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0 211236Z JUN 93 FM AMEMBASSY DAR ES SALAAM TO SECSTATE WASHDC IMMEDIATE 1746 AMEMBASSY KIGALI PRIORITY USMISSION USUN NEW YORK PRIORITY AMEMBASSY KAMPALA PRIORITY AMEMBASSY BUJUMBURA PRIORITY AMEMBASSY ADDIS ABABA PRIORITY AMEMBASSY BRUSSELS PRIORITY AMEMBASSY PARIS PRIORITY AMEMBASSY BAMAKO PRIORITY USCINCEUR VAIHINGEN GE PRIORITY AMEMBASSY BONN PRIORITY AMEMBASSY BRAZZAVILLE PRIORITY AMEMBASSY DAKAR PRIORITY AMEMBASSY LAGOS PRIORITY AMEMBASSY LIBREVILLE PRIORITY AMEMBASSY NAIROBI PRIORITY USMISSION GENEVA PRIORITY

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STATE FOR AF/C-FULLER, AF/RA, RP ALSO PARIS FOR PERLOW, BRUSSELS FOR DUBROW, GENEVA FOR RMA

E.O. 12356: N/A TAGS: PREF, PREL, MOPS, PGOV, OAU, RW, TZ SUBJECT: ARUSHA PEACE TALKS: ITCHING TOWARD CONCLUSION

UNITED STATES DEPARTMENT OF STATE REVIEW AUTHORITY: CHARLES L DARIS DATE/CASE ID: 10 JAN 2006 200103014

FOLLOWING REPORT WAS PROVIDED BY KIGALI DCM JOYCE LEADER.

1. SUMMARY. THE ANNOUNCED SIGNING DATE PASSED WITH LITTLE FANFARE AS THE GOVERNMENT OF RWANDA AND THE RPF CONTINUED NEGOTIATIONS THROUGHOUT THE WEEKEND CULMINATING IN DIRECT TALKS BETWEEN THE TWO DELEGATIONS THE EVENING OF JUNE 20 AT WHICH SEVERAL MISCONCEPTIONS WERE CLARIFIED AND PENDING ISSUES RESOLVED. APPLICATION OF THE 50-50 RATIO AT THE COMMAND LEVEL OF THE ARMY AND GENDARMERIE REMAINS THE ONLY SERIOUS OUTSTANDING ISSUE. TIMING OF THE FORMATION OF THE BROAD-BASED GOVERNMENT MAY BE DECIDED FINALLY AT DIRECT TALKS JUNE 21. MEANWHILE, NMOG EXPANSION HAS BECOME A HIGHLY EMOTIVE ISSUE FOR OAU COUNTRIES AND THE GOR DELEGATION HAS HAD TO TRY ONCE AGAIN TO MAKE CLEAR ITS SUPPORT FOR THE OAU FORCE. THE RPF SAID PRIVATELY IT HAS WITHDRAWN OBJECTIONS TO THE UN BORDER FORCE REQUESTED BY LIMITED OFFICIAL USE

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PAGE 03 DAR ES 03236 01 OF 03 211244Z THE GOVERNMENTS OF RWANDA AND UGANDA. THE UNANNOUNCED TARGET DATE FOR SIGNING IS NOW JUNE 24, WITH EXTENSIVE PAPER WORK STILL TO BE COMPLETED. THERE IS A MOOD OF OPTIMISM, HOWEVER, THAT THESE TALKS ARE NEARLY OVER. END SUMMARY.

SIGNING DATE PASSES.

2. THE ANNOUNCED DATE FOR SIGNING THE RWANDA PEACE ACCORD, JUNE 19, PASSED WITHOUT FANFARE. THE TANZANIANS SIMPLY ADVISED OBSERVERS THAT CONSULTATIONS WERE STILL UNDERWAY WITH RWANDA ON THE DATE. NO NEW DATE HAS BEEN ANNOUNCED HERE, ALTHOUGH BOTH SIDES ARE WORKING TOWARD JUNE 24, THE DATE ANNOUNCED ON RADIO RWANDA. TANZANIA'S PROTOCOL CHIEF ARRIVED IN ARUSHA JUNE 20 TO BEGIN MAKING ARRANGEMENTS FOR THE SIGNING CEREMONY.

NEGOTIATIONS CONTINUE.

