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*LMH 062/80*

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MY TELNO 1263: RWANDA

### SUMMARY

1. Secretariat brief Council on developments in Rwanda. Situation still precarious. Large numbers killed, mostly Rwandans. No more UNAMIR fatalities but two Belgian and two French civilians killed. Force Commander and Special Representative still trying to negotiate cease-fire and agreement on some form of interim authority. Force Commander says he needs 24 hours to continue negotiations with the parties before taking any decisions on possible changes to UNAMIR's mandate or evacuations. Secretary-General also writes to Council President confirming that UNAMIR's current mandate would not allow it to help with an evacuation of UN civilian staff and foreign nationals. Agreement that, if the situation deteriorates overnight and further Council action is required, a meeting will be held on 9 April.

2. French, Belgian and Americans inform us separately that plans are underway for the possible evacuation of their nationals via national channels. DPKO content for this to go ahead if necessary but want UNAMIR to be included if an evacuation takes place. Some disagreement between them on the need for Security Council action to enable an evacuation to take place. Council meeting on 9 April likely.

### DETAIL

3. Iqbal Riza (Assistant Secretary-General, DPKO) gave a briefing on latest developments in Rwanda during informal consultations of the Security Council on 8 April. The situation remained very precarious. Large numbers of people had been killed, mostly Rwandans. There had been no more UNAMIR fatalities although four

had been injured, two seriously (one of the seriously injured was Uruguayan but there are no details on the others). In addition to this two Belgian civilians had been killed. The Force Commander was trying to get the factions to agree to a cease-fire. There were a number of armed groups active in Kigali: the Gendarmerie, the Presidential Guard, the Rwandan Army and various other militias. The Gendarmerie were the most positive about the idea of a cease-fire and the Presidential Guard the most negative. The Force Commander believed that a cease-fire was a possibility. The RPF had (as reported in TUR) left their barracks in Kigali and engaged the Presidential Guard. The RPF now had control of the approach to the airport. UNAMIR had so far been able to prevent the RPF from moving across the DMZ. The DMZ remained tense but the rest of the country was calm.

4. The Secretary-General's Special Representative Booh-Booh (SGSR) was trying to set up some kind of interim authority involving military and political elements to take charge of the country. He was hampered by the chaotic situation in Kigali and the fact that the phone system had broken down. The RPF were inclined to enter an interim authority. The Gendarmerie and the Rwandan army were not opposed. Negotiations continued.

5. Keating (New Zealand, Council President) briefed Council members on a meeting he had just had with a representative of the RPF. He had renounced again RPF responsibility for the attack on the President's aeroplane. The RPF had shown restraint and maintained their positions. They would prefer any evacuation of foreign nationals to be undertaken by UNAMIR but any evacuation plan should be discussed with RPF through UNAMIR to avoid any inadvertent hostile action. If an evacuation force remained in Rwanda longer than necessary it would be considered by the RPF a hostile force. The RPF were totally opposed to any change in UNAMIR's mandate which gave it a combat role (although they accepted the use of force in self-defence). Furthermore, any intervention by UNAMIR in RPF movements would be considered hostile.

6. Merimee (France) said that the main objective was to establish some kind of political authority since there was now a vacuum. UNAMIR was playing a positive role. The SGSR and Force Commander were working towards the beginnings of some kind of political authority. This was a positive move. On the question of evacuation, it was difficult to forecast what would happen. Two

French civilians had been killed. If the situation got worse then an evacuation would have to be considered.

7. Gambari (Nigeria) said the African group would meet soon to discuss the issue. They saw some disturbing parallels with events in Congo in the sixties. Unless something was done quickly, the situation might get worse. Gambari asked about the plans of some Member States to intervene unilaterally to protect their civilians. What would the UN think about such a move? Riza said the Secretariat had received no information on bilateral plans for evacuation. The SGSR and Force Commander were trying to keep in touch not only with the UN but also with civilians. The Force Commander had asked for clarification of UNAMIR's mandate and Headquarters had clarified that evacuation was not within the mandate and in any case it did not have the assets to accomplish an evacuation. The SGSR confirmed that if a cease-fire could be negotiated then the first thing after that would be get permission for an organised evacuation of UN and other civilians.

8. Keating (New Zealand, Council President) said that he was being asked by the press about the rules of engagement for the Force. While the rules of engagement were within the purview of the Secretary-General, the Council did have an interest. Riza said that current rules of engagement permitted the use of force only in self-defence or if forced to protect Rwanda dignitaries whom they were guarding. The Force Commander had also recently authorised use of deterrent fire (ie firing in the air). Riza added that the Prime Minister designate was safe in UNAMIR headquarters.

