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Security Council

Distr.
GENERAL

S/1995/848
7 October 1995

ORIGINAL: ENGLISH

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

I. INTRODUCTION

1. The present report is submitted pursuant to resolution 997 (1995) of 9 June 1995, by which the Security Council adjusted and extended the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR), authorized the gradual reduction of its troop level and requested me to report by 9 August and 9 October 1995 on the discharge of its mandate, the humanitarian situation and the progress made towards the repatriation of refugees. Regular oral briefings on developments related to Rwanda have been given to the Council and the present report describes developments up to 30 September.
2. In my last progress report, of 8 August (S/1995/678), I provided an update on the situation as at 3 August. Subsequently, in a letter to its President dated 29 August (S/1995/762), I informed the Security Council of recent developments in Rwanda and the Great Lakes region. In a further report dated 25 August (S/1995/742), I informed the Council of progress made on the practical and legal arrangements for the International Tribunal for Rwanda and the activities of its various organs. On 22 September, I transmitted to the President of the Council an account of the visit that the United Nations High Commissioner for Refugees had made to the Great Lakes region at my request from 31 August to 7 September 1995.
3. As Rwanda continues its search for healing and rehabilitation, problems relating to repatriation and security have again highlighted the challenges that remain. Continued cooperation with the United Nations and the international community as a whole, manifested at various levels during the period, is a positive and hopeful sign. The benefits of such cooperation, however, will be limited as long as the Rwandese remain divided by fear and mistrust and the spectre of renewed conflict hangs over the country.



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II. POLITICAL DEVELOPMENTS

4. During the period under review, the Government's declared policy of promoting broad-based participation and national reconciliation was influenced by two major events. The first was the departure of Prime Minister Faustin Twagiramungu, who left office on 28 August together with four other Cabinet Ministers. The second event was the killing of 110 villagers at Kanama on 11 and 12 September. The Government, however, moved quickly to contain and counteract these events: first, it appointed a new Prime Minister and replaced the departing Cabinet Ministers; secondly, the Vice-President and Defence Minister, Major-General Paul Kagame, visited Kanama the day after the killings, acknowledged Rwanda Patriotic Army (RPA) excesses and promised punishment of the guilty.

5. The efficient manner in which the Government of Rwanda handled the forcible repatriation by Zaire of some 13,000 Rwandese refugees in August testified to the progress that has been made in stabilizing Rwanda. Despite the unexpected expulsion of the refugees, the Government, with logistical support from UNAMIR, United Nations agencies and non-governmental organizations, received and resettled its nationals in a generally humane and orderly manner.

6. On 9 September, 1,200 former members of the Rwandese Government Forces (RGF) were formally integrated into RPA after completing an intensive retraining programme, bringing to over 2,000 the number of former RGF troops now serving with RPA. Government officials point to this achievement as being consistent with the spirit of the Arusha Peace Agreement which provided for the merging of the two Rwandese armed forces into a single national army.

7. To strengthen and widen further the base for durable stability, the Government has continued its normalization efforts in the countryside, especially in the communes, where most Rwandese live and from where most refugees fled. The new Prime Minister and the new Minister of the Interior recently met with provincial administrators (Préfets), who called for the expeditious and effective restoration of local administration throughout the country. On the critical issue of security at the local level, the Minister of the Interior has reaffirmed the Government's determination to set up a new communal police force to be trained with the assistance of the civilian police component of UNAMIR.

8. The mission of the United Nations High Commissioner for Refugees to Burundi, Rwanda, the United Republic of Tanzania and Zaire revealed a strong convergence of interest among Governments, donors and refugees on the importance of a safe, accelerated, organized and voluntary return of refugees. The Office of the United Nations High Commissioner for Refugees (UNHCR) will be able to set in motion such a repatriation if all commitments made during the High Commissioner's mission are respected. For this to occur, however, the international community must lend immediate support to the efforts of UNHCR, both in the countries of origin and in those of asylum.

9. Since the High Commissioner's mission, UNHCR itself has been working in this sense. In Rwanda, officials reaffirmed their desire to see refugees return and promised to do everything in their power to facilitate voluntary return in

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conditions of safety and dignity. A meeting of the Tripartite Commission involving the United Republic of Tanzania, Rwanda and UNHCR took place from 18 to 21 September, at Arusha, at which practical measures were agreed on for starting large-scale repatriation of the more than 600,000 Rwandese refugees in the United Republic of Tanzania.

10. A meeting of the Tripartite Commission involving Zaire, Rwanda and UNHCR was chaired by the High Commissioner at Geneva on 25 September. This was the first meeting of the Commission since it was created in October 1994. A joint communiqué reaffirmed commitments to create conditions for repatriation to Rwanda in a safe and organized manner. The Government of Rwanda agreed to strengthen reception facilities, reduce border controls and provide security and protection to returnees in collaboration with UNHCR and other human rights organizations. The Government of Zaire agreed to reduce all forms of intimidation in the camps within its borders. The decisions reached at that meeting will be implemented through technical meetings that will be held at Gisenyi later this month. The process will then be evaluated by the Tripartite Commission at Geneva or in Zaire.

11. In the context of a renewed regional effort to promote voluntary repatriation, UNHCR is expanding its mass information campaign aimed at the refugees in the camps, by broadcasting objective information to counter extremist propaganda. The campaign also comprises group meetings with UNHCR field staff, visits by refugees to their home communes and the dissemination of leaflets containing information gathered in Rwanda.

12. In response to the anticipated increase in the rate of return to Rwanda, UNHCR is augmenting its facilities at official border entry points to ensure the proper reception of all returnees. It is also expanding activities in the communes of origin, in cooperation with the United Nations Development Programme (UNDP), which has the lead role in their rehabilitation. Quick Impact Projects to fill gaps in UNDP long-term plans are under way in water and sanitation, education, health, shelter and community services.

13. Meanwhile, repatriation of Rwandese refugees from Burundi has been gaining momentum. Between 5 and 25 September 1995, more than 4,000 refugees were repatriated under UNHCR auspices from the camps in northern Burundi, bringing to a total of some 18,000 the refugees who have been assisted by UNHCR since June 1995. UNHCR further estimates that an equal number repatriated spontaneously. The number of Rwandese refugees remaining in Burundi is 155,000.

14. From Zaire, which currently hosts 1 million Rwandese refugees, 3,500 new caseload and 5,934 old caseload refugees were repatriated under UNHCR auspices during the month of September. During the same period, 147 refugees returned to Rwanda from Bukavu. As a result of recent developments described above, and in view of repatriation deadlines imposed by the Government of Zaire, it is hoped that the pace of repatriation will quicken substantially.

15. Crucial as these improvements are, national reconciliation depends not only on the repatriation and safe reintegration of the refugees but also on the establishment of an effective and credible national judiciary to ensure justice and equal treatment for all Rwandese nationals. Currently the judiciary remains

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largely inoperative. Up to 500 people continue to be arrested weekly, usually on suspicion of involvement in the genocide, adding to the more than 50,000 currently detained in inhuman conditions in Rwanda's overcrowded jails. An effective judiciary is vital to correct this dangerous situation.

16. An improved judicial system could also help to avert a potentially damaging crisis in the long-simmering area of property rights. This problem discourages the return of refugees and is a source of much of the tension that confronts communities in various parts of Rwanda, especially in Kigali.

17. It is vital to translate into concrete action the good intentions expressed by the Government of Rwanda regarding various recovery efforts. Government officials have insisted that the continuing lack of adequate resources limits their ability to act effectively. Greater effort, however, is needed in some areas to put the Government's policies into practice. For instance, appropriate action is still awaited to finalize the selection, by the National Assembly, of the President and five Deputy Presidents of the Supreme Court.

18. The neighbours of Rwanda recognize the link between Rwanda's stability and that of the region as a whole and are supportive of my effort to convene, jointly with the Organization of African Unity (OAU), a regional conference on peace, security and development. My Special Envoy to the Great Lakes region, Mr. José Luis Jesus, having secured the full support of OAU, is currently consulting the countries concerned.

III. HUMAN RIGHTS

19. The United Nations Human Rights Field Operation for Rwanda continued its activities in the field of human rights monitoring, technical assistance to the judicial system, improvement of prison conditions and educational seminars. By the end of September 1995, it had deployed 130 members with three legal experts being assigned to work with the Ministry of Justice. As part of the working group established by my Special Representative to address the problem of overcrowding in Rwandese prisons, the Field Operation is involved in information gathering, in facilitating the work of the "triage" commissions which have been established to expedite the processing of detainees' cases, and in the coordination of short and medium-term initiatives for rehabilitating the judicial system.

20. A database has been created with other United Nations agencies to provide accurate information on refugee movements. In this connection, human rights field officers monitor returnees by visiting transit centres and accompanying them to their home communes, where feasible. After the returnees arrive at their final destinations, follow-up visits are made to them on a weekly basis. When possible, field officers visit the home communes prior to the arrival of returnees in order to assess conditions for their reception and resettlement.

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IV. INTERNATIONAL TRIBUNAL FOR RWANDA

21. Since my last report on the International Tribunal (S/1995/741), submitted pursuant to Security Council resolution 955 (1994) of 8 November 1994, the President of the International Tribunal, Judge Laity Kama, the Prosecutor, Justice Richard Goldstone, and Mr. Adronico Adede of the Office of Legal Affairs of the Secretariat, who has since been appointed Registrar of the Tribunal, travelled to Rwanda for a three-day visit. They met with senior Rwandese government officials and my Special Representative to discuss the Tribunal's operations, including the functioning of the Prosecutor's office in Rwanda. On 1 September, they visited the seat of the Tribunal at Arusha, United Republic of Tanzania, to inspect the premises designated for it, as well as a proposed prison site and accommodation arrangements for the Tribunal's staff.

22. A Headquarters Agreement relating to the seat of the Tribunal was signed on 31 August between the United Nations and the United Republic of Tanzania, and a Memorandum of Understanding with the Government of Rwanda covering the Prosecutor's office at Kigali is currently being negotiated. Despite continuing administrative and logistical difficulties, it is hoped that the Tribunal will be able to begin its proceedings before the end of the year, though this objective is threatened by the financial crisis currently afflicting the United Nations. I would like, once again, to express my gratitude to those Governments which have contributed personnel and other resources to the Tribunal and my hope that such support will continue.

V. MILITARY ASPECTS

A. UNAMIR deployment and activities

23. The reduction of the UNAMIR force level, mandated by Security Council resolution 997 (1995), continued during the reporting period. In that resolution, the Council decided to reduce the UNAMIR strength from 5,500 to 2,330 by 8 September and to 1,800 by 8 October. As at 30 September, the force stood at 1,836; a total of 288 military observers out of an authorized level of 320 were also deployed in the country (see the annex to the present report).

24. In accordance with resolution 997 (1995), UNAMIR continued to assist the Government of Rwanda in facilitating the voluntary and safe return and resettlement of refugees and in promoting a climate of confidence and trust. When Rwandese refugees were forced across the border from Zaire between 19 and 24 August, UNAMIR troops and military observers, in coordination with UNHCR and other United Nations agencies, supported the Government's resettlement efforts in several ways. This included helping to construct transit camps for the temporary accommodation of the returnees; providing vehicles to help transport the returnees from the transit camps to their home communes; and contributing to a sense of confidence among the returnees by providing a presence at the border checkpoints, in transit camps and in communes of destination. UNAMIR is helping to improve conditions in transit camps, in anticipation of a future large-scale return of refugees.

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25. UNAMIR continued to make available to the Rwandese authorities its engineering and logistics capacity. The force has helped construct and renovate detention centres to relieve the overcrowding in Rwandese jails. It has also assisted in the construction or repair of bridges, roads and schools and in the transport of humanitarian assistance, including food and medicines.

B. Security aspects

26. The killing of some 110 men, women and children at Kanama, in north-western Rwanda, on 12 September was the most serious incident of violence since the Kibeho tragedy five months earlier. It seriously endangered the improvement in the security situation which had occurred in recent months. The tragedy took place in an area where reports of cross-border infiltration and sabotage from refugee camps in neighbouring Zaire had been increasing. It was the latest in a spate of killings which also took the lives of local and provincial government officials, clergymen and judges. Such acts can only exacerbate tensions, deepen fears and impede repatriation.

27. I issued a statement on 13 September expressing my serious concern about the Kanama incident and welcoming the establishment of a joint investigation team including representatives of the Government, UNAMIR and United Nations human rights monitors. I also expressed the hope that the investigation would promptly ascertain the facts and recommend measures to prevent the recurrence of such incidents. UNAMIR, human rights monitors and various United Nations agencies acted quickly to coordinate their assistance in the wake of this tragic event.

28. Cross-border infiltration and sabotage, leading to countermeasures by the Government, constitute the most worrying security problem in the country at the moment. As requested by the Security Council in resolution 1013 (1995) of 7 September 1995, I am working to set up an international commission of inquiry to look into allegations of arms supplies to and training of former Rwandese government forces. I am confident that the Commission's work will refocus attention on the need to prevent the destabilization of Rwanda. These security problems, however, are symptomatic of the underlying political impasse. It is the Rwandese people themselves who have the primary responsibility for improving the situation in their country and I again emphasize the need for all segments of Rwandese society to work together to build a stable and more secure society.

VI. CIVILIAN POLICE

29. During the reporting period, a major activity of the civilian police component of UNAMIR continued to be the training of the Rwandese National Police Force as mandated under Security Council resolution 997 (1995). The training of the third group of 515 gendarmes, which started on 31 July, is in progress and is scheduled to end early in December, giving Rwanda a total of about 900 of the estimated 6,000 trained gendarmes it needs. The training of the communal police, the second component of the Rwandese National Police Force, has been delayed because of the ongoing rehabilitation of the Communal Police Training Centre. It is expected that a 13-week intensive training programme will begin in October with the first of three groups of 750 communal police officers.

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30. In addition to their training tasks, the UNAMIR civilian police continued to carry out monitoring duties, together with the military observers, in areas including the prisons and other places of detention and to maintain close liaison with local government authorities in Rwanda's 11 préfectures. Civilian police observers also continued to assist United Nations agencies, non-governmental organizations and human rights monitors in supporting humanitarian operations, especially during the forced repatriation of Rwandese refugees from Zaire.

31. In its resolution 997 (1995), the Security Council decided to maintain the current authorized level of the Mission's civilian police component. As at 30 September, a total of 87 observers from 12 countries were deployed (see annex).

VII. HUMANITARIAN ASPECTS

32. The deadline of 31 December 1995 set by the Government of Zaire for the voluntary departure of all refugees from its territory intensifies the enormous humanitarian challenges facing Rwanda and the international community in the months ahead.

33. The task of organizing voluntary repatriation of the estimated 2 million refugees currently hosted by neighbouring countries is an extremely difficult one. Following her recent visit to the region, the United Nations High Commissioner for Refugees believes that a realistic target for voluntary repatriation is between 500,000 and 600,000 persons by the end of the year. This incomplete target is, in part, due to the limited absorption capacity of many of the home communes in Rwanda. The Government of Rwanda has reaffirmed its commitment to receive and reintegrate all Rwandese refugees who wish to return. While the efficient manner in which the Government handled the forced repatriation from Zaire in August is a strong indicator of its commitment, it must be made clear to the international community that, for successful reintegration to occur, the resources required to rebuild and strengthen the capacity of communes to receive refugees have yet to be made available.

34. At my request, UNHCR is currently undertaking a demographic survey and assessment of existing infrastructure and population groups in Rwanda's communes. This exercise should help to identify the communes that are ready to receive returnees and those which need infrastructural rehabilitation. I have also requested UNHCR and the Department of Humanitarian Affairs to work with United Nations agencies and non-governmental organizations in the field to produce a special emergency appeal for the region later this month.

35. In spite of some progress since my last report, conditions in the prisons continue to constitute a major humanitarian crisis. More than 52,000 people are currently incarcerated, with arrests continuing to take place. In August, I requested the Under-Secretary-General for Humanitarian Affairs to initiate, in coordination with the Government of Rwanda and the international community, effective and urgent measures to alleviate the present appalling situation in the prisons.

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36. A Plan of Action, drafted by representatives of the Government of Rwanda and UNDP, for urgent action on prisons and in the justice sector has been circulated to the international community. A small team has been set up under my Special Representative to help mobilize resources and to accelerate the improvement of prison conditions. So far, US\$ 260,000 have been provided to the Secretary-General's Trust Fund for Rwanda against identified needs of more than \$43 million, of which \$15 million is required for prison improvements and new detention space. Pending the provision of additional resources, I have made \$2 million available for these efforts from the Central Revolving Fund.

37. In September, construction of the Nsinda detention centre, which will provide an additional detention capacity of 5,000, was completed. This facility, built with the assistance of UNAMIR, UNDP and the International Commission of the Red Cross, will help alleviate the worst prison conditions by receiving detainees from the most overcrowded ones, such as Gitarama. Two out of seven temporary detention sites are also near completion, providing short-term space for another 9,500 detainees. In view of the gravity and urgency of the situation, the World Food Programme (WFP) has also made available five of its warehouses for use as temporary detention sites. Meanwhile, agreements have been reached with the Government of Rwanda on the establishment of special detention centres for women and children. It is clear, however, that these various initiatives are temporary in nature, designed to respond to an emergency humanitarian situation. Any sustained improvement in prison conditions over the long term can be secured only through parallel action to help restore the Rwandese judicial system.

38. The situation with regard to the provision of humanitarian assistance, although improved since last year, remains exceedingly fragile. The preliminary results of a survey undertaken by the Food and Agriculture Organization of the United Nations and WFP indicate that some 15 per cent of Rwanda's estimated 1 million families are vulnerable. Some 30 per cent of households are headed by women, with just under 11 per cent farming less than half a hectare of land. In this respect, I am pleased to note that efforts to promote household food security and income generation for women have been intensified during the reporting period. The United Nations Children's Fund has recently launched the first of several projects designed to assist widows and female-headed households. WFP is also helping 6,000 female-headed households through targeted assistance programmes and 4,000 through development projects for women.

39. Following the forced repatriation of refugees in August, I have decided that the United Nations Rwanda Emergency Office, which, as I informed the Security Council in my last report, had begun preparing for its eventual closure, should be extended until the end of October 1995. Transitional arrangements between the Office and the United Nations Resident Coordinator are being put in place to ensure that the coordination of humanitarian assistance will continue after this period, including the strengthening of the United Nations Disaster Management Team, headed by the Resident Coordinator. Efforts are also being made by United Nations agencies and non-governmental organizations to support the Government of Rwanda's Humanitarian Assistance Coordination Unit, which, together with UNHCR, oversees refugee movements and the initial phase of returnee assistance.

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VIII. ECONOMIC AND SOCIAL ASPECTS

40. Following the mid-term review of the Geneva Round-Table Conference, held at Kigali on 6 and 7 July 1995, there has been a sizeable increase in the commitment and disbursement of funds pledged for the Government's Programme of National Reconciliation and Socio-Economic Rehabilitation and Recovery. As at 14 September, \$523 million had been committed (up from \$345 million in July) and \$252 million disbursed (up from \$86 million in July) against total pledges of \$587 million made at Geneva in January 1995. In fact, since the Geneva conference, total pledges have risen to \$1,089 million. Some of these additional funds are to be disbursed over the period 1996-1997. Implementation of Round-Table projects appears to have made the most progress in the agricultural sector, whereas programming in the infrastructure sector is proceeding more slowly than expected.