3. MEANWHILE THE TWO SIDES CONTINUED NEGOTIATIONS IN SEPARATE CONSULTATIONS WITH THE FACILITATOR'S REPRESENTATIVE THROUGHOUT THE WEEKEND. DISCUSSIONS CULMINATED IN DIRECT TALKS BETWEEN THE TWO SIDES THE EVENING OF JUNE 20 AT WHICH A NUMBER OF LOOSE ENDS WERE TIED. THE ATMOSPHERE WAS REPORTEDLY GOOD AND THE PACE, ONE LIMITED OFFICIAL USE

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PAGE 04 DAR ES 03236 01 OF 03 211244Z OF URGENCY. DIRECT TALKS WILL CONTINUE JUNE 21 ON THE TIMING OF THE FORMATION OF THE BROAD-BASED GOVERNMENT AND ON THE ONLY PENDING ISSUE THAT REMAINS DIVISIVE, THE APPLICATION OF THE 50-50 FORCE PROPORTION RATIO TO THE ARMY AND GENDARMERIE COMMAND.

4. SEVERAL SIGNIFICANT ISSUES HAVE BEEN RESOLVED.

--GENDARMERIE A FORCE OF 1,800 WILL REMAIN ON ACTIVE DUTY WHILE INTEGRATION TRAINING IS IN PROGRESS.

--DURATION OF THE TRANSITION. THE PERIOD WILL

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STATE FOR AF/C-FULLER, AF/RA, RP ALSO PARIS FOR PERLOW, BRUSSELS FOR DUBROW, GENEVA FOR RMA

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BE 22 MONTHS FROM FORMATION OF THE BROAD-BASED GOVERNMENT, WITH THE POSSIBILITY OF ONE EXTENSION FOR EXCEPTIONAL CIRCUMSTANCES. THE DECISION TO EXTEND MUST BE TAKEN IN CONSULTATION WITH THE UN, THE OAU, AND THE FACILITATOR AND RECEIVE THE SUPPORT OF ALL MEMBERS OF THE

GOVERNMENT AND 3/5 OF THE NATIONAL ASSEMBLY.

--CONSTITUTION/PEACE ACCORD. THE TWO SIDES HAVE AGREED ON 45 ARTICLES OF THE CONSTITUTION THAT ARE SUPERSEDED BY THE PEACE ACCORD.

5. A GROUP OF LAWYERS AND EDITORS FROM BOTH SIDES ARE WORKING FLAT OUT TO PREPARE THE TEXTS, IN FRENCH AND ENGLISH, OF THE TWO PROTOCOLS YET TO BE SIGNED, ONE ON MILITARY MATTERS, WHICH IS EXPECTED TO BE ABOUT 100 PAGES, AND ONE COVERING OTHER MATTERS SUCH AS DURATION AND RELATIONSHIP OF THE ACCORD WITH THE CONSTITUTION. POWER OUTAGES, WHICH DELAYED SIGNING OF THE REFUGEE LIMITED OFFICIAL USE

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PAGE 03 DAR ES 03236 02 OF 03 211246Z PROTOCOL AND HELD UP WORK FOR FOUR HOURS JUNE 20, POSE A SERIOUS PROBLEM. THE 2-3 PAGE PEACE ACCORD ITSELF IS IN DRAFT AND HAS YET TO BE SEEN BY THE RPF.

NMOG EXPANSION.

6. AT AN OBSERVER MEETING JUNE 19, OAU AND AFRICAN OBSERVERS AS WELL AS THE FACILITATOR PASSIONATELY DEFENDED OAU RELUCTANCE TO SEND MORE TROOPS INTO RWANDA, AND INDEED, MENTIONED POSSIBLE PULL-OUT OF THOSE NOW THERE, ON GROUNDS THAT THE GOVERNMENT OF RWANDA CONTINUES TO SEND "CONFUSING SIGNALS" ON ITS SUPPORT FOR THE NMOG FORCE. ONE OBSERVER SAID NMOG, THE OAU/SYG, THE OAU AND COUNTRIES PROVIDING NMOG TROOPS HAVE BEEN "HUMILIATED" BY AN OAU MEMBER STATE. THE FACILITATOR SAID SEVERAL TIMES THAT "THE KIGALI GOVERNMENT DOES NOT WANT NMOG." THEY CITE THE CONTRADICTORY MESSAGES CARRIED BY PRESIDENTIAL ENVOYS TO THE UN AND OAU SYGS, ALLEGED SHIFTS IN THE GOVERNMENT'S NEGOTIATING POSITION ON THIS ISSUE, AND A DELAY OF NOW 5 DAYS FOR THE GOVERNMENT TO SIGN A JOINT REQUEST TO THE OAU/SYG FOR EXPANDING NMOG FURTHER AND EXTENDING AND MODIFYING ITS POST PEACE ACCORD MANDATE.

