en faire partie.



COMMUNIQUE ISSUED AFTER CONSULTATIONS BETWEEN THE  
REPRESENTATIVE OF THE FACILITATOR, THE SECRETARY  
GENERAL OF THE OAU AND THE CHAIRMAN OF THE RPF

1. A delegation of the Rwandese Patriotic Front led by the RPF Chairman, Colonel Alexis KANYARENGWE met on 4th May, 1994 in Arusha, United Republic of Tanzania, with the Representative of the Facilitator to the Arusha Peace Talks, Hon. John S. MALECELA, Prime Minister and First Vice President of the United Republic of Tanzania and on 3rd May, 1994 with the Secretary General of the Organization of African Unity H.E. Dr. Salim Ahmed Salim.
2. The RPF Chairman and the Prime Minister and First Vice President of Tanzania as well as the Secretary General of the OAU held exhaustive and frank discussions on the grave situation obtaining in Rwanda and in particular, the continued massacres of civilians and the resumption of hostilities between the Rwandese Government forces and those of the RPF.
3. They expressed deep concern over the tragic humanitarian catastrophe prevailing in Rwanda and the suffering of the Rwandese civilian population.
4. The Prime Minister and First Vice President, the OAU Secretary General and the RPF Chairman recalled the tripartite meeting involving the Prime Minister, OAU Secretary General and the Secretary General of the RPF on 24th April, 1994 in Arusha, Tanzania aimed at bringing an end to the hostilities.
5. After the consultations it was agreed that there is an urgent need to end the massacres and to halt all hostilities.
6. At the end of the consultations on 4th May, 1994, the Chairman of the RPF, on behalf of the RPF, undertook and AGREED to the following:

- a) The RPF re-affirmed its commitment to a ceasefire as already stated in its declaration of 23 April, 1994.
- b) The RPF mandates its field Commanders to negotiate the modalities of a ceasefire with the field Commanders of the Rwanda Government forces.
- c) The RPF, on its part, mandates the UNAMIR Force Commander to convene within seven (7) days, a meeting of the respective Commanders in order to negotiate the modalities for the ceasefire;
- d) The UNAMIR Force, in its present form as reflected in the United Nations Security Council Resolution 912 adopted on 21<sup>st</sup> April, 1994, shall monitor the said ceasefire which shall come into effect on a date and time to be agreed upon by the Commanders of the two forces;
- e) The OAU and African countries shall contribute to the monitoring and verification of the ceasefire.
- f) The RPF commits itself to respect the ceasefire.

#### B. International Force

7. On the idea of an International force called for by the UN Security Council, the Chairman of the RPF submitted the position of the RPF as follows:

- 1) The force should play a humanitarian role in terms of escorting humanitarian relief convoys to sites/camps or areas where displaced persons may be present as well as to other areas where the civilian population is in need of humanitarian assistance.;

ii) The force should assist in the verification and monitoring of the ceasefire, modalities of which are to be agreed upon by the field Commanders of the two forces.

iii) It shall also assist in the protection of the civilian population.

iv) The composition and terms of reference of the force shall be agreed upon and worked out by the field Commanders of the two forces..

C. NEGOTIATIONS ON THE IMPLEMENTATION OF THE  
ARUSHA PEACE AGREEMENT

1. The Chairman of the RPF expressed the need to hold, as soon as possible, negotiations on the implementation of the Arusha Peace Agreement. In this regard, he expressed RPF's position that the massacres would have ended and the ceasefire would be holding in order to hold the said negotiations.

2. The Chairman of the RPF suggested that the venue, date and agenda for such negotiations should be discussed and agreed upon by the field Commanders of the two forces in the course of the negotiations on the modalities for the ceasefire.

3. The Representative of the Facilitator, Hon. John S. Malecela Prime Minister and First Vice President expressed satisfaction at the renewed commitment of the Rwandese Patriotic Front to a ceasefire and to the Arusha Peace Process.

4. He urged the UNAMIR Commander to expedite action with regard to the convening of the meeting of the field Commanders of the two forces.

5. The Secretary General of the Organization of African Unity for his part took note of the decisions taken by the RPF Chairman which

are likely to contribute to the improvement of the security and humanitarian situation in Rwanda.

6. He reaffirmed the support of the OAU for the Arusha Peace Process as well as the OAU's continued commitment to the restoration of peace in Rwanda.

7. Done at Arusha on 4th May, 1994.

Signed.....  
Col. Alexis  
Kanyarengwe,  
Chairman of the  
Rwandese Patriotic  
Front

Signed.....  
Hon. John S. Malecela  
Representative of the  
Facilitator

Signed.....  
Dr. M.T. Mapuranga  
Assistant Secretary  
General  
(Political)  
for the Organization  
of African Unity

TO : H.E. DR. SALIM SALIM  
FROM : MR. AKPAN  
A/SGSR Bujumbura/Burundi

*DR KABIA*  
*to Kane*  
*to Buu*  
*FYI Ann 203/2*

HONOUR TO INFORM YOUR EXCELLENCY ABOUT THE SITUATION IN BURUNDI PARTICULARLY AS REFLECTED HERE IN BUJUMBURA.