41. In my last report, I informed members of the Security Council of a joint programme of the World Bank, the International Monetary Fund (IMF) and UNDP to strengthen the Government's capacity to manage its economic, financial and human resources. Since then, UNDP, in consultation with the Government, has begun developing a programme designed to enhance the latter's administrative capacity at the communal level. A further project would help to strengthen prefectural administration by developing government capacity to monitor the return of refugees and to programme rehabilitation/reintegration activities within the framework of the Government's Plan of Action for the Repatriation, Resettlement and Reintegration of Refugees.

42. Through several food-for-work and income-generating activities, WFP is now not only providing more than 100,000 needy individuals with food, but is also assisting Rwanda's agricultural recovery, rehabilitation of destroyed infrastructure and construction of new houses, schools and water facilities. UNICEF, ICRC and several non-governmental organizations, which have been active in the construction and repair of water supply systems, are also training local communities to manage their own water points.

43. The international community continues to pursue a series of initiatives designed to help reinvigorate the Rwandese judicial system. Judicial offices and court buildings are being repaired and refurbished and, together with the Ministry of Justice, are being supplied with office equipment, vehicles and other materials. Training programmes are targeting various levels of the judicial and corrections systems in order to restore staffing levels in the professional and clerical ranks. UNDP is supporting the training, by UNAMIR, of the gendarmes and communal police who make up Rwanda's National Police Force (see para. 29 above).

44. Following a sharp depreciation in July, the Rwandese franc stabilized in August, in part because of proceeds from exports, and disbursements from the World Bank's Emergency Recovery Credit. While the prices of basic food items have also stabilized, they remain high compared with levels prevailing earlier in the year. Steps were taken by the Government in August to clamp down on unauthorized foreign exchange transactions involving the Rwandese franc, which was allowed to float freely in March. The Government has also requested that all

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payments involving Rwandese enterprises and individuals be made in the local currency.

IX. FINANCIAL ASPECTS

45. In its resolution 49/20 B of 12 July 1995, the General Assembly decided, as an interim measure pending the submission at its fiftieth session of revised cost estimates and the report of the Advisory Committee on Administrative and Budgetary Questions, to appropriate \$109,951,900 gross (\$107,584,300 net) for the operation of UNAMIR for the period from 10 June to 31 December 1995. As requested by the Assembly, my report containing revised cost estimates for UNAMIR is in preparation and will include the requirements for the current mandate period.

46. As at 26 September 1995, the total outstanding contributions to the UNAMIR special account since the inception of the mission amounted to \$159.3 million. The total outstanding assessed contributions for all peace-keeping operations amounted to \$2,589.7 million.

X. CONCLUDING OBSERVATIONS

47. Since my progress report of 8 August (S/1995/678), UNAMIR has continued to discharge the tasks entrusted to it under Security Council resolution 997 (1995). The efforts of UNAMIR, as well as the assistance provided by United Nations agencies, non-governmental organizations and the international community as a whole, have made an important contribution to Rwanda's rehabilitation programme. Although much remains to be done, visible progress towards normalization and stability has been achieved.

48. It is clear that sustainable recovery is possible only in conditions of genuine peace and stability. Creating and sustaining such conditions is a matter primarily for the Rwandese themselves. Their country has come a long way from the carnage and chaos of just over a year ago. Yet the recent crises created by the expulsion of Rwandese refugees from Zaire and the killings near Gisenyi have underlined the fragility of the current recovery process.

49. The damage done to Rwanda's society and psyche by last year's tragic events has been brutal and profound. It is essential that those responsible be brought to justice so as to put an end to the prevailing culture of impunity and to prevent a recurrence of such atrocities. I am hopeful that the International Tribunal will soon commence its proceedings and that substantial, timely progress will be made on the installation of an effective national judiciary.

50. The refugee problem is perhaps the most immediate cause and consequence of the instability and political divisions confronting Rwanda and the Great Lakes region as a whole. If satisfactory solutions are to be found, it will be necessary to tackle the underlying political causes. This will require a process of genuine national reconciliation between the various segments of Rwandese society as envisaged under the Arusha Peace Agreement (A/48/824-S/26915, annexes). To this end, I wish to stress once again the importance of

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dialogue and to recall the discussions I had with Rwandese officials during my visit to their country in July concerning the possibility of organizing informal round-table meetings and inviting participants from all sectors of Rwandese society, including the refugee community.

51. The issues before us go beyond Rwanda's borders. I remain convinced that long-term peace in Rwanda will continue to be elusive as long as large concentrations of Rwandese nationals remain encamped in neighbouring countries. I hope that the Commission of Inquiry recently approved by the Security Council to investigate reports of military training and arms transfers to former Rwandese government forces will help defuse tensions and promote mutual confidence along Rwanda's borders. I welcome recent efforts to improve relations among the States in the region, which should help pave the way for the proposed Regional Conference on Peace, Security and Development. In this regard, I will soon be reporting to the Council on the results of my Special Envoy's first round of consultations in the Great Lakes region.

52. In conclusion, while Rwanda has made visible progress in its efforts to overcome the problems created by the tragic events of 1994, the country still has a long road to travel in its search for reconciliation and recovery. The mandate of UNAMIR is set to expire on 8 December 1995 and it is now time for the Government of Rwanda and the international community to give serious consideration to the future role of the United Nations in Rwanda.

53. Meanwhile, in view of the acute financial crisis currently faced by the Organization (the United Nations is today owed \$3.24 billion), I have instructed all the heads of peace-keeping operations to explore ways to effect immediate savings, including possible troop reductions. In the case of UNAMIR, the Special Representative is currently studying, in consultation with the Government, the possibility of a very substantial troop reduction. I will be reporting to the Security Council in due course on this matter.

54. In submitting this report, I wish to express warm thanks to my Special Representative, Mr. Shaharyar Khan, to the Force Commander, Major General Guy Tousignant, and to the military, police and civilian personnel of UNAMIR for their dedicated efforts, on behalf of the United Nations, to help the people of Rwanda and to promote the cause of peace in extremely difficult circumstances.

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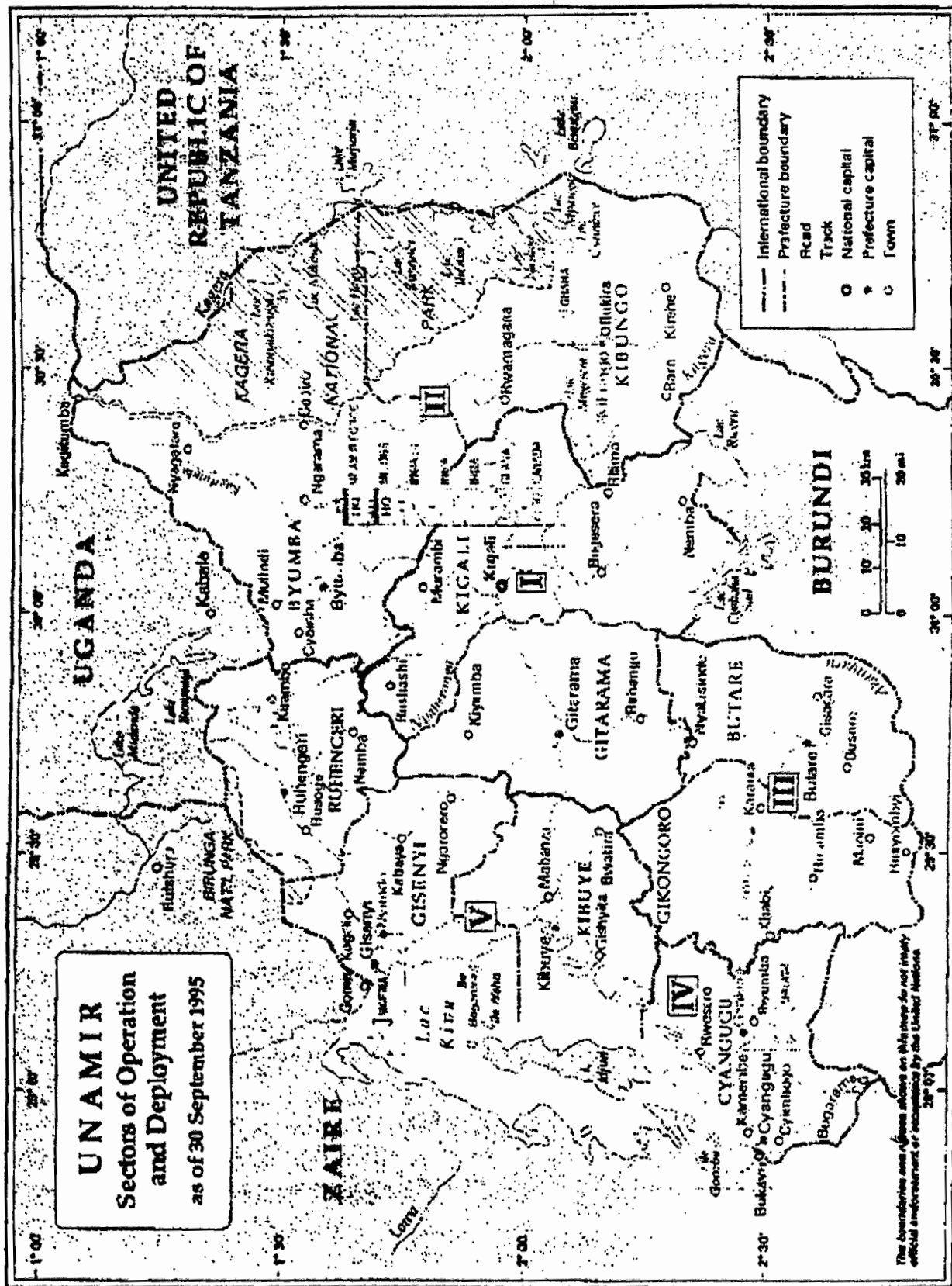
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Annex

COMPOSITION OF UNAMIR AS OF 30 SEPTEMBER 1995

Country	Military personnel			Civilian police	Grand total
	Troops	Observers	Total		
Argentina		1	1		1
Australia	0		0		0
Austria		15	15		15
Bangladesh		36	36		36
Canada	100	10	110		110
Chad	2		2	5	7
Congo		7	7		7
Djibouti			0	5	5
Ethiopia	0		0		0
Fiji		1	1		1
Germany			0	7	7
Ghana	313	34	347	10	357
Guinea		17	17		17
Guinea-Bissau		1	1	6	7
India	943	22	965		965
Jordan		5	5	4	9
Malawi	136	14	150		150
Mali	132	13	145	10	155
Nigeria	152	17	169	10	179
Niger			0	7	7
Pakistan		5	5		5
Russian Federation		17	17		17
Senegal	1	2	3		3
Switzerland				3	3
Tunisia	19	0	19	10	29
Uruguay		26	26		26
Zambia	32	20	52	10	62
Zimbabwe	0	25	25		25
Total	1 836	288	2 124	87	2 211

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Department of Peace-keeping Operations
Geographic Section

Map No. JMR.1 Rev. 12 UNITED NATIONS
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Conseil de sécurité

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S/1995/848
7 octobre 1995
FRANÇAIS
ORIGINAL : ANGLAIS

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

I. INTRODUCTION

1. Le présent rapport est soumis en application de la résolution 997 (1995) du 9 juin 1995, par laquelle le Conseil de sécurité modifiait et prorogeait le mandat de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR), autorisait une réduction progressive de ses effectifs et me demandait de lui présenter le 9 août, puis le 9 octobre 1995 au plus tard, un rapport sur la manière dont la Mission s'acquittait de son mandat, sur la situation humanitaire et sur les progrès réalisés en ce qui concerne le rapatriement des réfugiés. Le Conseil a été régulièrement tenu au courant, oralement, de l'évolution de la situation concernant le Rwanda. Le présent rapport fait le point de la situation au 30 septembre.

2. Dans mon dernier rapport intérimaire daté du 8 août (S/1995/678), j'avais fait le point de la situation au 3 août. Ultérieurement, dans une lettre datée du 29 août, adressée au Président du Conseil de sécurité (S/1995/762), j'ai informé le Conseil de sécurité de l'évolution récente de la situation au Rwanda et dans la région des Grands Lacs. Dans un nouveau rapport daté du 25 août (S/1995/741), j'ai informé le Conseil des progrès réalisés dans la mise en place des arrangements pratiques et juridiques concernant le siège du Tribunal international pour le Rwanda et les activités de ses divers organes. Le 22 septembre, j'ai transmis au Président du Conseil un compte rendu de la visite que le Haut Commissaire des Nations Unies pour les réfugiés avait faite sur ma demande dans la région des Grands Lacs du 31 août au 7 septembre 1995.

3. Le Rwanda poursuivant sur la voie de son rétablissement et de son relèvement, les problèmes relatifs au rapatriement et à la sécurité mettant de nouveau en lumière les obstacles qui demeurent. La poursuite de sa coopération avec l'Organisation des Nations Unies et la communauté internationale dans l'ensemble, qui s'est manifestée à divers niveaux au cours de cette période, est un signe positif et encourageant. Mais les avantages d'une telle coopération resteront minces tant que les Rwandais demeureront divisés par la crainte et la méfiance et que le spectre d'une reprise des conflits hantera le pays.

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II. ASPECTS POLITIQUES

4. Au cours de la période examinée, la politique déclarée du Gouvernement tendant à promouvoir une participation élargie et la réconciliation nationale a été influencée par deux événements majeurs. Le premier a été le départ du Premier Ministre Faustin Twagiramungu, qui a quitté ses fonctions le 28 août en même temps que quatre autres ministres. Le deuxième événement a été le meurtre de 110 villageois perpétré à Kanama les 11 et 12 septembre. Le Gouvernement a toutefois pris sans tarder des mesures pour limiter les effets de cet événement et y réagir : tout d'abord, il a nommé un nouveau premier ministre et remplacé les ministres sortants; ensuite, le général de division Paul Kagame, Vice-Président et Ministre de la défense, a visité Kanama le lendemain de ces tueries, a reconnu les excès de l'Armée patriotique rwandaise et promis que les coupables seraient punis.

5. L'efficacité avec laquelle le Gouvernement rwandais a fait face au rapatriement forcé par le Zaïre d'environ 13 000 réfugiés rwandais en août témoigne des progrès qui ont été réalisés dans la stabilisation du Rwanda. Malgré l'expulsion inattendue de ces réfugiés, le Gouvernement, avec l'appui logistique de la MINUAR, des organismes des Nations Unies et des organisations non gouvernementales (ONG), a reçu et réinstallé ses nationaux d'une manière généralement humaine et ordonnée.

6. Le 9 septembre, 1 200 membres des ex-forces gouvernementales rwandaises ont été officiellement intégrés dans l'Armée patriotique rwandaise après avoir suivi avec succès un programme intensif de recyclage, ce qui a porté à plus de 2 000 le nombre des soldats des ex-forces gouvernementales rwandaises qui servent à présent dans l'Armée patriotique rwandaise. Les représentants du Gouvernement soulignent que cette réussite est conforme à l'esprit de l'Accord de paix d'Arusha qui prévoyait la fusion des deux forces armées rwandaises en une seule armée nationale.

7. Pour renforcer et élargir davantage les bases d'une stabilité durable, le Gouvernement a poursuivi ses efforts de normalisation dans la campagne, en particulier dans les communes où vivent la plupart des Rwandais et où se sont rendus la plupart des réfugiés. Le nouveau Premier Ministre et le nouveau Ministre de l'intérieur ont récemment rencontré les préfets, qui ont demandé un rétablissement rapide et effectif de l'administration locale dans tout le pays. Sur la question vitale de la sécurité au niveau local, le Ministre de l'intérieur a réaffirmé que le Gouvernement était déterminé à mettre en place une nouvelle force de police communale qui serait formée avec l'assistance de la composante police civile de la MINUAR.

8. La mission du Haut Commissaire des Nations Unies pour les réfugiés au Burundi, au Rwanda, en République-Unie de Tanzanie et au Zaïre a révélé que les gouvernements, les donateurs et les réfugiés s'accordaient tous sur l'importance d'un rapatriement librement consenti se déroulant rapidement, en toute sécurité et de façon ordonnée. Le Haut Commissariat des Nations Unies pour les réfugiés (HCR) sera en mesure de mettre en branle un tel rapatriement si tous les engagements pris durant la mission du Haut Commissaire sont respectés. Pour cela, il faut toutefois que la communauté internationale lui apporte

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immédiatement son soutien, à la fois dans les pays d'origine et dans les pays d'accueil.

9. Depuis la mission du Haut Commissaire, le HCR lui-même œuvre dans ce sens. Au Rwanda, les autorités ont réaffirmé qu'elles souhaitent le retour des réfugiés et ont promis de faire tout ce qui est en leur pouvoir pour faciliter un rapatriement librement consenti, en toute sécurité et dignité. Une réunion de la Commission tripartite, avec la participation de la Tanzanie, du Rwanda et du HCR, a eu lieu du 18 au 21 septembre à Arusha. Des mesures pratiques y ont été décidées pour commencer le rapatriement de plus de 600 000 Rwandais réfugiés en République-Unie de Tanzanie.

10. Une réunion de la Commission tripartite, avec la participation du Zaïre, du Rwanda et du HCR, a été présidée par le Haut Commissaire à Genève le 25 septembre. C'était la première réunion de la Commission depuis sa création en octobre 1994. Dans un communiqué commun, les participants ont réaffirmé qu'ils s'engageaient à créer des conditions propices au rapatriement des réfugiés au Rwanda, en toute sécurité et de façon ordonnée. Le Gouvernement rwandais a convenu de renforcer les installations d'accueil, de réduire les contrôles aux frontières et d'assurer la sécurité et la protection des rapatriés, en collaboration avec le HCR et d'autres organisations de défense des droits de l'homme. Le Gouvernement zaïrois a convenu de réduire toutes les formes d'intimidation dans les camps se trouvant à l'intérieur de ses frontières. Des réunions techniques auront lieu à Gisenyi dans le courant de ce mois-ci pour appliquer les décisions prises à cette réunion. Le processus sera ensuite évalué par la Commission tripartite à Genève ou au Zaïre.

11. Dans le cadre de nouveaux efforts déployés au niveau régional pour favoriser le rapatriement librement consenti, le HCR développe sa campagne d'information destinée aux réfugiés des camps en diffusant des informations objectives pour contrecarrer la propagande extrémiste. Dans le cadre de cette campagne, il organise également des réunions avec son personnel sur le terrain, envoie des réfugiés visiter leur commune d'origine et distribue des tracts contenant des informations recueillies au Rwanda.

12. En prévision de l'accélération escomptée du rythme de rapatriement au Rwanda, le HCR développe ses installations aux points de passage officiels de la frontière de façon que tous les réfugiés puissent être convenablement accueillis. Il développe également ses activités dans les communes d'origine, en coopération avec le Programme des Nations Unies pour le développement (PNUD) qui doit jouer un rôle de premier plan dans leur réadaptation. Des projets à impact rapide ont été mis en route dans certains domaines (eau et assainissement, éducation, santé, abris et services communautaires) pour combler les lacunes dans les plans à long terme du PNUD.

