

[3 CONFIDENTIAL]

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BOX 18

FILE 4

ACC. 1998/0278

CNR 201 P1/3

OUTGOING CODE CABLE

TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 28 July 1995
NUMBER: 2492
SUBJECT: Zaire

95 JUL 29

00:05

UNITED NATIONS
OPERATIONS
28 JUL 28 P 6:00

1. Please find attached, a self-explanatory letter from the Republic of Zaire dated 18 July, for your information.

Regards

Zaire file

SRSG

CNR 201 P2/3



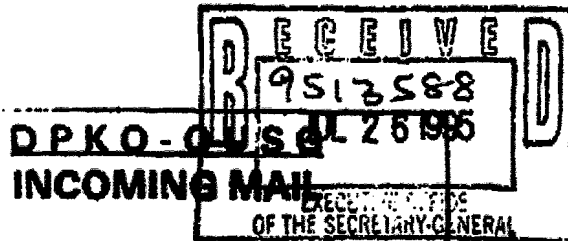
Mr Goulding
cds Anuam
TK/LBK
du Zaïre
DPKO

By DHR

République

Ministère des Affaires étrangères
001254
Le Ministre

1995 JUL 26 P 3 15
Kinshasa, le 10 JUL 1995
N° 130.01/ 80890 /95



A Monsieur le Secrétaire Général
des Nations Unies
New York

HA
Action by: *LSIP 2 Centre*
Info copy to: _____
Please return originals to Central/other: _____

Monsieur le Secrétaire Général,

J'ai le regret de vous informer qu'après le bombardement de l'aéroport de Goma et l'agression contre le camp des réfugiés de Birava qui a fait plusieurs morts, les forces armées rwandaises ont, une fois de plus, perpétré des actes de tueries en territoire zaïrois.

En effet, le 12 juillet dernier, l'Armée patriotique rwandaise a, de 10 à 18 heures, tiré sur le camps des réfugiés de Panzi à Bukavu, faisant quatre morts dont un réfugié rwandais.

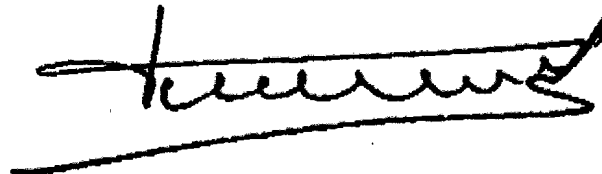
Le gouvernement du Zaïre tiént à vous informer qu'il condamne catégoriquement ces actes criminels qu'il considère comme une provocation qui pourrait l'amener à l'avenir, à user de son droit de poursuite en territoire rwandais.

Le gouvernement zaïrois constate, plutôt que de faciliter la réconciliation nationale dans le cadre des accords d'Arusha et à réunir les garanties de sécurité pouvant lui permettre de récupérer près de la moitié de sa population qui se trouve confinée dans des camps situés au Zaïre, le gouvernement rwandais s'attèle obstinément à des tueries des paisibles populations du Zaïre qui ont eu à supporter le gros fardeau de la crise rwandaise.

.../...

Veillez agréer, Monsieur le Secrétaire
Général, l'expression de ma parfaite considération.

LUNDA - BULULU

A handwritten signature in dark ink, consisting of a series of loops and a long horizontal stroke at the end.

MICHEL MOUSSALLI
8. CHEMIN DE LA CAMPAGNETTE
CH 1292 CHAMBÉSY
GENÈVE
TÉL. 758 24 51

Personal

(Zaire)
Geneva, 18 September 1994

The report accurately
reflects the discussions.

ED per
Jel

see

Dear Ambassador Khan,

Please find attached for
your personal information, a first draft of
my report to the High Commissioner. I hope
you'll agree with my various notes and I
look forward to receiving your comments.

The problem that appears
to have developed in Rwanda is very serious.
I remain however confident that together
with Nam Porjane and Annan, you'll find
the best course of action to redress or clarify
the situation.

It was a great pleasure
and an honour to be with you in Zaire.
I remain as you know at your disposal.

With kind regards

Michel Moussalli

Ambassador Shaharyar Khan
Special Representative of the
Secretary-General of the UN
UNAMIR
KIGALI

Geneva, 18 September 1994

CONFIDENTIAL

To : The High Commissioner

From : Michel Moussalli

**Subject : UN Mission to Zaire on Security in the Rwandese Refugee Camps;
12-14 September 1994**

1) Following my recent debriefing in your office, please find below, in a summarized form, the essential points regarding the mission to Zaire conducted by Ambassador Shaharyar Khan, Special Representative of the Secretary-General, from 12 to 14 September.

2) The mission was received by the following authorities and diplomats: Head of State; Prime Minister; Vice Prime Minister and Minister of Justice; Minister of Defense; Minister of Foreign Affairs; Vice Minister of Interior; US, French, and Belgian Chargé d'Affaires.

Objectives of the Mission

3) According to Ambassador Khan's Terms of Reference, the main objectives of the mission were to discuss with the Zairian authorities the "dramatic increase of violence and tension in the Rwandese refugee camps" and the "measures to be taken to improve security conditions in the refugee camps."

4) To this end, Ambassador Khan asked the following questions to our various interlocutors:

- How to separate the "wolves from the sheep", and at what cost?
- How to ensure the safety of this operation and the security in refugee camps?