1. MORE THAN 30 (THIRTY) PEOPLE HAVE DIED MONDAY/TUESDAY NIGHT IN VARIOUS CIRCUMSTANCES.
2. SIX AMONG THOSE WHO DIED HAD BEEN FROM A GRENADE THROWN TO THEM.
3. A WOMAN, WIFE OF THE ECONOMIC ADVISOR TO THE PRESIDENT WAS STONED TO DEATH BY YOUTHS AT ONE OF THE BARRICADES SPOT.
4. THREE HOUSES WERE BURNED.
5. THREE BUSES WERE BURNED.
6. "DEAD CITY" OPERATION IS CONTINUING AND PEOPLE ARE REAL SUFFERING SINCE THEY HAD NOT PURCHASED FOODSTUFF IN PREPARATION FOR THAT AND MANY WORKERS HAD NOT RECEIVED THEIR SALARIES.
7. IN THE CITY CENTRE THERE ARE NO BARRICADES AND CARS CAN MOVE FREELY BUT WORK OR SERVICE CANNOT BE CONDUCTED BECAUSE STAFF FROM THE RESIDENTIAL AREAS CANNOT COME TO THE CITY CENTRE.
8. INFORMATION FROM RELIABLE SOURCES INDICATE THAT THE OPPOSITION IS DETERMINED TO HAVE "DEAD CITY" FOR THE WHOLE COMING WEEK.
9. THE GOVERNMENT DOES NOT SEEM TO ACCEPT TO SUCCUMB TO THE DEMANDS OF THE OPPOSITION AND THAT MEANS THE SITUATION MIGHT REMAIN THE SAME FOR SOMETIME.
- X 10. THE GOVERNMENT HAS APPOINTED NEW MEMBERS TO THE CONSTITUTIONAL COURT WHICH IS EXPECTED TO START WORK BY TOMORROW.
11. TENSION CONTINUES LEAVING A LOT OF SPECULATIONS.
12. IN VIEW OF ALL THE ABOVE THE NEED FOR AN URGENT DISPATCH OF THE REMAINING COMPONENT IS REPEATEDLY EMPHASIZED.

E.B. AKPAN

Principal Political Officer

A/SGSR Bujumbura

*2/2/94*

28/09 '14 20:28

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ORGANIZATION OF  
AFRICAN UNITY

ORGANIZAÇÃO DA  
UNIDADE AFRICANA



ORGANISATION DE  
L'UNITÉ AFRICAINE

منظمة الوحدة الأفريقية

Addis Ababa - Ethiopia - Box 3243 Tel 517/100 Telex 21046 Fax (2511) 519036

COUNCIL OF MINISTERS  
Fifty-ninth Ordinary Session  
31 January - 4 February, 1994  
Addis Ababa, Ethiopia

DECLARATION BY THE 59TH ORDINARY SESSION OF THE  
OAU COUNCIL OF MINISTERS ON THE SITUATION IN BURUNDI

**DECLARATION BY THE 59TH ORDINARY SESSION OF THE  
OAU COUNCIL OF MINISTERS ON THE SITUATION IN BURUNDI**

The Fifty-ninth Ordinary Session of the OAU Council of Ministers followed with special attention the developments in Burundi since the coup attempt of 21 October which cost the life of H.E. Mr. Melchior Ndadaye, President of the Republic and other senior officials of the Republic, generated inter-ethnic massacres and triggered an influx of refugees to neighbouring countries and a huge population of displaced persons within the country.

At a time when no effort is spared to stem and resolve the crisis peacefully, the Council has learnt that initiatives are being taken to counter these efforts so as to maintain the country in a state of confusion and undermine the efforts directed at achieving peace and national concord.

In view of the above situation, the OAU Council of Ministers, meeting in its 59th Ordinary Session in Addis Ababa:

1. **REAFFIRMS ITS FULL SUPPORT** for the OAU in its assistance to the legitimate Government of Burundi that emerged from the free and fair elections held in June 1993 in the presence of foreign observers including those of the OAU;
2. **WELCOMES** the process aimed at restoring peace and confidence among the people of Burundi;
3. **COMMENDS** the efficient work being carried out by the Special Representatives of the Secretary-General the OAU and the UN in their bid to facilitate dialogue among the political parties and moral forces of the Burundi society;
4. **ENCOURAGES** the Burundi National Army and all other security services to ensure in a spirit of loyalty the security of all the people of Burundi irrespective of their political affiliation;



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5. **REAFFIRMS ITS SUPPORT** for the despatch of an International Mission of protection and Observation for the Restoration of Confidence in Burundi (MIOR) since it is one of cornerstones of the machinery for the settlement of the Burundi crisis;
6. **REITERATES ITS SYMPATHY** with the people of Burundi in these trying times in the history of the country.