13. Pendant ce temps, le rapatriement des Rwandais qui s'étaient réfugiés au Burundi s'est accéléré. Entre le 5 et le 25 septembre 1995, plus de 4 000 réfugiés qui se trouvaient dans les camps du nord du Burundi ont été rapatriés sous les auspices du HCR, portant à 18 000 au total le nombre de réfugiés ayant bénéficié d'une assistance du HCR depuis juin 1995. Celui-ci estime qu'à peu près le même nombre de réfugiés sont rentrés chez eux par leurs

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propres moyens. Cent cinquante-cinq mille réfugiés rwandais ne trouvent encore au Burundi.

14. Le Zaïre accueille actuellement sur son territoire 1 million de réfugiés rwandais. Pendant le mois de septembre, 3 500 réfugiés parmi les derniers arrivés et 5 934 parmi ceux accueillis il y a plus longtemps ont été rapatriés sous les auspices du HCR. Durant la même période, 147 personnes qui s'étaient réfugiées à Bukavu sont rentrées au Rwanda. Du fait de l'évolution récente de la situation décrite ci-dessus, et compte tenu des délais imposés par le Gouvernement zaïrois, on espère que le rythme de rapatriement va considérablement s'accélérer.

15. Ces améliorations sont certes d'importance cruciale, mais la réconciliation nationale dépend non seulement du rapatriement des réfugiés et de leur réintégration dans des conditions de sécurité, mais aussi de la mise en place d'un appareil judiciaire national efficace et crédible pour rendre la justice et assurer à tous les ressortissants rwandais l'égalité de traitement. Pour le moment, l'appareil judiciaire demeure largement inopérant. Jusqu'à 500 personnes continuent d'être arrêtées chaque semaine, en général parce qu'elles sont soupçonnées d'avoir participé au génocide, et viennent s'ajouter aux 50 000 personnes actuellement détenues dans des conditions inhumaines dans les prisons surpeuplées du Rwanda. Un appareil judiciaire efficace est essentiel pour remédier à cette dangereuse situation.

16. L'amélioration de l'appareil judiciaire pourrait aussi contribuer à éviter la crise que l'on voit poindre depuis longtemps au niveau des droits de propriété. Ce problème décourage le retour des réfugiés, et il est à l'origine d'une bonne partie des tensions auxquelles les communautés doivent faire face dans diverses parties du Rwanda, en particulier à Kigali.

17. Il est essentiel que des mesures soient prises pour concrétiser les bonnes intentions exprimées par le Gouvernement rwandais en ce qui concerne divers efforts de relèvement. Des représentants du Gouvernement ont fait valoir que la pénurie persistante de ressources bridait leur capacité d'action. De plus gros efforts devraient toutefois être faits dans certains domaines pour mettre en pratique les politiques du Gouvernement. Par exemple, les mesures voulues n'ont toujours pas été prises pour permettre le choix par l'Assemblée nationale du président et des cinq vice-présidents de la Cour suprême.

18. Les pays voisins du Rwanda ont conscience que la stabilité de ce pays et celle de la région dans son ensemble sont liées, et ils soutiennent les efforts que je déploie pour convoquer, en collaboration avec l'Organisation de l'unité africaine (OUA), une conférence régionale sur la paix, la sécurité et le développement. Mon Envoyé spécial dans la région des Grands Lacs, M. José Luis Jesus, après avoir obtenu le soutien sans faille de l'OUA, consulte actuellement les pays concernés.

III. DROITS DE L'HOMME

19. L'Opération des Nations Unies pour les droits de l'homme au Rwanda a poursuivi ses activités dans les domaines de la surveillance du respect des droits de l'homme, de l'assistance technique à l'appareil judiciaire, de

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l'amélioration des conditions d'incarcération et de l'organisation de séminaires éducatifs. À la fin septembre 1995, elle avait déployé 130 membres, dont trois juristes affectés au Ministère de la justice. L'opération, qui fait partie du groupe de travail créé par mon Représentant spécial pour porter remède au problème du surpeuplement des prisons rwandaises, recueille des informations, facilite les travaux des commissions de triage qui ont été créées pour accélérer le traitement des dossiers des détenus, et coordonne les mesures à court et à moyen terme prises pour rendre de nouveau l'appareil judiciaire opérationnel.

20. Une base de données a été créée avec d'autres organismes des Nations Unies pour fournir des informations exactes sur les mouvements de réfugiés. Les spécialistes des droits de l'homme sur le terrain vont voir les réfugiés dans les centres de transit et les accompagnent jusqu'à leur commune d'origine lorsque cela est possible. Une fois que les rapatriés ont atteint leur destination finale, ils leur rendent visite chaque semaine. Lorsqu'ils le peuvent, les fonctionnaires de terrain se rendent dans les communes d'origine avant l'arrivée des réfugiés afin d'évaluer les conditions dans lesquelles ceux-ci seront accueillis et réinstallés.

IV. TRIBUNAL INTERNATIONAL POUR LE RWANDA

21. Depuis mon dernier rapport sur le Tribunal international (S/1995/741), que j'ai présenté en application de la résolution 955 (1994) du 28 novembre 1994 du Conseil de sécurité, le Président du Tribunal international, le juge Laity Kama, le Procureur, M. Richard Goldstone, et M. Adronico Adede du Bureau des affaires juridiques de l'Organisation des Nations Unies, qui a depuis été nommé Greffier du Tribunal, se sont rendus au Rwanda où ils sont restés pendant trois jours. Ils ont rencontré des personnalités du Gouvernement rwandais et mon Représentant spécial pour discuter du fonctionnement du Tribunal, et notamment du Bureau du Procureur au Rwanda. Le 1er septembre, ils se sont rendus à Arusha (République-Unie de Tanzanie) pour inspecter les locaux devant abriter le siège du Tribunal ainsi que le site de la future prison et les logements prévus pour le personnel du Tribunal.

22. Un accord de siège a été signé le 31 août par l'Organisation des Nations Unies et la République-Unie de Tanzanie, et un mémorandum d'accord concernant le Bureau du Procureur à Kigali est actuellement en cours de négociation avec le Gouvernement rwandais. Malgré la persistance des difficultés administratives et logistiques, on espère que le Tribunal pourra commencer à fonctionner avant la fin de l'année, à moins que la crise financière que traverse actuellement l'Organisation des Nations Unies n'empêche d'atteindre cet objectif. Je voudrais remercier une fois de plus les gouvernements qui ont fourni du personnel et d'autres ressources au Tribunal, et j'espère qu'ils continueront d'apporter leur appui.

V. ASPECTS MILITAIRES

A. Déploiement et activités de la MINUAR

23. La réduction des effectifs de la MINUAR, demandée par le Conseil de sécurité dans sa résolution 997 (1995), s'est poursuivie au cours de la période sur laquelle porte le présent rapport. Dans cette résolution, le Conseil a

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décidé de ramener les effectifs de la MINUAR de 5 500 soldats à 2 330 le 8 septembre et à 1 800 le 8 octobre. Au 30 septembre, l'effectif de la force était de 1 836 hommes; par ailleurs, sur les 320 observateurs militaires autorisés, 288 ont été déployés au total dans le pays (voir l'annexe au présent rapport).

24. Conformément à la résolution 997 (1995), la MINUAR a continué d'aider le Gouvernement rwandais à faciliter le retour librement consenti en toute sécurité, et la réinstallation des réfugiés ainsi qu'à instaurer un climat de stabilité et de confiance. Lorsque des réfugiés rwandais ont été contraints de traverser la frontière zaïroise entre le 19 et le 24 août, des soldats et observateurs militaires de la MINUAR, en coordination avec le HCR et d'autres organismes des Nations Unies, ont appuyé de plusieurs manières l'action entreprise par le Gouvernement pour les réinstaller. Ils ont notamment aidé à construire des camps de transit pour loger provisoirement les rapatriés; ils ont fourni des véhicules pour aider à les transporter des camps de transit vers leurs communes d'origine; enfin, ils ont contribué à donner confiance aux rapatriés en assurant une présence aux points de contrôle frontaliers, dans les camps de transit et dans les communes où ils se rendaient. Prévoyant un futur rapatriement massif des réfugiés, la MINUAR aide à améliorer la situation dans les camps de transit.

25. La MINUAR a continué de mettre à la disposition des autorités rwandaises ses moyens de génie et de logistique. La force a aidé à construire et à remettre en état des centres de détention afin de remédier au surpeuplement des prisons rwandaises. Elle a aussi aidé à construire ou à réparer des ponts, des routes et des écoles et à transporter des secours humanitaires, notamment des vivres et des médicaments.

B. Sécurité

26. Le massacre d'environ 110 hommes, femmes et enfants survenu le 12 septembre à Kanama, dans le nord-ouest du Rwanda, a été la bouffée de violence la plus grave depuis la tragédie de Kibeho, qui eut lieu cinq mois auparavant. Il a gravement compromis la situation en matière de sécurité, qui s'était améliorée dans les derniers mois. Cette tragédie a eu lieu dans une région où l'on avait signalé une recrudescence des infiltrations et sabotages commis par des individus venus des camps de réfugiés du Zaïre voisin. C'était le dernier d'une série de massacres où des fonctionnaires de province, des membres du clergé et des juges avaient également trouvé la mort. De tels actes ne peuvent qu'exacerber les tensions, aviver les craintes et gêner les opérations de rapatriement.

27. J'ai publié le 13 septembre une déclaration exprimant ma vive préoccupation avant l'incident de Kanama et me félicitant de la mise en place d'une équipe d'enquête mixte comprenant des représentants du Gouvernement, de la MINUAR et des spécialistes des droits de l'homme de l'ONU. J'ai également exprimé l'espoir que cette enquête établirait rapidement les faits et recommanderait des mesures en vue d'empêcher le renouvellement de tels incidents. La MINUAR, les spécialistes des droits de l'homme et divers organismes des Nations Unies ont rapidement agi afin de coordonner leur aide à la suite de cet événement tragique.

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28. Les infiltrations et sabotages, qui provoquent des mesures de rétorsion du Gouvernement, constituent à ce jour le problème de sécurité le plus inquiétant du pays. Comme me l'a demandé le Conseil de sécurité dans la résolution 1013 (1995) du 7 septembre 1995, je travaille à établir une commission d'enquête chargée d'examiner les allégations concernant des livraisons d'armes aux soldats des ex-forces gouvernementales rwandaises et l'entraînement qu'ils subiraient. Je suis sûr que les travaux de cette commission permettront de recentrer l'attention sur la nécessité d'empêcher la déstabilisation du Rwanda. Ces problèmes de sécurité sont toutefois symptomatiques de l'impasse politique sous-jacente. C'est au peuple rwandais qu'il incombe au premier chef d'améliorer la situation dans son pays et je souligne une fois de plus que toutes les couches de la société rwandaise doivent oeuvrer ensemble à édifier une société stable et plus sûre.

VI. POLICE CIVILE

29. Pendant la période examinée, l'une des principales activités de la police civile de la MINUAR a consisté à poursuivre l'instruction de la force de police nationale rwandaise, comme l'a demandé le Conseil de sécurité dans sa résolution 997 (1995). La formation du troisième groupe de 515 gendarmes, commencée le 31 juillet, se poursuit et devrait se terminer au début du mois de décembre. À cette date, le Rwanda devrait donc disposer d'un effectif total de quelque 900 gendarmes qualifiés, sur les 6 000 dont le pays a besoin d'après les estimations. La formation de la police communale, qui constitue la seconde composante de la force de police nationale rwandaise, a été différée à cause des travaux de reconstruction entrepris au Centre de formation de la police communale. Un programme de stages intensifs d'une durée de 13 semaines devrait commencer en octobre. Il concernera le premier des trois groupes de 750 agents de la police communale.

30. Outre ces activités de formation, la police civile de la MINUAR a poursuivi, en collaboration avec les observateurs militaires, ses tâches de surveillance, notamment dans les prisons et dans d'autres lieux de détention, et maintenu une liaison étroite avec l'administration locale dans les 11 préfectures du Rwanda. Les observateurs de la police civile ont également continué de fournir un appui aux organismes des Nations Unies, aux organisations non gouvernementales et aux spécialistes des droits de l'homme dans le cadre d'opérations humanitaires, en particulier lors du rapatriement forcé de réfugiés rwandais en provenance du Zaïre.

31. Dans sa résolution 997 (1995), le Conseil de sécurité a décidé de maintenir l'effectif autorisé de la composante civile de la Mission. Au 30 septembre, un effectif total de 87 observateurs de 12 pays était déployé au Rwanda (voir annexe I).

VII. ASPECTS HUMANITAIRES

32. La date limite du 31 décembre 1995, fixée par le Gouvernement zaïrois pour le départ volontaire de tous les réfugiés de son territoire, pose au Rwanda et à la communauté internationale un défi immense sur le plan humanitaire au cours des mois à venir.

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33. Organiser le rapatriement librement consenti des quelque 2 millions de réfugiés hébergés actuellement par les pays voisins est une tâche extrêmement difficile. Après sa récente visite dans la région, le Haut Commissaire des Nations Unies pour les réfugiés a estimé que l'on pouvait réalistement envisager le rapatriement de 500 000 à 600 000 personnes d'ici la fin de l'année, ce qui est encore loin du but. Cela tient en partie au fait que nombre de communes rwandaises ont une capacité d'absorption limitée. Le Gouvernement rwandais a réaffirmé son engagement d'accueillir tous les réfugiés rwandais qui souhaitent rentrer et d'assurer leur réinsertion. L'efficacité avec laquelle il a fait face, en août, au rapatriement forcé des réfugiés provenant du Zaïre témoigne de la fermeté de cet engagement. Toutefois, la communauté internationale doit comprendre que, pour que cette réinsertion se déroule dans de bonnes conditions, il faut pouvoir disposer des ressources nécessaires pour rétablir et renforcer la capacité d'accueil des communes.

34. Le HCR procède actuellement, sur ma demande, à une étude démographique ainsi qu'à une évaluation des équipements collectifs existants et de la population des communes rwandaises. Cette opération devrait permettre d'identifier les communes qui sont prêtes à recevoir des réfugiés et celles dont il est nécessaire de remettre en état l'infrastructure. J'ai également prié le HCR et le Département des affaires humanitaires de collaborer avec les organismes des Nations Unies et les organisations non gouvernementales sur le terrain à la préparation, d'ici la fin du mois, d'un appel spécial d'urgence en faveur de la région.

35. Malgré les progrès réalisés depuis mon dernier rapport, la situation dans les prisons demeure extrêmement critique sur le plan humanitaire. Actuellement, plus de 52 000 personnes sont incarcérées et les arrestations continuent. En août, j'ai demandé au Secrétaire général adjoint aux affaires humanitaires de prendre d'urgence, en liaison avec le Gouvernement rwandais et la communauté internationale, des mesures efficaces pour remédier à la situation effroyable qui règne actuellement dans les prisons.

36. Un plan d'action, mis au point par des représentants du Gouvernement rwandais et du PNUD, en vue d'une intervention urgente dans le domaine carcéral et dans le secteur de la justice, a été distribué à la communauté internationale. Une petite équipe relevant de mon Représentant spécial a été créée afin de mobiliser les ressources et d'accélérer l'amélioration de la situation dans les prisons. Jusqu'à présent, un montant de 260 000 dollars a été alloué au Fonds d'affectation du Secrétaire général pour le Rwanda, alors que les besoins s'élèvent à plus de 43 millions de dollars, dont 15 millions pour améliorer les prisons et créer de nouveaux centres de détention. En attendant de disposer de ressources additionnelles, j'ai affecté au financement de ces activités un montant de 2 millions de dollars prélevé sur le Fonds central autorenouvelable.

37. En septembre, la construction du Centre de détention de Ninda, qui permettra d'accueillir 5 000 autres détenus, a été terminée. Ce centre, construit avec l'aide de la MINUAR, du PNUD et du Comité international de la Croix-Rouge, accueillera des détenus provenant de prisons, comme celle de Gitarama, où la situation est la plus désastreuse, parce que ce sont les plus surpeuplées. Deux des sept lieux de détention temporaires sont également en

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voie d'achèvement, ce qui permettra d'accueillir 9 500 autres détenus pour des périodes de courte durée. Vu la gravité et l'urgence de la situation, le programme alimentaire mondial (PAM) a également mis à disposition cinq de ses entrepôts pour servir de lieux de détention temporaire. En attendant, des accords ont été conclus avec le Gouvernement rwandais en vue de la création de centres de détention spéciaux pour les femmes et les enfants. Bien entendu, ces diverses initiatives n'ont qu'un caractère temporaire, le but étant uniquement de répondre à une situation d'urgence humanitaire. Il ne peut y avoir d'amélioration durable des conditions carcérales au Rwanda que si, parallèlement, une action est engagée pour rétablir l'appareil judiciaire.

38. En ce qui concerne l'assistance humanitaire, la situation, même si elle s'est améliorée depuis l'an dernier, demeure extrêmement précaire. D'après les résultats préliminaires d'une enquête entreprise par l'Organisation des Nations Unies pour l'alimentation et l'agriculture (FAO) et le PAM, 15 % des familles rwandaises, dont le nombre est estimé à 1 million, sont vulnérables. Près de 30 % des ménages sont dirigés par les femmes et à peine 11 % disposent de moins d'un demi-hectare de terre à cultiver. À cet égard, je note avec satisfaction que les efforts entrepris pour améliorer la sécurité alimentaire des ménages et assurer aux femmes des sources de revenus se sont intensifiés pendant la période examinée. Le Fonds des Nations Unies pour l'enfance (UNICEF) a lancé récemment le premier d'une série de projets destinés à venir en aide aux veuves et aux femmes ayant charges de famille. Le PAM aide également des milliers de foyers dirigés par des femmes, soit 6 000 dans le cadre de programmes d'assistance et 4 000 au titre de projets de développement dont les bénéficiaires sont des femmes.

39. Après le rapatriement forcé de réfugiés en août, j'ai décidé que le Bureau des Nations Unies pour les secours d'urgence au Rwanda qui, comme j'en ai informé le Conseil de sécurité dans mon dernier rapport, avait commencé à faire des préparatifs en vue de sa fermeture, serait maintenu jusqu'à la fin du mois d'octobre 1995. Le Bureau et le Coordonnateur résident des Nations Unies mettent actuellement au point des arrangements temporaires afin d'assurer la coordination de l'assistance humanitaire au-delà de cette période et faire en sorte que l'Équipe d'intervention des Nations Unies, que dirige le Coordonnateur résident, soit renforcée. Les organismes des Nations Unies et les organisations non gouvernementales apportent également un appui au Groupe de coordination de l'assistance humanitaire du Gouvernement rwandais qui, conjointement avec le HCR, supervise les déplacements des réfugiés ainsi que la phase initiale de l'aide aux rapatriés.