7. THE U.N., U.S. AND FRENCH OBSERVERS ARGUED THAT THE GOVERNMENT UNDERSTANDS AND SUPPORTS THE

UNCLASSIFIED NEED FOR EXPANDING NMOG, EXTENDING AND MODIFYING LIMITED OFFICIAL USE

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PAGE 04 DAR ES 03236 02 OF 03 211246Z ITS MANDATE, AND CONVERTING IT TO AN ADVANCE BATALLION OF THE UN-LED NEUTRAL INTERNATIONAL FORCE (NIF) ONCE A SECURITY COUNCIL RESOLUTION IS PASSED. THEY URGED THE FACILITATOR TO CONFIRM THIS POSITION WITH THE GOR AND THE OAU TO MOVE ON EXPANSION AS QUICKLY AS POSSIBLE. THE TWO PARTIES WILL DISCUSS THIS ISSUE IN DIRECT TALKS JUNE 21. IT IS INTIMATELY LINKED TO THE TIMING OF FORMATION OF THE BROAD-BASED GOVERNMENT.

8. COMMENT. THE INTENSITY OF THE EMOTION AGAINST THE GOR, AND PRESIDENT HABYARIMANA IN PARTICULAR, FOR PERCEIVED PERFIDY ON THE NMOG MATTER HAS APPARENTLY KEPT SOME PARTIES FROM HEARING WHAT RWANDA'S HEAD OF DELEGATION HAS

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BEEN SAYING. THE MINISTER TOOK TIME TO REITERATE HIS SUPPORT FOR NMOG IN PRIVATE SESSION ON JUNE 20 WITH OAU OBSERVERS FELLI AND FALL AND WITH AMBASSADOR MPUNGWE. THE GOR ALSO SENT A DIPLOMATIC NOTE TO THE OAU/SYG ON JUNE 18 REQUESTING EXTENSION OF NMOG UNTIL AN NIF IS IN PLACE, AND EXPANSION AND MODIFICATION OF THE MANDATE TO INCLUDE PROVISION OF SECURITY IN THE BUFFERZONE, DECIDED BY THE TWO PARTIES AT KINIHIRA. THE JRPF HAS AGREED TO REINFORCE THIS UNILATERAL REQUEST IF NECESSARY.

BORDER OBSERVER FORCE.

9. THE DRAFT U.N. RESOLUTION FOR AN OBSERVER FORCE AT THE UGANDA-RWANDA BORDER IS CIRCULATING HERE. RPF DELEGATE TOLD U.S. OBSERVER ON JUNE 20 THAT THE RPF "HAS WITHDRAWN" ITS OBJECTIONS TO THIS FORCE, AND HE SAID THAT UGANDA WANTS THE LIMITED OFFICIAL USE

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PAGE 03 DAR ES 03236 03 OF 03 211246Z FORCE. 10. COMMENT. THIS SHOULD REMOVE WORRIES THAT EARLY PASSAGE OF THE RESOLUTION WOULD PROVOKE THE RPF INTO JEOPARDIZING THE PEACE ACCORD.

COMMENT.

11. RESOLUTION OF THE MAJOR PENDING ISSUE WILL REQUIRE THE RPF TO ABANDON ITS TENACIOUSLY HELD POSITION AND ACCEPT THE FACILITATOR'S PROPOSAL TO APPLY THE 50-50 RATIO ONLY TO THE HIGH COMMAND POSITIONS OF THE GENDARMERIE AND THE ARMY. IF THIS HAPPENS, THE USG MAY WANT TO COMMEND THE RPF FOR A STEP THAT REPRESENTS A COMMITMENT TO PEACE AND A CONTRIBUTION TO CONFIDENCE-BUILDING.

12. COMPLETING BOTH NEGOTIATIONS AND PAPERWORK BY JUNE 24 WILL NOT BE EASY. BUT THERE SEEMS TO BE COMMITMENT ON BOTH SIDES TO THIS TIMETABLE. THE TANZANIANS ARE FIRM THAT THEIR COMMITMENT TO THE PROCESS IS STRETCHING THE GOVERNMENT BEYOND ITS LIMITS AND THAT THE TALKS MUST CONCLUDE NOW. END.

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