Provisional outcome of the discussions

5) The provisional outcome of these discussions can be summarized as follows:

a- Three groups constitute the "wolves": the military; the political leaders; the militia. It appears more judicious to first try to remove the former Rwandese military forces from the Goma and Bukavu areas and place them in distant sites far away from the refugee camps. The Head of State and the Minister of Defense spoke of a minimum of 150 kms. We believe it should be farther away.

b- These sites will have to be identified by a joint Zairian/UN Commission (including UNHCR) which will also determine the logistical requirements and cost of such an operation as well as the modalities for maintaining these sites. The authorities believe that once the soldiers have been demobilized, their families should be able to join them in a second operation. Ambassador Khan stated that the first operation, i.e. transfer of the military to new sites, should be completed within three months. I understand that a preliminary investigation exercise of the joint Zairian/UN commission will start in Kinshasa as from Monday 19 September. Our Office in Kinshasa has been alerted.

- c- The Government wishes key political leaders to leave Zaire and to be granted asylum in some West African French-speaking countries. The Prime Minister has been requested to draw up a list of such persons and to address it to the Secretary-General of the UN.
- d- It will be far more difficult to identify militia elements. It is hoped that, deprived of military and political support, they will gradually disappear from the camps or reduce their pressure on the refugees. But unless credible security forces are established in the refugee camps, militia elements will remain a permanent threat to the refugees and to relief personnel.
- e- The Government admits that Zairian military forces cannot alone ensure security in the camps.
- f- The Government further believes that it cannot alone transfer the military to new sites in the country and maintain security in these new sites.
- g- The Government is therefore considering requesting the United Nations to provide Zaire with some form of UN military assistance. This assistance should help Zairian forces to establish and maintain security in Rwandese military and refugee camps in Zaire.
- h- Various options can be considered in this regard: UN military contingents as in the case of UNAMIR in Rwanda; UN military observers; or UN guards. These options should be explored with the Secretary-General and with friendly countries. The Government has made it clear that, whatever option is adopted, it will want to be able to agree as to which UN contingents or military observers should operate in Zaire.
- i- It does not appear at this juncture and from discussions held in Kinshasa that countries friendly to Zaire (France, Morocco, Egypt, US, Belgium), would have been requested or would be prepared to provide military forces on a bilateral basis to achieve the above-mentioned objectives.
- j- The Government believes that Rwandese military forces in exile in Zaire will not want to resist Zairian decision to transfer them to other sites as Zaire is considered a friendly country by the previous régime in Rwanda. A country whose support will remain indispensable in the future.
- k- Resort to Chapter 7 of the UN Charter was discussed. UNAMIR Deputy Force Commander, General Anyidoho Henny, from Ghana, who accompanied the mission to Zaire, strongly felt that UN Forces in Zaire should be able to operate under Chapter 7 of the Charter. He regarded UNAMIR impotence in Rwanda during the April massacres as disastrous and scandalous. He considered that UN forces in Zaire operating under Chapter 6 will not be credible and will therefore be useless.
- l- It does not appear realistic however to consider that the Zairian Government could agree to formulate such a request or that the Security Council could follow such a course of action. The Prime Minister and the Vice Prime Minister and Minister of Justice were nevertheless hoping that UN military presence in Zaire could resort to enforcement action in case of need. Ambassador Khan was proposing to discuss the matter with his Headquarters in New York to find out whether one could identify a formula close to "Chapter 6 and-a-half".

Conclusions

- 6) Ambassador Khan is relaying these various ideas and proposals to the Secretary-General. He very much hopes that discussions will then take place between those concerned in the UN system to determine and agree on a common position and course of action. He will also expect to receive from the mission proceeding this week to Zaire a preliminary assessment of the logistical requirements and cost involved in the proposed transfer to new sites of the former Rwandese military forces. Further discussions will then be necessary between the agencies concerned to determine implementation modalities.
- 7) Depending on his Headquarters reaction and on developments in the area, Ambassador Khan then proposes to visit again Kinshasa towards the middle of October to relay the UN position to the Zairian Government and to obtain the appropriate request from the Prime Minister of Zaire addressed to the Secretary General of the UN. The Prime Minister has already suggested that a draft letter for his signature be prepared by Ambassador Khan containing the precise requests that the Secretary-General and the UN would like to receive from the Government of Zaire.
- 8) It should be noted here that the position on this issue of the new Rwandese Government is not too clear. While in Addis Ababa for the OAU Symposium, UNHCR was requested by the Rwandese Delegation, on 8 September, to use its influence with the US and France to obtain their support and assistance towards the removal of the former Rwandese military forces and political leaders from the Goma and Bukavu areas. However the Vice Prime Minister and Minister of Justice of Zaire who led a Zairian Delegation to attend a meeting in Goma with their Rwandese counterparts, in early September, felt that the Rwandese Government position on this issue had changed. Apparently the Rwandese Minister of Interior attending the meeting in Goma to discuss this issue, among other matters, would have requested that the question of the removal of the military and political leaders from the Goma and Bukavu areas be taken out from their agenda. It is only at the insistence of the Zairian Delegation that this question remained on their agenda.
- 9) Allow me, in conclusion, to state how pleased I was to be able to accompany on this mission Ambassador Khan and his team. Ambassador Khan is a great friend of UNHCR; a man of courage and determination who serves with imagination the cause of the United Nations.

Geneva, 18 September 1994