VIII. ASPECTS SOCIAUX ET ÉCONOMIQUES

40. À la suite de l'examen à mi-parcours de la Conférence de table ronde, qui a eu lieu à Kigali les 6 et 7 juillet 1995, les annonces de contributions et les décaissements de fonds déjà engagés en faveur du Programme de réconciliation nationale et de reconstruction et de relèvement socio-économiques du Gouvernement ont considérablement augmenté. Au 14 septembre, 523 millions de dollars avaient été engagés (par rapport aux 345 millions de dollars engagés en juillet) et 252 millions de dollars décaissés (par rapport aux 86 millions de dollars décaissés en juillet) sur le montant total des annonces de contributions faites à Genève en janvier 1995 qui s'élevait à 587 millions de dollars. En

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fait, depuis la Conférence de Genève, le montant total des annonces de contributions a atteint 1 milliard 89 millions de dollars. Une partie des fonds supplémentaires sera décaissée pendant la période 1996-1997. C'est dans le secteur agricole que la mise en oeuvre des projets de la table ronde a le plus progressé, tandis que la programmation concernant le secteur des infrastructures avance plus lentement que prévu.

41. Dans mon dernier rapport, j'ai informé les membres du Conseil de l'existence d'un programme commun de la Banque mondiale, du Fonds monétaire international (FMI) et du PNUD tendant à renforcer la capacité de gestion des ressources économiques, financières et humaines du Gouvernement rwandais. Depuis lors, le PNUD, en consultation avec celui-ci, a entrepris de mettre au point un programme visant à renforcer cette capacité au niveau des communes. Un autre projet devrait contribuer à renforcer l'administration préfectorale en donnant au Gouvernement des moyens accrus pour surveiller le retour des réfugiés et programmer des activités de relèvement et de réintégration dans le cadre de son plan d'action pour le rapatriement, la réinstallation et la réintégration des réfugiés.

42. Le Programme alimentaire mondial assure actuellement non seulement l'approvisionnement en aliments de plus de 100 000 personnes dans le besoin, grâce à ses activités basées sur l'échange de nourriture contre du travail et à ses activités génératrices de revenus, mais encore contribue au relèvement de l'agriculture au Rwanda, à la remise en état des infrastructures détruites et à la construction de nouveaux logements, écoles et installations pour l'approvisionnement en eau. L'UNICEF, le CICR et plusieurs organisations non gouvernementales, qui se sont occupées de la construction et de la remise en état des systèmes d'approvisionnement en eau, dispensent également une formation au niveau des communautés locales pour apprendre aux gens à exploiter leurs propres points d'eau.

43. La communauté internationale continue de veiller à la mise en oeuvre de toute une série de mesures tendant à remettre sur pied l'appareil judiciaire rwandais. Les locaux à usage de bureaux de l'administration judiciaire et les bâtiments des tribunaux sont remis en état, réaménagés et dotés, comme le Ministère de la justice, de matériel de bureau, de véhicules et d'autres équipements. Les programmes de formation visent différents niveaux des administrations judiciaires et pénitentiaires de manière à reconstituer les effectifs de personnel au niveau de l'encadrement et aux niveaux subalternes. Le PNUD appuie la formation, par la MINUAR, des gendarmes et de la police communale qui constituent la force de police nationale du Rwanda (voir plus haut par. 29).

44. Après une brutale dépréciation en juillet, le franc rwandais s'est stabilisé en août grâce, en particulier, aux recettes provenant des exportations, ainsi qu'aux décaissements provenant de crédit d'aide au redressement des pays touchés par une catastrophe de la Banque mondiale. Les prix des aliments de base se sont également stabilisés, quoiqu'ils restent élevés par comparaison avec le niveau qui était le leur au début de l'année. Le Gouvernement a pris des mesures au mois d'août pour mettre fin aux transactions non autorisées de devises impliquant le franc rwandais, que l'on avait laissé flotter librement en mars. Le Gouvernement a demandé également que tous les

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paiements concernant les entreprises et les particuliers rwandais soient effectués en monnaie locale.

IX. ASPECTS FINANCIERS

45. Dans sa résolution 49/20 B du 12 juillet 1994, l'Assemblée générale a décidé, à titre de mesure provisoire en attendant que lui soient présentées à sa cinquantième session les prévisions révisées de dépenses et le rapport du Comité consultatif pour les questions administratives et budgétaires, d'allouer un crédit d'un montant total brut de 109 951 900 dollars (soit un montant net de 107 584 300 dollars) au titre du fonctionnement de la MINUAR pour la période allant du 10 juin au 31 décembre 1994. Le rapport faisant état des prévisions révisées concernant la MINUAR, que je dois établir, comme l'a demandé l'Assemblée générale, est en cours de préparation et on y trouvera l'estimation des besoins pour la période couverte par le présent mandat.

46. Au 26 septembre 1995, le montant total des contributions non acquittées au compte spécial de la MINUAR depuis le début de la Mission se chiffrait à 159,3 millions de dollars. Le montant total des quotes-parts non versées pour l'ensemble des opérations de maintien de la paix se chiffrait à 2 589 700 000 dollars.

X. OBSERVATIONS FINALES

47. Depuis mon dernier rapport intérimaire en date du 8 août 1995 (S/1995/678), la MINUAR a continué de s'acquitter des tâches qui lui avaient été confiées par le Conseil de sécurité en vertu de la résolution 997 (1995). Ses efforts, ainsi que l'assistance fournie par les organisations des Nations Unies, des organisations non gouvernementales et la communauté internationale dans son ensemble, ont considérablement contribué au programme de remise sur pied du Rwanda. Encore qu'il reste beaucoup à faire, des progrès notables ont été réalisés sur la voie de la normalisation et de la stabilité.

48. Il est clair que le pays ne se remettra durablement que dans des conditions de paix et de stabilité véritables. C'est aux Rwandais qu'il appartient au premier chef de créer et de maintenir ces conditions. Le Rwanda a fait beaucoup de chemin depuis la période de carnage et de chaos qu'il a traversée, il y a à peine un peu plus d'un an. Néanmoins, les crises récentes suscitées par l'expulsion des réfugiés rwandais du Zaïre et les massacres qui ont eu lieu près de Gisenyi témoignent de la fragilité du processus de relèvement en cours.

49. Les traumatismes infligés à la société et à la psyché rwandaise par les tragiques événements des dernières années ont été brutaux et profonds. Il est essentiel que ceux qui en sont responsables en répondent devant la justice, de manière à mettre un terme à une tradition persistante d'impunité et à prévenir le retour de telles atrocités. J'ai bon espoir que le Tribunal international commencera bientôt à fonctionner et que des progrès importants seront réalisés en temps utile en ce qui concerne la mise en place d'un système judiciaire national efficace.

50. Le problème des réfugiés est sans doute la cause la plus immédiate, ainsi que la conséquence, de l'instabilité et des divisions politiques qui règnent au

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Rwanda et dans l'ensemble de la région des Grands Lacs. Pour trouver des solutions satisfaisantes à ce problème, il faut s'attaquer à ses causes politiques sous-jacentes. Cela signifie que les divers secteurs de la société rwandaise devront engager un processus d'authentique réconciliation nationale, comme le prévoit l'Accord de paix d'Arusha (A/48/824-S/26915, annexes). À cette fin, je tiens à souligner à nouveau l'importance du dialogue et rappeler les pourparlers que j'ai eus avec de hauts fonctionnaires rwandais lors de ma visite dans leur pays en juillet, touchant la possibilité d'organiser des tables rondes informelles, auxquelles des représentants de tous les secteurs de la société rwandaise, y compris des représentants des réfugiés, seraient invités à participer.

51. Les problèmes auxquels nous sommes confrontés dépassent les frontières du Rwanda. Je reste convaincu qu'une paix durable au Rwanda ne pourra pas s'instaurer aussi longtemps qu'il demeurera dans les pays voisins d'importantes concentrations de ressortissants rwandais hébergés dans des camps. J'espère que la Commission d'enquête dont le Conseil de sécurité a approuvé récemment la création, afin d'examiner des informations touchant l'entraînement de soldats et des transferts d'armes aux forces de l'ancien gouvernement rwandais, contribuera à dissiper les tensions et à restaurer la confiance mutuelle le long des frontières rwandaises. Je me félicite des efforts qui ont été entrepris récemment pour améliorer les relations entre les États de la région et ouvrir ainsi la voie à la convocation de la Conférence régionale sur la paix, la sécurité et le développement qu'il est proposé de tenir. À cet égard, j'ai l'intention de rendre compte prochainement au Conseil des résultats de la première série de consultations tenues par mon Envoyé spécial dans la région des Grands Lacs.

52. En conclusion, si le Rwanda a manifestement progressé dans ses efforts pour venir à bout des problèmes causés par les événements tragiques de 1994, il n'en reste pas moins que le pays a encore beaucoup de chemin à parcourir sur la voie de la réconciliation et du relèvement. Le mandat de la MINUAR prend fin le 8 décembre 1995. Il est donc temps, maintenant, que le Gouvernement rwandais et la communauté internationale examinent sérieusement le rôle futur de l'ONU au Rwanda.

53. En attendant, vu l'extrême gravité de la situation financière à laquelle est confrontée l'Organisation des Nations Unies (à laquelle 3 milliards 24 millions de dollars sont dus à ce jour), j'ai donné pour instructions à tous les chefs d'opérations de maintien de la paix d'explorer les moyens de réaliser immédiatement des économies, y compris en envisageant la réduction des effectifs. Dans le cas de la MINUAR, le Représentant spécial étudie actuellement, en consultation avec le Gouvernement, la possibilité de procéder à une réduction très importante des forces. Je ferai rapport au Conseil de sécurité sur cette question en temps voulu.

54. En présentant ce rapport, je tiens à exprimer mes très sincères remerciements à mon Représentant spécial, M. Shaharyar Khan, au commandant de la Force, le général de division Guy Toussignant, ainsi qu'à tout le personnel civil et militaire de la MINUAR pour le dévouement avec lequel ils s'efforcent, au nom de l'Organisation des Nations Unies, d'aider le peuple rwandais et de promouvoir la cause de la paix dans des circonstances extrêmement difficiles.

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Annexe

COMPOSITION DE LA MINUAR AU 30 SEPTEMBRE 1995

Pays	Personnel militaire			Police civile	Total général
	Troupes	Observateurs	Total		
Allemagne			0	7	7
Argentine		1	1		1
Australie	0		0		0
Autriche		15	15		15
Bangladesh		36	36		36
Canada	100	10	110		110
Congo		7	7		7
Djibouti			0	5	5
Éthiopie	0		0		0
Fédération de Russie		17	17		17
Fidji		1	1		1
Ghana	313	34	347	10	357
Guinée		17	17		17
Guinée-Bissau		1	1	6	7
Inde	943	22	965		966
Jordanie		5	5	4	9
Malawi	136	14	150		150
Mali	122	12	145	10	155
Niger			0	7	7
Nigéria	152	17	169	10	179
Pakistan		5	5		5
Sénégal	1	2	3		3
Suisse				3	3
Tchad	2		2	5	7
Tunisie	19	0	19	10	29
Uruguay		26	26		26
Zambie	32	20	52	10	62
Zimbabwe	0	25	25		25
Total	1 836	288	2 124	87	2 211

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**JOINT MEETING BETWEEN THE RWANDESE GOVERNMENT AND UNAMIR
HELD ON 19 DECEMBER 1995**

On 19 December 1995, a meeting was held between representatives from the Government of Rwanda and UNAMIR to discuss UNAMIR's future mandate and other aspects of UNAMIR/Government relations. The following were present:

Government

Mr. Claude Dusaidi
Mr. Sam Nkusi

Mr. Musoni James
Major Kamarade Kayitare

Office of the Vice-President
Ministry of Transport and
Communication
Ministry of Youth and Cooperatives
RPA Liaison Officer

UNAMIR

Ambassador Shaharyar M. Khan

Brig. Shiva Kumar
Mr. Bill Clive
Ms. Isel Rivero
Mr. Ismael Diallo ✓

Special Representative of the
Secretary-General
Deputy Force Commander
Acting Chief Administrative Officer
Special Assistant to SRSG
Spokesman

1. SRSG opened the meeting by stating that the meetings of the Joint Commission had been valuable in clarifying the Government of Rwanda's position on the mandate. He suggested that the meetings continue over the phase-down period and be held twice a month. He informed Mr. Dusaidi that the scaling down of UNAMIR had already begun with the CIVPOL, Military Police and MILOBS. A more precise schedule would emerge in a few days' time. Taking note of UNAMIR's scaling down, Mr. Dusaidi agreed that meetings of the Joint Commission should be held fortnightly starting from Tuesday, 9 January.

2. SRSG then referred to the International Tribunal which was beginning its technical work in Kibuye during the present week. UNAMIR would be providing the security required. He assured Mr. Dusaidi that the Tribunal had been informed that as of 8 March 1996, they would have to provide their own security. The Acting Force Commander indicated that the International Tribunal would be sending out forensic experts to Kibuye from Wednesday, 20 December. He asked for cooperation from the Rwandese authorities to assist and facilitate their work. Mr. Dusaidi replied that he would be informing the appropriate authorities.

3. On the issue of equipment, SRSG stated that following Security Council guidelines UNAMIR and UN HQ were examining possibilities on how to move forward. As a separate issue, he urged Mr. Dusaidi to provide a response on the equipment list to be financed from the Trust Fund. Mr. Dusaidi replied that the Rwandan Ambassador was pursuing the matter at the United Nations. Regarding the list provided by UNAMIR he indicated that a reply to the Trust Fund list would be forthcoming shortly.

4. On the question of the SOFA, Mr. Dusaidi informed the SRSG that his colleagues were studying UNAMIR's comments and would revert to the matter as soon as they had completed their review. It was noted that the housing/administration sub-Committee had met and would continue its work in the following week.

5. SRSG then explained that a legal interpretation of UNAMIR Sub-contractors terms was expected from New York. He assured Mr. Dusaidi that delays in the discussions with the Sub-contractors was an internal United Nations technical problem and not an unwillingness to negotiate with the Government of Rwanda.

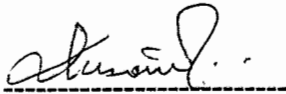
6. Mr. Nkusi reverted to the problem of UNAMIR staff which were departing the mission area and not paying their telephone bills. The SRSG replied that the Administration was in the process of finalizing a list of staff who were departing.

7. Mr. Nkusi pointed out that the equipment list provided by UNAMIR included equipment which was out of service and which needed repair. Mr. Clive, as Acting CAO, reiterated UNAMIR's position to cooperate with the Government of Rwanda in examining the reservations expressed by Mr. Nkusi at the technical working group level. He added that faulty equipment would not be placed against the Trust Fund. It was agreed that technicians from both sides would attempt to evaluate the depreciation of each item.

8. The Acting Force Commander requested that a centralized system of requests for UNAMIR engineering assistance be put in place by the Government of Rwanda. Since requests were received from different Ministries and sources, UNAMIR could not anticipate the Government's priorities. Mr. Dusaidi agreed with the request and promised to follow-up through the Liaison Officer.

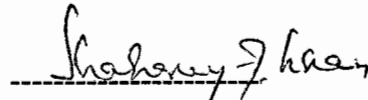
9. Mr. Nkusi informed the SRSG that the Government was adhering to the policy that all organizations operating in Rwanda needed to register their communication equipment and follow the frequency guidelines provided by the Government. In addition, NGOs leaving the country needed to declare their communication equipment prior to departure. SRSG requested Mr. Nkusi to provide him with written instructions which he would share with the Heads of UN Agencies and Programmes as well as with NGOs.

10. It was agreed that the next meeting would be held 9 January 1996.



Claude Dusaidi

Date: 5/1/95



Shaharyar M. Khan

Date: 20-12-95



*Please release attached
8/11/95*

Office of the Spokesman

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PRESS RELEASE

draft!

UNAMIR NR 95-49

13 December 1995

PRESS BRIEFING ON THE NEW MANDATE

The Special Representative of the UN Secretary-General, Ambassador Shaharyar M. Khan, held ~~(today)~~ at 11:00 a.m. a press briefing at which he announced the new mandate for UNAMIR, which, for the next three months, will be centred on the refugees' repatriation issue. He welcomed the Security Council decision which was adopted unanimously in resolution 1029 (1995) of 12 December 1995.

Ambassador Khan indicated that the three-month extension ^{will} be final ^(save for) a six-week period ^{was} agreed to allow the Mission to phase out. Other highlights of the resolution include the reduction of UNAMIR's force level from 1800 to 1200 troops, the down-sizing of military observers and other military support staff to 200, the withdrawal of the Civilian Police and the upholding of the principles set in the Bujumbura Regional Summit decisions and the Cairo Summit Declaration.

The Special Representative said that recent statements by the President of Rwanda, commending the accomplishments of UNAMIR II, were a pointer to the good cooperation that is expected to prevail between the Government and UNAMIR, in this last phase of the Mission. ~~He also observed that the Security Council resolution on the new mandate opened the possibilities of transferring some UNAMIR equipment to the Government upon the former's departure.~~

On the issue of the International Tribunal, Ambassador Khan stated that the Chief Prosecutor, Justice Goldstone, had redeemed his pledge of ensuring that the first indictments are made before the end of this year. Indeed, those indictments were issued in Arusha on 12 December 1995. Ambassador Khan welcomed this development, which he saw as the start of a process that would soon gather momentum. He also expressed the hope that the national judicial system in Rwanda would be fully operational in the new future.

Expressing concern about the recent Government decision to expel some 38 NGOs, the Special Representative pointed out that while it is Rwanda's sovereign right to make such a decision, he hoped that the appeals made by the NGOs would be given due consideration. He was equally concerned over the arrest of the President of CLADHO, a local Human Rights association, following the speech made on Sunday by the detainee. He hoped that the latter would be produced before the Court today and would be treated with transparent justice.

In reply to questions from journalists, Ambassador Khan explained that there are several factors to determine the success of the repatriation exercise, including the implementation of Bujumbura decisions and the Cairo Declaration by the regional parties concerned and the UNHCR. UNAMIR's role, in this regard, is to support the Rwanda Government in promoting a climate of confidence and trust, while assisting the UNHCR and other international agencies with logistic support for returning refugees. He said UNAMIR would collaborate with others to put up a package aimed at encouraging the refugees to come home, especially in terms of communicating reassurances to those refugees. Ambassador Khan also observed that under the new mandate, peace-keeping is giving way to development-oriented, civilian-type of operations. This request by the Government of Rwanda has been deemed reasonable and is accordingly being addressed.

For more information, please contact the Office of the Spokesman in Kigali: phone: 84496, 84539, 84510 ext.: # 11075 or 11077.

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press release.
Shaharyar
13.12.
Mandate

Press Statement

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SRSB Ambassador Shaharyar M. Khan welcomed the Security Council's decision to renew the mandate for a period of three months. (He noted that H.E. President Bizimungu had paid tribute to UNAMIR II's role.) The focus of UNAMIR's activities would be related to encouraging the voluntary return of refugees. Ambassador Khan noted that the 3-month mandate would be UNAMIR's last and that it had been agreed that, after concluding its mandate on March 8, UNAMIR would wind up in 6 weeks. Apart from providing good offices and logistic support for returning refugees, UNAMIR would assist the UNHCR and other International Agencies in encouraging the return of refugees. It would support the Government of Rwanda in promoting ^{of} a climate ^{of} trust. UNAMIR would also protect the International Tribunal during this period. The CIVPOL element of UNAMIR would be withdrawn.