9. Riza then handed a letter from the Secretary-General to the Council President which had just arrived (text by fax to AD(E)). The letter gave a brief update of UNAMIR's efforts to secure a cease-fire (which added nothing to Riza's briefing). Boutros-Ghali noted the Security Council's concern expressed in its statement about safety and security of foreign communities in Rwanda and of UNAMIR and other UN personnel. It was quite possible that the evacuation of UN civilian staff as well as other foreign nationals might become unavoidable. UNAMIR's mandate and rules of engagement would not allow it to help. He also said that if UNAMIR were required to effect an evacuation an additional two to three battalions would be needed.

10. Merimee (France) said that the letter from the Secretary-General gave an outline of what the Council might do. If

there were no deterioration in the situation and some kind of political authority were installed there would be no need for a change in the mandate or rules of engagement. If the situation deteriorated and an evacuation became a real possibility then the Council needed to look at UNAMIR's mandate. He added that the first duty of Member States was to ensure the safety of their nationals. If under an emergency situation France had to send a battalion to Rwanda this would be exclusively to evacuate its citizens and would be done in full cooperation with the UN.

11. Walker (US) said the situation in Rwanda was very grave. According to American information, any evacuation under current circumstances would be complex military operation which could not be done at short notice unless done nationally. Marker (Pakistan) said that if evacuation of UNAMIR personnel looked as if it might be necessary then the Council could amend the mandate or the rules of engagement straightaway. Riza said that contingency planning was underway. But the Force Commander had said he wanted another 24 hours to determine whether he needed reinforcement or a strengthened mandate.

12. Walker (US) said that SCR 872 gave a mandate to UNAMIR to contribute to safety and security in Kigali and to help with humanitarian relief operations. As far as the US were concerned, this could be interpreted to mean UNAMIR already had a mandate for helping with an evacuation. Sardenberg (Brazil) said that the Secretary-General's letter should be seen as a warning. Riza had said that the Force Commander needed 24 hours. It would be best to give him 24 hours and to confine any Council reaction to encouraging and supporting UNAMIR's efforts to achieve a cease-fire. Keating said he was willing to speak to the press along those lines. He also asked the Secretariat to brief him on 9 April on developments. If the situation warranted then he would call a Council meeting that day.

#### CONTACTS WITH THE FRENCH, BELGIANS AND AMERICANS

13. We have had a number of contacts during the day with our French, Belgian and US colleagues about possible evacuation. The strong implication was that all three had taken or were near to taking the decision to evacuate, and that they would wish to do so nationally rather than as part of a UN operation but - as the French and US interventions in the Security Council implied - in close cooperation with the UN.

14. The three Missions met with Annan (Under-Secretary-General for Peace-keeping) during the course of the afternoon. According to our French colleagues, Annan said that UNAMIR were under great pressure and had supplies only for another four days. They might need early help. The UN could not evacuate the Force with the airport closed and would need the assistance of national forces. They had not yet reached the point of requesting evacuation. But if foreign communities were evacuated, UNAMIR must be evacuated too. UNAMIR would be ready to cooperate in the evacuation if the airport was open.

15. Our French colleagues said that Annan informed them that the Secretary-General was insistent that the Security Council should be consulted before an evacuation involving UNAMIR. He was concerned at the precedent which would be created if this were not done. His preferred scenario was one which he received a letter from the Member States concerned (ie the US, France and Belgium) informing him of their intention to act. He would then transmit this to the Security Council and inform it additionally that UNAMIR was not able to perform its mandate. The final step in this procedure, our French colleagues thought, might be a Chapter VII Security Council resolution authorising Member States acting nationally in cooperation with the Secretary-General to take all necessary steps to evacuate the foreign communities and UNAMIR. (The French thought there would be sufficient votes for such a resolution,

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16. Our French colleagues told us that they were working on the assumption that there were 3/4000 foreigners in Rwanda excluding the 2500 plus belonging to UNAMIR.

COMMENT

17. It is not entirely clear what the purpose of an SCR would be. We would presumably not wish to imply that Council authorisation is legally necessary for the evacuation of nationals (or indeed for Member States to assist in the evacuation of UN personnel).

18. All this may now be overtaken. The New Zealand Mission informed us late on 8 April that the French have already gone in, with 3 planes and 150 troops (with more to follow) to secure the airport. They said that a Council meeting on 9 April is very likely.

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