Tribunal Indictments

SRSB referred to the indictments issued on 12th December by the International Tribunal in Arusha as a positive step forward in the process of bringing to justice persons accused of genocide and crimes against humanity. Ambassador Khan stated that although the people of Rwanda ~~and the whole world that had condemned genocide~~ had waited over a year for the Tribunal to start functioning, Judge Goldstone, the Chief Prosecutor, had kept to his word that the first indictments would be made in 1995. Ambassador ^{Shaharyar} Khan added that this was the beginning of the process which would gather momentum. He expressed the hope that all member States would cooperate with the Tribunal. Ambassador Khan stated that he was encouraged by the response of regional member States at the Cairo Summit. Kenya had also indicated clearly to the Tribunal that it would co-operate with its decisions. Ambassador Khan expressed the hope that the national judicial system would be revived in the near future.

NGO's and arrests

SRSG expressed concern at the announcement that 38 NGO's had recently been ordered out of the country. Ambassador Khan stated that while it was Rwanda's sovereign right to decide on the activities of NGO's operating in the country, he hoped that the appeals by the NGO's would be given due consideration by the government.

Ambassador Khan also expressed concern at the arrest of Mr. Jean-Baptiste Barambirwa, President of CLADHO after he had made a speech on Sunday. Ambassador Khan stated that freedom of speech was a basic pillar of human rights. SRSG noted that Mr. Baramabirwa would be presented before the Procurer today and he expressed the hope that Mr. Barambirwa would be treated with transparent justice.

Statement on camps in Zaire and Tanzania

Referring to a Radio Rwanda report of his comments to a church gathering on 10 December 1995, Ambassador Khan firmly denied the statements attributed to him regarding the responsibilities of the governments of Zaire and Tanzania. Ambassador Khan stated that his remarks at the meeting had been misrepresented and quoted entirely out of context. His comments were made in reference to the Cairo Summit in which both Zaire and Tanzania had acknowledged their respective obligation to arrest the criminals wanted for genocide. They had agreed at Cairo to separate intimidators from the rest of the refugees and to prevent military training on their territory. Ambassador Khan stated that both countries had acknowledged the presence of these elements and had undertaken the responsibility of treating the criminals in accordance with the decisions of the Tribunal. Ambassador Shaharyar Khan acknowledged the positive role played by the Zairean special forces and the Tanzanian police which had led to a reduction in the intimidation in the camps. He added that from his personal experience the governments of Zaire and Tanzania had been particularly cooperative in seeking a solution to the refugee problem. He expressed the hope that all regional States would implement the Nairobi, Bujumbura and Cairo Conference declarations.

**JOINT MEETING BETWEEN THE RWANDESE GOVERNMENT AND UNAMIR
HELD ON 12 DECEMBER 1995**

On 12 December 1995, a meeting was held between representatives from the Government of Rwanda and UNAMIR to discuss UNAMIR's mandate and other aspects of UNAMIR/Government relations. The following were present:

Government

Mr. Claude Dusaidi
Mr. Sam Nkusi
Mr. Felix Bagambiki
Major Kamarade Kayitare

Office of the Vice-President
Ministry of Transport and Communication
Ministry of Foreign Affairs
RPA Liaison Officer

UNAMIR

Ambassador Shaharyar M. Khan

Brig. Shiva Kumar
Mr. Mr. Wilfrid de Souza
Ms. Susan Mathew
Ms. Isel Rivero
Mr. Ismael Diallo ✓
Mr. Mamady Condé

Special Representative of the
Secretary-General
Deputy Force Commander
Executive Director
Chief Administrative Officer
Special Assistant to SRSG
Spokesman
Senior Political Officer

1. SRSG opened the meeting by noting that a final decision on the mandate would most likely be taken during the afternoon [12 December] by the Security Council. UNAMIR had all along been ready to implement the decision of the Security Council of which Rwanda was a member. The Secretary-General's report had clearly stated United Nations's position regarding the mandate. He added that the Sub-Committees on SOFA and Property should begin meeting as early as possible in order to finalize all pending matters prior to the holidays.
2. Mr. Dusaidi agreed that the Sub-Committees should start their work during the current week. Referring to the mandate, Mr. Dusaidi recapitulated that security was the exclusive prerogative of Rwanda and that there would be no compromise on this item. He remarked that even numbers were negotiable, but Rwanda would not compromise on the issue of security. He explained that following the Cairo Conference, and because of the views

expressed by friendly countries, the Government of Rwanda had acquiesced in UNAMIR's presence. He was certain that the problem of refugee return was not related to UNAMIR and the real reason for their not returning was that they were being held hostage by the criminals. He regretted that ten days after the conclusion of the Cairo Conference, Zaire appeared to be resiling from its decision to hand back assets which did not augur well for the implementation process.

3. Mr. Dusaidi added that though he understood that the International Tribunal needed protection, Rwanda was ready to provide it. In fact Rwanda shared the Tribunal's objective of bringing genocide criminals to justice and there was no conflict of interest. The Tribunal had known all along that UNAMIR was phasing out and should have made appropriate arrangements. Rwanda was ready to fill the gap by providing security until the Tribunal made its own arrangements.

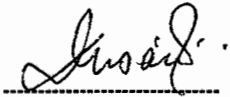
4. The SRSB recalled that UNAMIR was ready to phase out at the end of the current mandate but the international community felt that its departure might give negative signals to the refugee population. It was also the feeling of the international community that should there be forced repatriation, as in August this year, UNAMIR had the means to provide support for a massive influx. While noting Mr. Dusaidi's statement regarding security for the Tribunal, he emphasized that the International Tribunal had insisted on being protected by an international force, a principle that had been accepted by the Vice-President during his meeting with Judge Goldstone. SRSB stated that Mr. Dusaidi's views would be communicated to New York.

5. Mr. Dusaidi then referred to international contractors associated with UNAMIR who were not fulfilling their financial obligations, some had even left the country without paying their dues. He had asked the contractors to meet with the Ministry of Finance officials to sort out the problems of financial dues and taxes. SRSB explained that the contractors were under the impression that it was up to UNAMIR to meet their financial obligations vis a vis the Rwandese Government. This matter was being studied by New York. However, meetings of contractors with the Government could proceed as planned so that the issue is negotiated in a spirit of understanding and cooperation.

6. Regarding UNAMIR's equipment, Mr. Dusaidi indicated that he was aware that there was a paragraph in the draft Security Council Resolution mentioning Rwanda's request to the Secretary General. SRSB reminded Mr. Dusaidi to provide at the next meeting, the Government's views on the equipment to be acquired through the Trust Fund.

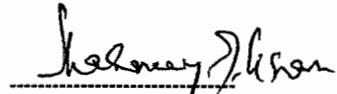
7. Mr. Nkusi then referred to the increasing number of international staff who are leaving without paying their telephone bills. He asked that a list of staff be provided in order to enable the Government to identify the officials against whom dues might be outstanding. SRSB informed him that he had issued an Administrative Instruction asking for all Staff to clear their outstanding telephone bills prior to departing.

8. Referring to the recent eviction of NGOs by the Government, Mr. Nkusi also indicated that all communication equipment leaving Rwanda would have to obtain a clearance. He also remarked that cooperation with UNAMIR staff had recently deteriorated. SRSG replied that he would look into the matter since cooperation between the Government and UNAMIR had always been positive.



Claude Dusaidi

Date: 18/12/95



Shaharyar M. Khan

Date: 16-12-95



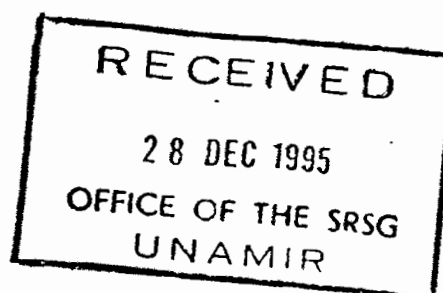
Security Council

Fiftieth Year

3605th Meeting

Tuesday, 12 December 1995, 4 p.m.
New York

Provisional



President:	Mr. Lavrov	(Russian Federation)
Members:	Argentina	Mr. Cárdenas
	Botswana	Mr. Legwaila
	China	Mr. Qin Huasun
	Czech Republic	Mr. Rovensky
	France	Mr. Ladsous
	Germany	Mr. Henze
	Honduras	Mr. Martínez Blanco
	Indonesia	Mr. Wibisono
	Italy	Mr. Fulci
	Nigeria	Mr. Gambari
	Oman	Mr. Al-Sameen
	Rwanda	Mr. Bakuramutsa
	United Kingdom of Great Britain and Northern Ireland	Sir John Weston
	United States of America	Mr. Gnehm

Agenda

The situation concerning Rwanda

Report of the Secretary-General on the United Nations Assistance Mission for Rwanda (S/1995/1002)

95-87016 (E)



This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 4.25 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning Rwanda

Report of the Secretary-General on the United Nations Assistance Mission for Rwanda (S/1995/1002)

The President (*interpretation from Russian*): I should like to inform the Council that I have received a letter from the representative of Canada in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Fowler (Canada) took the seat reserved for him at the side of the Council Chamber.

The President (*interpretation from Russian*): The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the United Nations Assistance Mission for Rwanda, document S/1995/1002. Members of the Council also have before them document S/1995/1015, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

The first speaker is the representative of Canada. I invite him to take a seat at the Council table and to make his statement.

Mr. Fowler (Canada) (*interpretation from French*): I should like to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of December and to thank your predecessor, the Permanent

Representative of Oman, for a successful presidency during the month of November.

As you know, Sir, Canada made its views on the renewal of the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) very clearly known to the Security Council during the troop contributors' meeting of 6 December. I should now like to express the views of my Government on the draft resolution before the Council.

Canada welcomes all signs of potential progress in the Great Lakes region, such as those contained in the Cairo Declaration. We remain concerned, however, that the situation in the area is inherently unstable due, in considerable part, to the presence of 1.6 million refugees around Rwanda's perimeter.

In this context we would have viewed the renewal of UNAMIR's mandate, with its current strength and composition, as a very modest but minimal and necessary stabilizing presence. We believe that UNAMIR's activities in assisting in confidence-building and in the peaceful and orderly repatriation of refugees still deserve the full support of the Government of Rwanda and of the international community.

The situation in Rwanda is indeed a complex one. The genocide of 1994 is the most recent and the worst of six separate spates of inter-tribal massacres since Rwanda gained its independence in 1962. The prognosis for an end to such vicious events is not bright. A huge proportion of the population of Rwanda has taken refuge outside its national territory. As the Secretary-General has indicated, national reconciliation, essential for stability, will be achieved only when the refugees have come home in dignity and the perpetrators of genocide have been brought to justice.

Since last June, however, the Government of Rwanda has indicated a growing reluctance to have a peace-keeping mission on its territory. A number of countries which care deeply about the plight of Rwanda, including my own, have tried to convince the Government in Kigali that it was in its interest to maintain an effective peace-keeping operation in Rwanda for the purposes of confidence-building and national reconciliation and to assist in the safe return of the refugees.

UNAMIR is also the backbone and the rallying element of a large part of the international humanitarian

assistance effort in Rwanda. Many non-governmental organizations depend on it for logistical and other support and, *in extremis*, for protection. The psychological value of the force, given the horrendous events of 1994, has been extremely important.

In this context, we deplore the order given to 38 non-governmental organizations, among them some of the most prestigious and internationally recognized, to leave Rwanda. We also continue to be concerned over arbitrary arrests and detention in Rwanda, as well as over the conditions of detention of prisoners.

(spoke in English)

During the discussions between the United Nations and the Government of Rwanda over the past six months, the Government of Rwanda has tried to dictate the force structure necessary to accomplish the mandate which you, the members of the Security Council, will assign to the force. It has even refused to accept that UNAMIR should contribute to the safety of international personnel in the case of need. In short, the Government of Rwanda has, ever more stridently, sought to impose unacceptable and unworkable constraints on the continuation of UNAMIR. In June a troop reduction from 5,500 to 1,800 was accepted by the Council. It was understood by the members of the Council, by the Secretariat and by troop contributors alike to be below the bare minimum for a credible mission.

At a force level of 1,800, in addition to 300 observers, UNAMIR's presence in the provinces beyond Kigali has, since June, been inadequate to accomplish its mandate. This size force offered no protection to United Nations observers in a number of areas, and in these areas few useful observations were made. Notwithstanding these very real shortcomings, UNAMIR played a positive role when the Government of Zaire decided to expel refugees from its territory.

The further reduction of the strength of UNAMIR by one third, which the Council is about to decide, is, we believe, an unfortunate development. It is unfortunate because we have allowed the Government of Rwanda to set its own conditions on the mandate and the structure of the Mission, independent of expert advice as to what is required. It is unfortunate, as well, because the Security Council will be compromising the integrity of a peace-keeping mission and the credibility of the Organization to fulfil the short-term, politically expedient requirement of retaining the Mission in place at all costs. It is particularly

unfortunate because UNAMIR will not be able to do the job which it was designed to accomplish.

Mandates and force structures do not have separate existences. We should have learned this in the early days in Mogadishu, when United Nations troops were unable to move beyond the airport while anarchy raged outside their perimeter. Surely we should also have learned from the tragic lessons of the creation of safe areas in Bosnia, which we knew we could not keep safe with the forces the Security Council and Member States were prepared to make available. Indeed, we should have learned from our tragic experience in Rwanda in April 1994, when an under-manned, ill-equipped Mission was unable to deter civil unrest, let alone confront genocide. Surely we should have learned that politically motivated creative ambiguity, the willingness to endlessly compromise essential Mission elements, has repeatedly compromised the United Nations, our peace-keepers and the people and interests they are meant to protect.

The issue here is not so much whether UNAMIR should have 800, 1,200, 1,400, 1,800 or 5,500 troops but, rather, whether the force structure as a whole will or will not be able to accomplish the mission the Council will assign to the force. UNAMIR will, with one third fewer troops, now be confined, largely in a garrison mode, to Kigali, yet will retain a mandate essentially unchanged from the one it received in June.

The peaceful repatriation of refugees is crucial if we expect to make progress towards the peace in the Great Lakes region. How will a UNAMIR with a limited presence outside Kigali be able to perform the task of assisting

"the Government of Rwanda in facilitating the voluntary and safe repatriation of refugees and, to this end, to support the ... ongoing efforts to promote a climate of confidence and trust through the performance of monitoring tasks" (*S/1995/1015, operative paragraph 2 (b)*)?

How, from Kigali, will the force acquit the task of assisting the

"United Nations High Commissioner for Refugees and other international agencies in the provision of logistical support for the repatriation of refugees" (*ibid.*, *operative paragraph 2 (c)*)?

Is it realistic to presume that such a force will be able to provide effective support for the Human Rights Field Operation, United Nations agencies and non-governmental organizations? How could the Security Council agree to withdraw, at the request of the Government of Rwanda, one crucial element of the mandate, that is, UNAMIR's fundamental role of protecting the international personnel in case of need?

Has the Security Council seriously considered these issues? Has it given sufficient consideration to the military advice that it, and we troop contributors, have received on this question?

How can UNAMIR, by withdrawing yet more troops and military observers from the provinces, be able to assist in any significant way in the return of the refugees or in confidence-building in Rwanda? Given the extreme volatility in the region, the United Nations runs the risk once again of witnessing horrible events that it will be powerless to prevent or even influence. In such circumstances the United Nations force would be roundly criticized for its inaction and, this time, would merit the international opprobrium it would attract.

By creating false expectations about what UNAMIR can realistically achieve, the Security Council would be demonstrating, in our view, that it has not yet fully absorbed lessons learned from the recent past in peace-keeping operations. If we have learned one thing from our experiences in Somalia, the former Yugoslavia and Rwanda itself, it is that we must provide to the United Nations the resources it needs to perform the tasks assigned by Member States — effectively by the members of the Security Council. If we, the Member States, are not prepared to provide adequate resources, the United Nations should not be involved.

It appears that the Government of Rwanda is not prepared to accept the presence of a United Nations peace operation with the force structure necessary to accomplish the mandate Rwanda had agreed it should perform. The United Nations must not allow itself to be put in the position of supplicant, of pleading with any Government to receive or retain a peace-keeping operation. In this case we believe it would have been preferable to withdraw UNAMIR immediately, as the Secretary-General had indicated in his report he intended to do.

Given the new force structure of a limited and possibly ineffective operation, Canada will have to consider

its options carefully regarding its own participation in UNAMIR.

In closing, I would like to underline Canada's continuing commitment to encouraging stability in the Great Lakes region. We have participated in UNAMIR since its inception and have buttressed that participation with substantial support to United Nations agencies working in Rwanda, as well as through our bilateral aid programme. We will continue to work with the Government of Rwanda in its efforts to rebuild its ravaged country.

The President (*interpretation from Russian*): I thank the representative of Canada for the kind words he addressed to me.

It is my understanding that the Security Council is ready to proceed to vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Sir John Weston (United Kingdom): The British Government warmly welcomes the draft resolution before the Council, extending the work of the United Nations Assistance Mission for Rwanda (UNAMIR) for a further three months, and we shall vote in favour of it. We pay tribute to those States — Canada, India, Nigeria, Mali, Ghana and Malawi — that are contributing troops to UNAMIR. We also welcome the Government of Rwanda's support for and agreement to the continuation of UNAMIR's work in its country.

As the Secretary-General has reported, a climate of relative security and stability has continued to prevail in Rwanda. The Government of Rwanda deserves every credit for its efforts in this regard. We take particular note of the Government of Rwanda's recommitment to ensuring the safety of international personnel in Rwanda. At the same time, we know that the international humanitarian personnel in Rwanda attach importance to UNAMIR's continued presence, and this draft resolution will, we believe, be important in that regard. We trust that the Government of Rwanda will seek the assistance of UNAMIR in that task should the need arise.

The presence of 1.6 million refugees in States neighbouring Rwanda continues to give cause for concern. We welcome the fact that, at the summit of Heads of State of the Great Lakes region, held in Cairo on 28 and 29 November, leaders in the region pledged to encourage the return of refugees to their home countries. A primary objective of the international community is to assist the Government of Rwanda by creating the conditions for the voluntary and safe return of those refugees. The Cairo Declaration has given grounds for renewed hope in this context, and the new mandate of UNAMIR rightly focuses on this. We welcome the Government of Rwanda's agreement to the extension of UNAMIR's mandate, with the return of refugees as its primary focus. If, as we hope will be the case, there is to be a substantial return of refugees to Rwanda in the next few months pursuant to the Cairo Declaration, we believe that UNAMIR's continued presence with its new mandate focusing on this issue, on assisting the United Nations High Commissioner for Refugees in that process, will be the key to ensuring that the refugees return home in conditions of dignity.

It is also a matter of the greatest importance to the British Government that the perpetrators of the genocide be brought to justice. This is an important element in the return to normality in Rwanda. We note that the International Tribunal for Rwanda has now begun the significant task of identifying the perpetrators of genocide and of bringing them to justice, and only today has issued an indictment. We call on all States in the region to cooperate with the Tribunal as it goes about its work. We welcome the fact that UNAMIR will continue to assist in the coming period in providing security for the Tribunal until the arrangements worked out between the Government of Rwanda and the Tribunal are put in place. We call on all States in the region to cooperate with the Tribunal as it goes about its work.

We note that this is the final extension of UNAMIR's mandate. But we believe that the United Nations and the international community at large will continue to have an important role to play when UNAMIR leaves on 8 March 1996. The British Government will continue to assist the international community at large in building peace and in helping in the rehabilitation and reconstruction of Rwanda. In this context, we hope that discussions can soon begin on a possible future role for the United Nations in restoring confidence and building stability in Rwanda once UNAMIR leaves.

Mr. Qin Huasun (China) (*interpretation from Chinese*): Please allow me at the outset, Sir, to

congratulate you on your assumption of the presidency of the Council for this month. I am convinced that, with your outstanding abilities and wealth of diplomatic experience, you will guide the Council's work to success during the final month of 1995. I wish also to take this opportunity to thank your predecessor, His Excellency Ambassador Salim Bin Mohammed Al-Khussaiby, for his contribution to the complete success of the Council's work last month.

The dawn of peace and stability has finally come to Rwanda after repeated setbacks. We are pleased to note that the improvement of the security situation in Rwanda has brought about a further improvement in the humanitarian situation and has enabled Rwanda to embark gradually on the road of rehabilitation, reconstruction and development. The Government and the people of Rwanda have made tremendous efforts to this end, with gratifying successes.

Today the core of the question of Rwanda is national reconciliation, the most important element of which is the voluntary repatriation of the 1.6 million refugees. The protracted presence of large numbers of refugees has brought huge pressure and difficulties not only to Rwanda but also to the region as a whole. Therefore, the international community has the responsibility to assist Rwanda and other countries in the region in the return of Rwandese refugees to their homeland to live a stable life.

In the light of the favourable changes in Rwanda, and with the consent of the Rwandese Government, the Council has decided to extend the mandate of UNAMIR and to adjust its size and mandate, under which it will mainly play a mediating role, assist the voluntary return of Rwandese refugees and help Rwanda achieve national reconciliation within the framework of the Arusha peace agreement. This conforms to the interests of the Rwandese people. Therefore, the Chinese delegation, based on its consistent support for the peace process in Rwanda, will vote in favour of the draft resolution before us.

We hope that the adoption of the draft resolution will further promote peace and stability in Rwanda and contribute to national reconciliation and a peaceful and stable life for the Rwandese people at an early date.

The President (*interpretation from Russian*): I thank the representative of China for the kind words he addressed to me.

Mr. Wibisono (Indonesia): Let me begin by congratulating you, Sir, on your assumption of the presidency of the Security Council for the month of December and by assuring you of my delegation's full cooperation in the discharge of your demanding duties. We are fully confident that given your wisdom and well-known leadership qualities, we can be assured of substantial progress. I should like also to congratulate your predecessor, His Excellency Ambassador Al-Khussaiby of Oman, for his skilful stewardship during the month of November.

The Indonesian delegation would like to express its deep appreciation to the Secretary-General for his comprehensive and insightful report (S/1995/1002) concerning the current situation in Rwanda. We are encouraged by the report that some definite progress has been registered regarding political and socio-economic developments and that, as a result, a climate of relative security has continued to prevail in Rwanda. This progress is reflected by the recent re-establishment of the national judicial system through, *inter alia*, the appointment of the Supreme Court and the establishment of "triage committees" by the Government of Rwanda. In this context, we applaud the Government of Rwanda's efforts in fostering peace and security, especially in its determined efforts to reconstruct and rehabilitate the country. We are confident that the Government of Rwanda and the international community will continue their commitments to maintain and build upon the important progress already achieved.

While we fully recognize the important progress that has been made, we are nevertheless very concerned by the continuing atmosphere of tension and instability prevailing throughout the region. This is due in particular to persistent acts of insurgency, infiltration and sabotage perpetrated by the former Rwandese Government Forces in refugee camps along the Zaire-Rwanda border. It cannot be denied that the problems now confronting Rwanda are of a very complex nature and thus require an integrated approach that takes into account the many underlying aspects and considerations.

In my delegation's view, a stable and lasting peace will continue to be elusive until protracted problems such as refugee repatriation and national reconciliation are adequately addressed. In this regard, we support the suitable approach set forth in the draft resolution, which includes a modified role for the United Nations Assistance Mission for Rwanda (UNAMIR). In particular, we can foresee the possibility of transferring non-lethal equipment

to the Government of Rwanda, as expressed in paragraph 7 of the draft resolution, as it assumes greater responsibility in refugee repatriation and national reconciliation. My delegation is confident that through continued cooperation between the Government of Rwanda and UNAMIR, the difficult tasks that still lie ahead will prove to be less cumbersome. We believe that this close cooperation will more than adequately compensate for the concerns associated with the reduction in the number of UNAMIR personnel, as mandated in the draft resolution.

Additionally, these endeavours can be bolstered by the rehabilitation and reconstruction of Rwanda, which constitute the key elements for a lasting peace.

We therefore call upon United Nations agencies and non-governmental organizations to continue to lend their valuable assistance to the Government of Rwanda.

Having said this, and upon careful reflection and deliberation, my delegation will vote in favour of the draft resolution before us today. The draft, in our opinion, provides for good offices and logistical support for the voluntary and safe repatriation of Rwandan refugees, and should contribute to the promotion of a climate of mutual trust and confidence through the performance of monitoring tasks. Moreover, we also endorse the call for United Nations agencies and non-governmental agencies to continue their critical support in the essentially important area of humanitarian assistance. Needless to say, these objectives would be significantly promoted if they were implemented within a secure and safe environment, the maintenance of which is primarily up to the Government of Rwanda, a sovereign nation.

In conclusion, we believe that this draft resolution offers a renewed hope of fostering peace and prosperity for Rwanda after years of deprivation and a tremendous toll in human suffering. Furthermore, it should contribute greatly to the prospects that one day the people of Rwanda and throughout the Great Lakes region will be able to advance their lives in a more productive and peaceful environment, free from fear and the ravages of war.

The President (interpretation from Russian): I thank the representative of Indonesia for the kind words he addressed to me.

Mr. Legwaila (Botswana): The delegation of Botswana congratulates you, Sir, on your assumption of the presidency of the Security Council. I assure you of the full support and cooperation of my delegation. I also wish to thank the Ambassador of Oman for the efficient manner in which he guided the work of the Council in November.

The United Nations Assistance Mission for Rwanda (UNAMIR) has made a tremendous contribution to peace and stability, not only in Rwanda but in the Great Lakes region. With respect to Rwanda itself, a country that at one point had more than 2 million of its inhabitants outside its borders as refugees, the presence of UNAMIR is an important catalyst in the process of national healing and a reassurance to the refugees that they can return to their country safely, in honour and dignity. It is regrettable that 1.6 million of these refugees are still in camps in neighbouring States. Their return and resettlement is a key element in the process of national reconciliation.

The report of the Secretary-General indicates that a lot still needs to be done before agreement can be reached on convening a regional conference under the auspices of the United Nations. We are of the view that the Cairo Conference was not intended to be a substitute for the regional conference proposed by the United Nations. While the efforts made by President Carter have certainly advanced the cause of peace and security in the region, as evidenced by the results of the Cairo meeting, the United Nations and the Organization of African Unity should continue their efforts aimed at enabling the Governments of the region to find common ground on an agenda for the conference. The report of the Secretary-General clearly shows that there are issues concerning relations between Rwanda and some neighbouring States that the Security Council cannot afford to ignore. The Security Council is unanimous in its recognition of the fact that Rwanda's current difficulties have subregional dimensions that require political and diplomatic solutions.

My delegation has carefully considered the draft resolution contained in document S/1995/1015. The draft has been the subject of intensive and painstaking negotiations. We are pleased that the spirit of compromise prevailed, and we now have a consensus text. Botswana's preference would have been for UNAMIR's mandate to be extended by a further six months, for the reasons stated in paragraph 47 of the report. UNAMIR plays an important role as the eyes and ears of the international community, as we have stated. This is even more crucial in view of the increased infiltration and acts of sabotage perpetrated by the former Rwandese Government Forces.

We have noted that the Government of Rwanda had originally requested that the mandate of UNAMIR be terminated on 8 December 1995. However, it has demonstrated flexibility by accepting a further three-month extension in response to our collective view that the continued presence of UNAMIR in Rwanda is in Rwanda's interest.

The assistance of the international community will continue to be critical in the reconstruction and rehabilitation of the socio-economic sectors of the Rwandese national economy. The greatest challenge facing the Government and the people of Rwanda is the return and resettlement of the refugee population.

In the short term, it will be necessary to assist Rwanda to develop the capacity to receive a large number of returning refugees. In the long term, substantial resources will be needed to embark on an accelerated housing programme, in view of the complex problems related to ownership of property. In all these challenges, the international community should not abandon Rwanda.

In this respect, we have noted the Government of Rwanda's request that it receive assistance by way of UNAMIR's equipment and material when the mandate of the Mission ends. The difficulties that the Government of Rwanda is experiencing as a result of inheriting a country which was brutally and severely looted are well known. This has made the task of reconstruction and rehabilitation extremely difficult. We therefore fully support operative paragraph 7 of the draft resolution and hope that a way will be found to respond positively to the genuine request of Rwanda.

The President (interpretation from Russian): I thank the representative of Botswana for his kind words addressed to me.

Mr. Gambari (Nigeria): Permit me, at the outset, to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of December. Your well-known diplomatic skills and experience and, in particular, your great sense of humour assure my delegation that, this month at least, the Council will be in excellent hands and that we shall have a quiet Christmas, for which we thank you in advance.

Let me also take this opportunity to thank Ambassador Al-Khussaiby and all the other members of the delegation of Oman for their effective stewardship of the Council's affairs during the month of November

My delegation is grateful to the Secretary-General for his comprehensive report on the situation in Rwanda, including the activities of the United Nations Assistance Mission for Rwanda (UNAMIR). We are happy to note that a climate of relative security and stability continues to prevail in Rwanda and that some improvements in the socio-economic sectors have occurred. Another positive and significant development is in the area of justice, where the first effective steps towards revival of the national judicial system have occurred, with the appointment of the Supreme Court on 17 October.

None the less, we remain concerned about the tense security situation, particularly along the borders. The continued infiltrations of armed persons from the refugee camps in countries neighbouring Rwanda, particularly Zaire, are largely responsible for this situation. We hope that the International Commission of Inquiry investigating reports of military training and illegal arms transfers will complete its work soon and that its findings will enable the Security Council to find ways of addressing the problems.

My delegation agrees that a return to stability, security and harmony in Rwanda is largely dependent on national reconciliation. This process can be facilitated only if conditions conducive to the return of the approximately 1.6 million refugees currently residing precariously outside Rwanda are created and if those suspected of involvement in last year's genocide are brought to justice. We know that the Government of Rwanda has been doing its best, within its very limited resources, to create those conditions. However, the Government cannot do it alone. We therefore urge the international community to provide the necessary support and assistance.

Concerning the problem of the Rwandan refugees, my country believes that repatriation must be voluntary, safe and orderly. This inevitably has a regional dimension. In this connection, our hope is that the impetus generated by the Cairo Conference, under the auspices of President Carter, will not be allowed to dissipate and that all concerned will indeed implement faithfully and promptly the agreements and commitments registered at that Conference.

None the less, it is the view of my delegation that the Cairo Conference, useful as it was, cannot be a substitute for a United Nations conference co-sponsored by the Organization of African Unity. We therefore request the Secretary-General to continue his consultations with the countries of the region in order to find a basis for the holding of such an important and useful conference.

With regard to the International Tribunal for Rwanda, we hope that it will soon overcome its remaining administrative and procedural problems so that it can contribute to the process of national reconciliation. This is why we are particularly encouraged by the news, which we heard this morning, that the Tribunal has already handed down its first indictments. We therefore thank those countries that have contributed investigators for the Prosecutor's Office.

With respect to UNAMIR, we believe that it has discharged effectively the tasks and duties assigned to it. My country is happy to have contributed troops to UNAMIR. The concern of the Government of Rwanda that the existing mandate of UNAMIR is not well suited to the current needs of the Government and people for reconstruction, rehabilitation and rebuilding has much merit. My delegation sympathizes with this view, which was taken by the Rwandan Government not lightly but, rather, as the result of a thorough assessment of the situation on the ground. We respect the position taken by the Government of Rwanda in its sovereign decision.

None the less, given the efforts that were exerted to ensure the second deployment of UNAMIR last year, and on the basis of our conviction that even in this relatively improved security climate UNAMIR still has useful contributions to make to improving the overall situation in Rwanda, we certainly do not want UNAMIR's mandate to be terminated abruptly. We are therefore happy to note that it has been possible, in this draft resolution, to find a basis for the renewal and continuation of UNAMIR, with a mandate that is appropriate to the current realities in Rwanda.

We thank the Government of Rwanda for having demonstrated such flexibility and understanding of the views and sentiments not only of the friends of Rwanda, but also of members of the international community as a whole that are willingly committed to doing something positive and right for Rwanda at this time of national difficulty.

There is no doubt that what the Government and people of Rwanda now need most is economic and financial assistance for reconstruction, rehabilitation and rebuilding. UNAMIR will not be able to deliver assistance in those concrete forms — at least, not directly — but it could help create and contribute to something that is intangible and unquantifiable, yet very essential: a climate conducive to the provision not only of assistance but also of reassurance for the refugees.

My delegation will therefore vote in favour of the draft resolution. We shall do so, however, on the understanding that, even when UNAMIR's mandate expires on 8 March 1996, the continued presence of the United Nations, as stated by the Secretary-General in paragraph 51 of his report, will be necessary. In this connection, we shall support the continuation of the good offices mission of the Secretary-General, headed by his Special Representative.

Let me, finally, appeal to all members of the international community to see to it that the end of UNAMIR's mandate in March 1996 is not used as a pretext to curtail worthwhile and badly needed financial and material assistance to the Government and the people of Rwanda. There should be life for the United Nations in Rwanda after the departure of UNAMIR. Even as they take their destiny into their own hands, Rwandans of all persuasions will still need our help for a very long time to come.

The President (*interpretation from Russian*): I thank the representative of Nigeria for his kind words addressed to me.

Mr. Henze (Germany): As this is the first time this month we have spoken in this Chamber, I, too, should like, on behalf of my delegation, to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of December. Your skills, your eloquence and your ability to persuade will certainly help us do our work. My delegation pledges its full cooperation.

I should also like to take this opportunity to thank Ambassador Al-Khussaiby for the dedicated and efficient way in which he and his delegation conducted the Council's work last month.

My delegation is one of the sponsors of the draft resolution on which the Council will vote, by which the peace-keeping assignment of the United Nations Assistance Mission for Rwanda (UNAMIR) has been extended for three months, with a revised mandate. The revised mandate reflects the progress made within Rwanda towards stability and security. The overriding requirement now is to assist the Government of Rwanda in facilitating the safe and voluntary return of refugees. The presence of 1.6 million Rwandan refugees outside Rwanda's borders continues to be a major burden for Rwanda and for the whole subregion. Their voluntary and safe return will be an essential contribution to national reconciliation within the country. Their repatriation is also essential for improving

the general security situation in the Great Lakes region. My Government is satisfied that, with this draft resolution, UNAMIR continues to have a mandate which allows it, as we hope, effectively to assist in this process. In this respect, we welcome the declaration of the Heads of State of the Great Lakes region made in Cairo on 29 November.

With the adoption of the present draft resolution, the Security Council will furthermore decide upon the request of the Government of Rwanda to withdraw UNAMIR after 8 March. My Government would have preferred not to decide now on the end of UNAMIR's mission, but, of course, we respect the wish of the Rwandan Government. We are certain that it will provide full cooperation to UNAMIR while the Mission is still on the ground.

UNAMIR continues to provide protection for the International Tribunal for Rwanda. The Government of Rwanda, however, has insisted that it alone will now provide protection for other international personnel. It is no secret that we would have liked a mandate with a longer term and a larger UNAMIR force. In the view of my Government, international agencies and non-governmental organizations on the ground will not be able to carry out their important humanitarian and reconstruction tasks unless their safety is ensured. That will now be the task of the Government of Rwanda. It will have to fully cooperate with them. My Government is confident that Rwanda will fulfil this task. It intends to continue its substantial assistance to Rwanda's reconstruction and rehabilitation efforts on this basis.

I would like to conclude by paying a particular tribute to the Special Representative of the Secretary-General in Rwanda, to the Force Commander of UNAMIR, and to all other UNAMIR personnel for their dedicated work in this important United Nations Mission.

The President (*interpretation from Russian*): I thank the representative of Germany for his kind words addressed to me.

Mr. Martínez Blanco (Honduras) (*interpretation from Spanish*): I wish to congratulate you, Sir, on your assumption of the presidency of the Security Council for the current month. We are fully convinced that under your leadership the work of the Council will be successful. My delegation therefore pledges its full cooperation. I also wish to congratulate the Ambassador of Oman, as well as his entire delegation, on his

successful and brilliant guidance of the work of the Security Council during the month of November.

The report of the Secretary-General on the United Nations Assistance Mission for Rwanda (UNAMIR), dated 1 December of this year, indicates that there have been improvements in the economic and social fields in Rwanda, as well as in the restoration of its judicial system. However, it is also apparent from the report that a climate of tension still persists in that country as a result of the lack of progress made in the field of national reconciliation and the relative deterioration of the conditions of regional security.

In fact, the Secretary-General points out to us in his report that

“the main factor that prevents a return to stability, security and harmony in Rwanda is the absence of a process of national reconciliation. This depends on the creation of conditions conducive to the return of the 1.6 million refugees currently outside Rwanda and for the judgement of those accused of genocide.”
(S/1995/1002, para. 9)

My delegation agrees with this statement. In fact, there has been no major progress with respect to the number of Rwandan refugees returning voluntarily to their country, because an intimidation campaign still persists in the refugee camps, because the refugees continue to fear accusations, upon their return to Rwanda, of having participated in the genocide perpetrated last year or because they face uncertainty about finding their homes or their property upon their return.

Voluntary and safe repatriation is an essential element for national reconciliation, but the return of Rwandan refugees must be voluntary and must take place in safe and dignified conditions. This is why we agree with the statement in the report that forced repatriation could give rise to acts of violence and, consequently, to another humanitarian disaster. Voluntary repatriation must take place in accordance with the basic framework provided by the Nairobi Declaration and the Bujumbura plan of action, and an effort must be made to eliminate obstacles impeding the achievement of that objective.

The other element that gives rise to tension in Rwanda is the infiltration of armed forces and militias of the previous Rwandan regime from the refugee camps found in neighbouring countries. Those acts, in our view, contribute to increasing tensions at the local level and to a

deterioration of the conditions of regional security. My delegation wishes to emphasize in this regard the importance of the Secretary-General's initiative to hold a regional conference of the Great Lakes countries, under the auspices of the United Nations, to deal with questions of regional security and stability. We have taken note with satisfaction that at the regional Conference held recently in Cairo a declaration was issued in which the countries of the region pledge to take specific measures for peace, justice, reconciliation, stability and development.

In view of the current situation in Rwanda and in the region as a whole, we believe that UNAMIR must remain in that country to facilitate the voluntary return of the refugees to their home communities; to contribute to the security of the International Tribunal, the Human Rights Operation and the personnel and premises of humanitarian-assistance agencies; to lend assistance to the rebuilding of basic infrastructure; to provide medical attention; or to participate in monitoring activities. Given that the presence of the Mission also contributes to giving the refugees confidence to return to the country, we share the Secretary-General's view that

“if UNAMIR was to be perceived as abandoning Rwanda at this critical time, it would send a discouraging message to the refugees, to the region and to the international community at large”,
(S/1995/1002, para. 48)

and we agree with his comment that the purpose of restoring peace and stability has to do not only with Rwanda but with the region as a whole, and that it requires the achievement of reconciliation, the return of refugees and justice.

Taking these views into account, my delegation believes that we should spare no effort in assisting the Government of Rwanda to promote a climate of stability and confidence in the country. In addition, we agree that the level of international assistance for the rehabilitation and reconstruction of Rwanda shall be increased. We shall therefore vote in favour of the draft resolution, which renews the mandate of UNAMIR until 8 March 1996.

We urge the Government of Rwanda to continue to cooperate with UNAMIR in the implementation of its mandate.

The President (*interpretation from Russian*): I thank the representative of Honduras for his kind words addressed to me.

I now put to the vote the draft resolution in document S/1995/1015.

A vote was taken by show of hands.

In favour:

Argentina, Botswana, China, Czech Republic, France, Germany, Honduras, Indonesia, Italy, Nigeria, Oman, Russian Federation, Rwanda, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*interpretation from Russian*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1029 (1995).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Gnehm (United States of America): I should like to join other members of the Council in congratulating you, Sir, on your assumption of the responsibilities of President of the Security Council for this month, and to express again my appreciation to Ambassador Al-Khussaiby for his good stewardship last month.

The situation in Rwanda has changed significantly over the course of the presence in that country of the United Nations Assistance Mission for Rwanda (UNAMIR). Internal conditions, we are gratified to note, are fairly stable, due to the combined efforts of the Government of Rwanda, the donor community and UNAMIR itself. UNAMIR has been a factor in helping to foster a climate of security within Rwanda.

Unfortunately, the situation in the region of which Rwanda finds itself a part still faces instability, due to the presence of over a million refugees just over Rwanda's borders. As former President Carter, the President of Rwanda and the leaders of Rwanda's neighbours all acknowledged at the Cairo Summit last month, the repatriation of those refugees is a critical element in bringing peace and stability to the region.

We believe UNAMIR can play an important role in facilitating the voluntary and safe return of refugees to their former homes in Rwanda. To that end, the mandate of UNAMIR for the next three months has been refocused

on the range of tasks it can perform to help smooth the way for the refugees' repatriation.

Another element in bringing about the return of the refugees and national reconciliation is the work of the International Tribunal for Rwanda. We are heartened that, after a regrettably slow start, the Tribunal is on the verge of having an impact on the culture of impunity which permeates society. It is vitally important that the Tribunal, as an institution and as individuals working in the cause of justice, have the sense of security needed to continue their impartial investigations and prosecutions. Clearly, they cannot do so without the protection and goodwill of the Government of Rwanda. It is equally clear that they need the added guarantee of an impartial third party to ensure their independence. The Tribunal, we understand, is arranging for a United Nations presence that would replace UNAMIR in ensuring its independence, and we appreciate the cooperation of the Government of Rwanda in that effort. However, that new presence is not yet in place. We firmly believe that the duties of UNAMIR must continue to include assisting in the protection of the Tribunal's personnel and premises until alternate arrangements are operational.

UNAMIR has provided invaluable support and assistance to the various United Nations agencies and humanitarian organizations which have been working to assist the people and Government of Rwanda. The presence of the peacekeepers has helped to reassure these international aid personnel as they carry out their tasks in a volatile and unstable environment. We fully expect UNAMIR to continue to assist the humanitarian agencies as the need arises. United Nations forces have the right — indeed, the obligation — to come to the aid of other United Nations and other international personnel in times of need.

The resolution we have just adopted renews UNAMIR for a final period of three months. After that time, UNAMIR will be terminated and all its military personnel withdrawn within six weeks. Following the departure of UNAMIR, however, the international community should not abandon Rwanda. The United Nations needs to retain a strong presence in Rwanda to provide the assistance in reconstruction, rehabilitation, justice and political reconciliation that is so sorely needed there. This includes non-governmental organizations, some of which have been essential in helping United Nations agencies, such as the Office of the United Nations High Commissioner for Refugees (UNHCR) to carry out their work. The expulsion of non-governmental

organizations is a matter which causes concern for my Government.

The last three months of the mandate should be used to put into place a non-military logistics lifeline to sustain the various United Nations agencies and non-governmental organizations, including the International Tribunal and the Human Rights Field Operation in Rwanda, which have benefited from the presence of UNAMIR's extensive logistics and communications network.

UNAMIR has been successful in its mission. I would like to take this opportunity to commend all the men and women who have served with UNAMIR throughout its difficult tenure in Rwanda, from Special Representative Khan and the Force Commanders to the support staff. They will continue to rely on the active cooperation of the Government of Rwanda to carry out their mandate and draw their mission to a close.

Peace and security have been restored to Rwanda, after devastating events. We hope the people of Rwanda can finally put the horrors of the past behind them and move into a phase of rehabilitation, reconstruction and reconciliation.

The President (*interpretation from Russian*): I thank the representative of the United States for the kind words he addressed to me.

Mr. Fulci (Italy): At the outset I wish to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of December. I am sure that under your skilful and experienced guidance our work this month will be smooth and fruitful. I also wish to assure you of the full cooperation of the whole Italian delegation.

At the same time, I should like to thank very warmly Ambassador Salim Al-Khussaiby, the Permanent Representative of Oman, for a most successful and prestigious presidency for the month of November.

Like other members of the Council, I should like to underline that it is very important that today the Security Council was able to adopt a resolution to renew the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) for three months. Failure to do so could have jeopardized the prospect of further normalization and increased stability in the Great Lakes region.

In the past 12 months, the situation in Rwanda has steadily normalized. Significant progress has been made in many sectors of the country's life, with the resumption of productive activity, the first steps towards re-establishing the judiciary and improvement in the humanitarian situation. The Rwandese Government deserves credit for these results.

On the other hand, many serious problems remain unresolved. They are, first, the question of refugee repatriation; secondly, bringing to justice those responsible for the genocide — although we welcome the fact that today a first order was issued for the arrest of one of the guilty; thirdly, conditions of life in the prisons, which are barely at the subsistence level; and, fourthly, the urgent need to fully reactivate the judicial system.

All these issues must be addressed. Ending the United Nations Mission to Rwanda would certainly not have helped the United Nations to mobilize the support and the international assistance needed to address the foregoing issues and to rebuild the country or ease the growing tension in the Great Lakes region.

Moreover, to achieve the common goal of the voluntary repatriation of refugees, which, let us recall, Rwanda and other interested countries solemnly pledged to do at the Cairo conference, a climate of trust and confidence must prevail in the country and throughout the region. The authorities and people of Rwanda are undertaking the difficult job of reconstruction and development after the devastation and horror of the genocide. However, efforts in this direction cannot produce any long-term effects until stability has been assured both inside the country and on its borders. There can be no development without peace, reconciliation and stability.

We further wish to express our hope that in the next three months a new relationship will be forged between Rwanda, the United Nations and the international community. Distrust and suspicion are certainly not the ingredients that will help foster international cooperation in the area, and the statement of our colleague from Canada, Ambassador Robert Fowler, could not have been more eloquent in this regard. Indeed, dialogue always pays much more than confrontation, in all areas and in all questions.

Italy remains convinced that the root causes of the instability afflicting the Great Lakes region must be

radically addressed. While we welcomed the conference in Cairo, we reiterate the need to convene a broad-ranging conference on peace, stability and development in the area, under the auspices of the United Nations and other international organizations — and the sooner it takes place, the better.

The President (*interpretation from Russian*): I thank the representative of Italy for his kind words addressed to me.

Mr. Ladsous (France) (*interpretation from French*): Allow me, first of all, to extend to you, Sir, my delegation's congratulations on your accession to the presidency of the Council for the month of December and, at the same time, my gratitude to the Ambassador of Oman, as well as his delegation, for the way in which he presided over the Council in the month of November.

The delegation of France voted in favour of the draft resolution which was put to a vote today, but, I must emphasize, we did so without fully supporting it.

Clearly, the Government of France has taken note of the developments in the situation in Rwanda, as highlighted by the Secretary-General in his report. We must point out that in an area as critical as justice, developments — positive developments — are taking place. It remains no less true — and here we share the concerns of the Secretary-General — that Rwanda and, more generally, the Great Lakes region continue to face very serious problems. Efforts to forge national reconciliation in Rwanda are not bearing fruit. The refugees — numbering 1,600,000 — are still in the very place where they installed themselves more than a year and a half ago, and there is no real hope for them to return home in the short-term. It must, finally, be recognized that stability and security in that region of Africa have not been re-established. Tension remains high in the region and there is cause for concern for the future.

In this context, the United Nations Assistance Mission for Rwanda (UNAMIR) has so far played a positive role, as has the Special Representative of the Secretary-General, a role which the delegation of France would like to emphasize. For this very reason, the Government of France had hoped that this operation would remain in place to carry out the tasks entrusted to it by the Security Council last June.

The text we have just adopted allows the Blue Helmets to extend their mission for a final period of three months, within the framework of a slightly changed

mandate. Frankly speaking, we would have preferred not to take a decision today to end the operation in March 1996. But the Government of Rwanda took a different decision. We note that decision but hope that the ultimate departure of the United Nations does not coincide with a deterioration in the situation in that part of Africa.

The Government of France followed with particular attention the talks held by the Heads of State of the region in Cairo and the Declaration they adopted on 29 November 1995. We have taken due note of the commitments they made on that occasion and we continue to believe that the countries that participated in the talks will, in due course, need assistance from the international community to promote a lasting settlement of the problems in the region, of course within the framework of a conference organized to that end under the auspices of the United Nations and in cooperation with the Organization of African Unity (OAU).

Similarly, the Government of France believes that it will be even more necessary for the United Nations to play a role in Rwanda once UNAMIR has departed. For that reason, we urge the Government of Rwanda to be flexible in the negotiations with the Secretariat on this question, which will begin shortly.

We can understand that the Government of Rwanda is hoping that the international community will provide assistance for reconstruction and development. There is no doubt, in our view, that a positive and understanding attitude on the part of the Government can only serve to encourage countries, international institutions and non-governmental agencies that want to help Rwanda to do just that.

The President (*interpretation from Russian*): I thank the representative of France for his kind words addressed to me.

Mr. Bakuramutsa (Rwanda) (*interpretation from French*): It is a pleasure for my delegation to see you, Sir, presiding over the Security Council for the month of December. We are confident that your wisdom and skill will help to expedite the Council's work. My delegation has always thought that you have a quiet strength that can move mountains. My delegation is at hand to assist you in your task.

My delegation takes this opportunity to thank Ambassador Al-Khussaiby for the way he presided over the Council last month. Thanks to his great wisdom, skill

and diplomacy, he was able to help the Council make remarkable progress in its work. My delegation also wishes to thank the Secretary-General for his report on the United Nations Assistance Mission for Rwanda (UNAMIR). Furthermore, we would like to thank those who drafted today's resolution and the countries contributing troops to UNAMIR. I wish to assure them of the cooperation of the Government of Rwanda with UNAMIR during the period of this new mandate.

(spoke in English)

I have promised to speak in English. I would like to address the contradictions based on the positions taken by the Secretariat and the Security Council decision on the recent situation faced by Rwanda.

The first contradiction is based on the fact that appropriate action was taken before and during the genocide in Rwanda.

I would begin by reminding the Council of the history of UNAMIR. The Mission was established on 5 October 1993 by Security Council resolution 872 (1993) with a mandate to, among other things, assist in ensuring the security of Kigali — I repeat, the security of Kigali; monitor the security situation during the final period of the transitional Government's mandate, leading up to the elections agreed on in the 1993 Arusha peace agreement; and investigate and report on incidents regarding the Rwandese gendarmerie and police.

In the early part of 1994, high-ranking personnel of UNAMIR, United Nations agencies and the diplomatic corps in Kigali were aware that members of the former Government were planning mass killings of Rwandese. That information was also well known at United Nations Headquarters and some influential members of the international community. Despite that clear knowledge and UNAMIR's mandate to ensure security, at least in Kigali, UNAMIR personnel, as soldiers and human beings, appeared unable to assist innocent unarmed civilians, women and children among them, as well as hospitalized patients.

In April, when genocide was launched on an unprecedented scale, the response of the Security Council was to withdraw UNAMIR. In response to that grave situation, this decision seemed peculiar. On 21 April, two weeks after the killings began, the members of this very Council decided, by resolution 912 (1994), to reduce UNAMIR's force level from 2,500 to 270, a number

incapable of responding to the extensive trauma being experienced by Rwandese society at that time. The mandate and size of this symbolic force made it ineffective in the face of the mass slaughter organized by the State.

As a result, by the end of June 1994 — after only three months — approximately one million Rwandese had been massacred in a genocide unprecedented in Africa, the third genocide of this century, watched by the entire world on international television. In the meantime, the Member States that had ratified the Convention on the Prevention and Punishment of the Crime of Genocide were hesitating to act. In a three-month period, one eighth of Rwanda's population was exterminated.

Operation Turquoise, another solution proposed by the Security Council, only exacerbated an already complex situation. In spite of its mandate to provide security and to protect displaced persons, refugees and civilians at risk, Operation Turquoise provided a safe haven for the perpetrators of genocide, who would later use it as a base to attack innocent civilians and the forces of the new Government of Rwanda. The camp at Kibeho was a typical example of this. It was the Rwandese themselves who, single-handedly, took on the mammoth task and stopped the massacres on 4 July.

The second contradiction is based on the implementation process based on earlier decisions taken by the Security Council. Four months later, in September 1994, UNAMIR was redeployed at a strength of 5,500 — a redeployment that was far too late and too large. That is why its mandate, which was defined on 17 May by Security Council resolution 918 (1994), was not appropriate. The situation had drastically changed inside Rwanda.

In fact, UNAMIR's mandate could have been best implemented outside Rwanda in refugee camps to prevent the intimidation of refugees in the camps outside Rwanda, facilitate the refugees' return to Rwanda and implement the Security Council's resolution on the arms embargo against the former Rwandese Government, which has been consistently violated. Simultaneously, the international community had an obligation to arrest and detain those responsible for planning and committing genocide and to ensure the speedy functioning of the International Tribunal for Rwanda. All of this had to be done outside Rwanda.

Following the Rwandese victory over genocide, a policy of national reconciliation, as established in the Arusha Agreement, has been fundamental in the reconstruction of a traumatized Rwandese society. In that context, a Government of National Unity comprising the main opposition parties was formed. A National Parliament representing all political parties was constituted. Over six million Rwandese, including new and old returning refugees, are living together peacefully inside the country. Intensive contacts are in progress with Governments and refugees in neighbouring countries to facilitate the return of more recent refugees. There has been a reintegration of former administrative personnel into the new public service and the new Rwandese army has reintegrated large numbers of soldiers and high-ranking officers of the former regime.

All of these policy decisions and actions constitute national reconciliation for the Rwandese. This contrasts with other interpretations of what national reconciliation should be, such as implicit proposals for the integration of the leaders/planners of genocide into the Government by various strategies, including regional conferences.

As far as we Rwandese are concerned, national reconciliation is in progress. The new Government of Rwanda, with the cooperation of a large number of Member States, has been able to accomplish a great deal in the past few months, in spite of an acute lack of resources and limited and conditional support from some sectors of the international community. It has been able to establish a climate of security and stability within the country. Much progress has been made in economic and social rehabilitation. The recent appointment of Supreme Court judges by the Rwandese National Assembly has contributed to the revival of the national judicial system, which is essential to putting an end to the spirit of impunity which has prevailed in Rwanda for decades.

Despite the tremendous efforts of the Rwandese Government, it is important to understand some of the problems facing Rwanda. They include bringing the perpetrators of genocide to justice, both nationally and internationally; putting an end to infiltration and sabotage by the former Rwandese armed forces along Rwanda's western border; the intimidation of refugees in the refugee camps; and the economic and social reconstruction of Rwanda.

At the present time, UNAMIR cannot and is not expected to respond to any of these priorities. Nevertheless, the Government of Rwanda has appreciated

the assistance provided by the Mission, particularly by the small force left in Rwanda during the dark days of genocide, and by its commander, his staff and others who lost their lives assisting Rwandese. UNAMIR has played an important role in facilitating transportation and providing logistical support in areas of need in Rwanda. In that respect, UNAMIR's departure will leave a gap in those areas. The loss of transportation and office, communication and medical equipment, to name a few things, as a result of pillage by the former Rwandese Government and the former armed forces has left Rwanda in great need.

For that reason, the Government of Rwanda has requested the donation of some of UNAMIR's non-lethal equipment to the Government and the people of Rwanda on UNAMIR's departure. The entire world knows that Rwanda is in need and that such donations would be a gesture of good will on the part of Member States and the Secretariat to a people who have experienced an unprecedented tragedy and its aftermath during the past 20 months. Rwanda's request is based on precedents in the case of Cambodia and other United Nations peace-keeping missions.

Regarding the present status of UNAMIR, the Government of Rwanda is willing to extend the presence of UNAMIR for three months on condition that its mandate be adjusted accordingly. During that period and later, the Government of Rwanda will continue to ensure the security of all persons in Rwanda, including UNAMIR personnel, personnel of international organizations, members of the international community and personnel of the International Tribunal for Rwanda. Additional measures have already been agreed on between the Government of Rwanda and the International Tribunal to ensure the protection of the Tribunal personnel. Any other needs in the area of security will be considered by the Rwandese Government, as appropriate.

The President (*interpretation from Russian*): I thank the representative of Rwanda for his kind words addressed to me.

Mr. Ladsous (France) (*interpretation from French*): I apologize for speaking again, but I cannot help but react to the assertion made by the Permanent Representative of Rwanda when he said that:

"Operation Turquoise ... only exacerbated an already complex situation. In spite of its mandate to provide security and to protect displaced persons .

Operation Turquoise provided a safe haven for the perpetrators of genocide" (*supra*, p. 42).

I should simply like to recall two facts. First, Operation Turquoise was a humanitarian operation, an operation intended strictly to save human lives at a time — and we must remember this — when the international community had been unable to mobilize to reinstall the United Nations Assistance Mission for Rwanda (UNAMIR) at the level required to act effectively against genocide and to resolve all the tragedies that were taking place at that time. I would merely point out in passing that that humanitarian mandate was carried out by a multinational force in which many African countries participated.

Secondly, and this fact is also unchallengeable, Operation Turquoise was undertaken on the basis of a mandate given by the Security Council in resolution 929 (1994) of 22 June 1994. My country was an active participant in that force. We did not do so, obviously, to be thanked later; we did so simply because there was a human tragedy to be resolved and because hundreds of thousands of people were being threatened with massacre, and I believe that any satisfaction we may feel is at having prevented those persons from being massacred in their turn.

Mr. Bakuramutsa (Rwanda) (*interpretation from French*): My delegation does not wish to engage in polemics, since we have great respect for the French delegation. However, since we are called upon to furnish some explanation here, I should like to state the position of the Government of Rwanda in this respect.

First, with regard to Operation Turquoise, it is our view that it came too late. It may very well have been done with good will, but it was too late: a million Rwandans had already been exterminated. In any event, we do thank its participants for having come.

Secondly, as for its being a multinational force, I should like to make a correction. The multinational part of the force was symbolic. The force was made up of people from one country only and its other members were symbols to lend it an international flavour.

Thirdly, I should like to say that as for calling it a humanitarian operation, that was not at all the case, especially if one considers the *matériel* utilized by the force upon its arrival. That *matériel* was far more military than it was humanitarian.

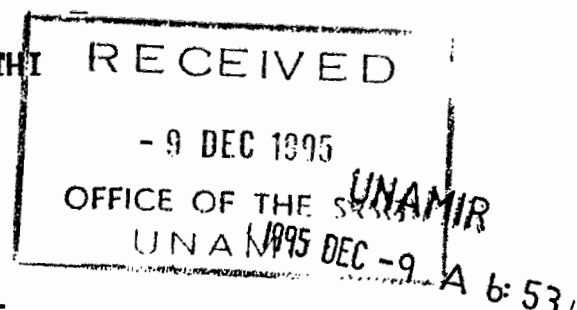
Fourthly, I should like to point out that, whether purposely or not — and again, I do not want to enter into polemics — the zone created, known as Zone Turquoise, was one in which all the criminals who had been unable to cross the frontier came to take refuge. Their last chance was the camp at Kibeho, where all their arms were stockpiled — and everyone knows what happened when they tried to get them out.

The President (*interpretation from Russian*): There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 6 p.m.

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Security Council SC/6139
3604th Meeting (PM) 8 December 1995
SECURITY COUNCIL EXTENDS MANDATE OF RWANDA MISSION UNTIL 12
DECEMBER

Mandate Was Due to Expire at Midnight Today;
Secretary-General's Report Notes Government Does Not Agree to
Extension

The Security Council this afternoon extended the mandate of
the United Nations Mission for Rwanda (UNAMIR) until 12
December 1995. The mandate was due to expire today at
midnight.

With unanimous adoption of resolution 1028 (1995), the
Council allowed a four-day period for further consultations on
the Secretary-General's report on UNAMIR and the future of the
Mission.

In his report (document S/1995/1002), the Secretary-General
notes that the Government of Rwanda does not agree to an
extension of UNAMIR's current mandate. However, he says, a
continued UNAMIR presence in the country could help build
confidence among the refugees and encourage them to return, a
necessity in addressing the "core issue" of national
reconciliation.

That view, says the Secretary-General, is shared by donor
countries, most UNAMIR troop-contributors, United Nations
bodies, non-governmental organizations and Rwanda's
neighbours. If UNAMIR was to be perceived as abandoning
Rwanda at this critical time it would send a discouraging
message to the refugees, the region and the international
community, the report states.

In a letter to the Secretary-General dated 24 November 1995
(document S/1995/1018) also being considered in the Council's
deliberations, the Minister for Foreign Affairs of Rwanda
states that UNAMIR does not respond to Rwanda's current
priorities -- security, rehabilitation of survivors of
genocide, repatriation of refugees, and reconstruction of the
country. The letter adds that the security of Rwanda is the
responsibility of the Government of Rwanda and that UNAMIR, a
peace-keeping mission, plays no role in it.

The meeting, which was called to order at 5:13 p.m., was
adjourned at 5:16 p.m.

Security Council resolution 1028 (1995), reads as follows:

"The Security Council,

"Recalling all its previous resolutions on the situation in
Rwanda, in particular its resolution 997 (1995) of 9 June
1995,

"Having considered the report of the Secretary-General on
the United Nations Assistance Mission for Rwanda (UNAMIR) of 1
December 1995 (S/1995/1002),

"1. Decides to extend the mandate of UNAMIR for a period
expiring on 12 December 1995;

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"2. ~~Decides~~ to remain actively seized of the matter."

* *** *

End of SC/6139

Dissemination and Communication Unit/DPI - NY HQ

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Security Council

PROVISIONAL

S/1995/1019
8 December 1995

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 997 (1995) of 9 June 1995,

Having considered the report of the Secretary-General on the United Nations Assistance Mission for Rwanda (UNAMIR) of 1 December 1995 (S/1995/1002),

1. Decides to extend the mandate of UNAMIR for a period expiring on 12 December 1995;

2. Decides to remain actively seized of the matter.



Conseil de sécurité

PROVISOIRE

S/1995/1019
8 décembre 1995
FRANÇAIS
ORIGINAL : ANGLAIS

Projet de résolution

Le Conseil de sécurité,

Rappelant toutes ses résolutions précédentes sur la situation au Rwanda, en particulier sa résolution 997 (1995) du 9 juin 1995,

Avant examiné le rapport du Secrétaire général sur la Mission d'assistance des Nations Unies au Rwanda (MINUAR) en date du 1er décembre 1995 (S/1995/1002),

1. Décide de proroger le mandat de la MINUAR jusqu'au 12 décembre 1995;
 2. Décide de rester activement saisi de la question.
-

Office of the Spokesman

**SECURITY COUNCIL EXTENDS THE MANDATE OF
UNAMIR UNTIL 12 DECEMBER 1995**

Resolution 1028 (1995) adopted unanimously
8 December 1995

Text of the Resolution

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 997 (1995) of 9 June 1995,

Having considered the report of the Secretary-General on the United Nations Assistance Mission for Rwanda (UNAMIR) of 1 December 1995 (S/1995/1002),

- 1. Decides to extend the mandate of UNAMIR for a period expiring on 12 December 1995;**
 - 2. Decides to remain actively seized of the matter.**
-



Security Council

PROVISIONAL

S/1995/1015*
8 December 1995

ORIGINAL: ENGLISH

Germany, Italy, United Kingdom of Great Britain and Northern
Ireland and United States of America: 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, 965 (1994) of 30 November 1994 and 997 (1995) of 9 June 1995, which set out the mandate of UNAMIR,

Recalling 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 committing genocide in Rwanda,

Having considered the report of the Secretary-General on UNAMIR dated 1 December 1995 (S/1995/1002),

Noting the letters of the Foreign Minister of Rwanda to the Secretary-General of 13 August 1995 and 24 November 1995 (S/1995/1018, Annex I and S/1995/1018, Annex II),

Stressing the importance of the voluntary and safe repatriation of Rwandan refugees and of genuine national reconciliation,

Noting with great concern continuing reports of military preparations and incursions into Rwanda by elements of the former regime, 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, and welcoming in this context the establishment of the International Commission of Inquiry pursuant to its resolution 1013 (1995) of 7 September 1995,

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

S/1995/1015

English

Page 2

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

Welcoming the summit of Heads of State of the Great Lakes Region held in Cairo on 28-29 November and the Declaration of 29 November 1995 issued by them (S/1995/1001),

Emphasizing the importance of all States acting in accordance with the 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 and those contained in the Cairo Declaration,

Commending the Government of Rwanda's continuing efforts to maintain peace and security as well as to reconstruct and rehabilitate the country,

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,

1. Decides to extend the mandate of UNAMIR [for a final period] until 8 March 1996;

2. Decides also, in the light of current efforts to restore peace and stability through the voluntary and safe repatriation of Rwandan refugees, to adjust the mandate of UNAMIR so that UNAMIR will:

(a) Exercise its good offices to assist in achieving the voluntary and safe repatriation of Rwandan refugees within the frame of reference of the recommendations of the Bujumbura Conference and the Cairo Summit of the Heads of State of the Great Lakes Region, and in promoting genuine national reconciliation,

(b) Assist the Government of Rwanda in facilitating the voluntary and safe return of refugees and, to this 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,

(c) Assist the United Nations High Commissioner for Refugees and other international agencies in the provision of logistical support for the repatriation of refugees,

(d) Contribute, in consultation with the Government of Rwanda, to the security of the International Tribunal for Rwanda as an interim measure until alternative arrangements can be put in place, and assist in ensuring the safety of international personnel, in case of need;

3. Requests the Secretary-General to reduce the force level of UNAMIR to a total not to exceed 1,400 personnel to carry out the mandate set out in

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paragraph 2 above, that force level to include engineering, logistics and guards units and military observers; and further requests him to initiate planning for the complete withdrawal of UNAMIR after the expiry of the present mandate, that withdrawal to take place within a period of six weeks after the expiry of the mandate;

4. Requests the Secretary-General to examine, in the context of existing United Nations regulations, the feasibility of transferring UNAMIR non-lethal equipment, as elements of UNAMIR withdraw for use in Rwanda;

5. 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 Status of Mission Agreement of 5 November 1993 and any subsequent agreement to replace that Agreement in order to facilitate the implementation of the new mandate;

6. Calls upon the Government of Rwanda to take all necessary measures to ensure that UNAMIR personnel and equipment that are scheduled to withdraw can do so in an orderly and safe manner;

7. 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;

8. 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 justice system;

9. Also calls upon States to cooperate fully with the International Commission of Inquiry established pursuant to resolution 1013 (1995);

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 1 February 1996 on the discharge by UNAMIR of its mandate and progress towards repatriation of refugees;

12. Decides to remain actively seized of the matter.

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Security Council

PROVISIONAL

S/1995/1015*
8 December 1995

ORIGINAL: ENGLISH

Germany, Italy, United Kingdom of Great Britain and Northern
Ireland and United States of America: draft resolutionThe 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, 965 (1994) of 30 November 1994 and 997 (1995) of 9 June 1995, which set out the mandate of UNAMIR,

Recalling 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 committing genocide in Rwanda,

Having considered the report of the Secretary-General on UNAMIR dated 1 December 1995 (S/1995/1002),

Noting the letters of the Foreign Minister of Rwanda to the Secretary-General of 13 August 1995 and 24 November 1995 (S/1995/1018, Annex I and S/1995/1018, Annex II),

Stressing the importance of the voluntary and safe repatriation of Rwandan refugees and of genuine national reconciliation,

Noting with great concern continuing reports of military preparations and incursions into Rwanda by elements of the former regime, 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, and welcoming in this context the establishment of the International Commission of Inquiry pursuant to its resolution 1013 (1995) of 7 September 1995,

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

S/1995/1015

English

Page 2

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

Welcoming the summit of Heads of State of the Great Lakes Region held in Cairo on 28-29 November and the Declaration of 29 November 1995 issued by them (S/1995/1001),

Emphasizing the importance of all States acting in accordance with the 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 and those contained in the Cairo Declaration,

Commending the Government of Rwanda's continuing efforts to maintain peace and security as well as to reconstruct and rehabilitate the country,

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,

1. Decides to extend the mandate of UNAMIR [for a final period] until 8 March 1996;

2. Decides also, in the light of current efforts to restore peace and stability through the voluntary and safe repatriation of Rwandan refugees, to adjust the mandate of UNAMIR so that UNAMIR will:

(a) Exercise its good offices to assist in achieving the voluntary and safe repatriation of Rwandan refugees within the frame of reference of the recommendations of the Bujumbura Conference and the Cairo Summit of the Heads of State of the Great Lakes Region, and in promoting genuine national reconciliation,

(b) Assist the Government of Rwanda in facilitating the voluntary and safe return of refugees and, to this 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,

(c) Assist the United Nations High Commissioner for Refugees and other international agencies in the provision of logistical support for the repatriation of refugees,

(d) Contribute, in consultation with the Government of Rwanda, to the security of the International Tribunal for Rwanda as an interim measure until alternative arrangements can be put in place, and assist in ensuring the safety of international personnel, in case of need;

3. Requests the Secretary-General to reduce the force level of UNAMIR to a total not to exceed 1,400 personnel to carry out the mandate set out in

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paragraph 2 above, that force level to include engineering, logistics and guards units and military observers; and further requests him to initiate planning for the complete withdrawal of UNAMIR after the expiry of the present mandate, that withdrawal to take place within a period of six weeks after the expiry of the mandate;

4. Requests the Secretary-General to examine, in the context of existing United Nations regulations, the feasibility of transferring UNAMIR non-lethal equipment, as elements of UNAMIR withdraw for use in Rwanda;

5. 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 Status of Mission Agreement of 5 November 1993 and any subsequent agreement to replace that Agreement in order to facilitate the implementation of the new mandate;

6. Calls upon the Government of Rwanda to take all necessary measures to ensure that UNAMIR personnel and equipment that are scheduled to withdraw can do so in an orderly and safe manner;

7. 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;

8. 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 justice system;

9. Also calls upon States to cooperate fully with the International Commission of Inquiry established pursuant to resolution 1013 (1995);

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 1 February 1996 on the discharge by UNAMIR of its mandate and progress towards repatriation of refugees;

12. Decides to remain actively seized of the matter.

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Security Council

PROVISIONAL

S/1995/1015*

8 December 1995

ORIGINAL: ENGLISH

Germany, Italy, United Kingdom of Great Britain and Northern
Ireland and United States of America: 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, 965 (1994) of 30 November 1994 and 997 (1995) of 9 June 1995, which set out the mandate of UNAMIR,

Recalling 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 committing genocide in Rwanda,

Having considered the report of the Secretary-General on UNAMIR dated 1 December 1995 (S/1995/1002),

Noting the letters of the Foreign Minister of Rwanda to the Secretary-General of 13 August 1995 and 24 November 1995 (S/1995/1018, Annex I and S/1995/1018, Annex II),

Stressing the importance of the voluntary and safe repatriation of Rwandan refugees and of genuine national reconciliation,

Noting with great concern continuing reports of military preparations and incursions into Rwanda by elements of the former regime, 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, and welcoming in this context the establishment of the International Commission of Inquiry pursuant to its resolution 1013 (1995) of 7 September 1995,

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

S/1995/1015

English

Page 2

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

Welcoming the summit of Heads of State of the Great Lakes Region held in Cairo on 28-29 November and the Declaration of 29 November 1995 issued by them (S/1995/1001),

Emphasizing the importance of all States acting in accordance with the 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 and those contained in the Cairo Declaration,

Commending the Government of Rwanda's continuing efforts to maintain peace and security as well as to reconstruct and rehabilitate the country,

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,

1. Decides to extend the mandate of UNAMIR [for a final period] until 8 March 1996;

2. Decides also, in the light of current efforts to restore peace and stability through the voluntary and safe repatriation of Rwandan refugees, to adjust the mandate of UNAMIR so that UNAMIR will:

(a) Exercise its good offices to assist in achieving the voluntary and safe repatriation of Rwandan refugees within the frame of reference of the recommendations of the Bujumbura Conference and the Cairo Summit of the Heads of State of the Great Lakes Region, and in promoting genuine national reconciliation,

(b) Assist the Government of Rwanda in facilitating the voluntary and safe return of refugees and, to this 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,

(c) Assist the United Nations High Commissioner for Refugees and other international agencies in the provision of logistical support for the repatriation of refugees,

(d) Contribute, in consultation with the Government of Rwanda, to the security of the International Tribunal for Rwanda as an interim measure until alternative arrangements can be put in place, and assist in ensuring the safety of international personnel, in case of need;

3. Requests the Secretary-General to reduce the force level of UNAMIR to a total not to exceed 1,400 personnel to carry out the mandate set out in

/...

paragraph 2 above, that force level to include engineering, logistics and guards units and military observers; and further requests him to initiate planning for the complete withdrawal of UNAMIR after the expiry of the present mandate, that withdrawal to take place within a period of six weeks after the expiry of the mandate;

4. Requests the Secretary-General to examine, in the context of existing United Nations regulations, the feasibility of transferring UNAMIR non-lethal equipment, as elements of UNAMIR withdraw for use in Rwanda;

5. 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 Status of Mission Agreement of 5 November 1993 and any subsequent agreement to replace that Agreement in order to facilitate the implementation of the new mandate;

6. Calls upon the Government of Rwanda to take all necessary measures to ensure that UNAMIR personnel and equipment that are scheduled to withdraw can do so in an orderly and safe manner;

7. 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;

8. 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 justice system;

9. Also calls upon States to cooperate fully with the International Commission of Inquiry established pursuant to resolution 1013 (1995);

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 1 February 1996 on the discharge by UNAMIR of its mandate and progress towards repatriation of refugees;

12. Decides to remain actively seized of the matter.

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Security Council

PROVISIONAL

S/1995/1015*
8 December 1995

ORIGINAL: ENGLISH

Germany, Italy, United Kingdom of Great Britain and Northern Ireland and United States of America: 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, 965 (1994) of 30 November 1994 and 997 (1995) of 9 June 1995, which set out the mandate of UNAMIR,

Recalling 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 committing genocide in Rwanda,

Having considered the report of the Secretary-General on UNAMIR dated 1 December 1995 (S/1995/1002),

Noting the letters of the Foreign Minister of Rwanda to the Secretary-General of 13 August 1995 and 24 November 1995 (S/1995/1018, Annex I and S/1995/1018, Annex II),

Stressing the importance of the voluntary and safe repatriation of Rwandan refugees and of genuine national reconciliation,

Noting with great concern continuing reports of military preparations and incursions into Rwanda by elements of the former regime, 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, and welcoming in this context the establishment of the International Commission of Inquiry pursuant to its resolution 1013 (1995) of 7 September 1995,

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

S/1995/1015

English

Page 2

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

Welcoming the summit of Heads of State of the Great Lakes Region held in Cairo on 28-29 November and the Declaration of 29 November 1995 issued by them (S/1995/1001),

Emphasizing the importance of all States acting in accordance with the 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 and those contained in the Cairo Declaration,

Commending the Government of Rwanda's continuing efforts to maintain peace and security as well as to reconstruct and rehabilitate the country,

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,

1. Decides to extend the mandate of UNAMIR [for a final period] until 8 March 1996;

2. Decides also, in the light of current efforts to restore peace and stability through the voluntary and safe repatriation of Rwandan refugees, to adjust the mandate of UNAMIR so that UNAMIR will:

(a) Exercise its good offices to assist in achieving the voluntary and safe repatriation of Rwandan refugees within the frame of reference of the recommendations of the Bujumbura Conference and the Cairo Summit of the Heads of State of the Great Lakes Region, and in promoting genuine national reconciliation,

(b) Assist the Government of Rwanda in facilitating the voluntary and safe return of refugees and, to this 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,

(c) Assist the United Nations High Commissioner for Refugees and other international agencies in the provision of logistical support for the repatriation of refugees,

(d) Contribute, in consultation with the Government of Rwanda, to the security of the International Tribunal for Rwanda as an interim measure until alternative arrangements can be put in place, and assist in ensuring the safety of international personnel, in case of need;

3. Requests the Secretary-General to reduce the force level of UNAMIR to a total not to exceed 1,400 personnel to carry out the mandate set out in

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paragraph 2 above, that force level to include engineering, logistics and guards units and military observers; and further requests him to initiate planning for the complete withdrawal of UNAMIR after the expiry of the present mandate, that withdrawal to take place within a period of six weeks after the expiry of the mandate;

4. Requests the Secretary-General to examine, in the context of existing United Nations regulations, the feasibility of transferring UNAMIR non-lethal equipment, as elements of UNAMIR withdraw for use in Rwanda;

5. 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 Status of Mission Agreement of 5 November 1993 and any subsequent agreement to replace that Agreement in order to facilitate the implementation of the new mandate;

6. Calls upon the Government of Rwanda to take all necessary measures to ensure that UNAMIR personnel and equipment that are scheduled to withdraw can do so in an orderly and safe manner;

7. 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;

8. 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 justice system;

9. Also calls upon States to cooperate fully with the International Commission of Inquiry established pursuant to resolution 1013 (1995);

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 1 February 1996 on the discharge by UNAMIR of its mandate and progress towards repatriation of refugees;

12. Decides to remain actively seized of the matter.

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