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CONFIDENTIAL

PAGE 01 KIGALI 01335 01 OF 04 281112Z
ACTION AF-01

RELEASED IN PART
B1

INFO	LOG-00	CIAE-00	C-01	OASY-00	DODE-00	DOEE-00	EUR-01
	HA-09	H-01	TEDE-00	INR-00	IO-16	L-01	ADS-00
	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01	PM-01	PRS-01
	P-01	SNP-00	SP-00	SS-00	TRSE-00	T-00	USIE-00
	RPE-01	PMB-00	/038W				

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P 281105Z MAR 94
 FM AMEMBASSY KIGALI
 TO SECSTATE WASHDC PRIORITY 6055
 INFO AMEMBASSY BRUSSELS PRIORITY
 AMEMBASSY BUJUMBURA PRIORITY
 AMEMBASSY DAR ES SALAAM PRIORITY
 AMEMBASSY KAMPALA PRIORITY
 AMEMBASSY KINSHASA PRIORITY
 AMEMBASSY NAIROBI PRIORITY
 AMEMBASSY PARIS PRIORITY
 AMEMBASSY YAOUNDE PRIORITY
 USCINCEUR VAHINGEN GE//ECJ4-SAAA// PRIORITY
 USMISSION USUN NEW YORK PRIORITY

C O N F I D E N T I A L SECTION 01 OF 04 KIGALI 01335

YAOUNDE FOR DAO

E.O. 12356: DECL:OADR
 TAGS: PGOV, PINR, RW
 SUBJECT: CDR ISSUE PROVES INTRACTABLE
 CONFIDENTIAL

CONFIDENTIAL

PAGE 02 KIGALI 01335 01 OF 04 281112Z

REF: KIGALI 1323

1. CONFIDENTIAL - ENTIRE TEXT.
2. SUMMARY. EFFORTS THROUGHOUT THE WEEKEND HAVE FAILED TO RESOLVE THE ISSUE OF CDR'S PARTICIPATION IN THE TRANSITION ASSEMBLY. THE RPF POSITION -- "NOT NOW, BUT MAYBE LATER" -- PUTS THEM AT ODDS WITH THE DIPLOMATIC COMMUNITY WHICH CONTENDS THAT ALL REGISTERED PARTIES ADHERING TO THE PEACE ACCORD SHOULD PARTICIPATE IN THE TRANSITION INSTITUTIONS FROM THE BEGINNING. A MECHANISM THAT ASSURES CDR PARTICIPATION AND SATISFIES RPF DOUBTS ABOUT CDR COMMITMENT IS NEEDED TO BREAK THIS NEW POLITICAL IMPASSE. END SUMMARY.

THE SEARCH GOES ON

3. FOLLOWING THE ABORTED SWEARING-IN CEREMONY 3/25, ARUSHA OBSERVERS AND UNAMIR HAD A FOUR-HOUR MEETING WITH CURRENT PRIME MINISTER, FOREIGN MINISTER, PRESIDENT'S COUNSELOR, AND THE RPF TO EXAMINE HOW TO RESOLVE DIFFERENCES BETWEEN THE PRESIDENT'S LIST AND THAT OF THE PRIME MINISTER FOR NATIONAL ASSEMBLY DEPUTIES, INCLUDING THE ISSUE OF WHETHER THE CDR WOULD BE SWORN IN. UNAMIR COUNSELOR KANE PROPOSED SEVERAL FORMULAS FOR MOVING THE PROCESS FORWARD. THE RPF REJECTED THEM ALL ON GROUNDS THERE COULD BE NO GUARANTEED SEAT FOR THE CDR IN THE TRANSITION NATIONAL ASSEMBLY. IF CDR BEHAVIOR WARRANTED,
CONFIDENTIAL

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PAGE 03 KIGALI 01335 01 OF 04 281112Z
HOWEVER, THE RPF SAID IT WOULD LOBBY OTHER PARTIES ON THE CDR'S BEHALF ONCE THE INSTITUTIONS WERE IN PLACE. THE RPF AGREED TO MEET THE CDR TO EXAMINE THE ISSUES, BUT NO RPF-CDR MEETING HAS YET OCCURRED.

4. AS THE MEETING WAS BREAKING UP, AMBASSADOR ENCOURAGED RPF'S MAZIMHAKA TO FIND MECHANISMS THAT WOULD GIVE THE CDR CONFIDENCE THAT IT WOULD BE INCLUDED IN THE TRANSITION ASSEMBLY WHILE AT THE SAME TIME SATISFYING THE RPF'S CONCERNS ABOUT BEHAVIOR.

5. COMMENT. ACCORDING TO [REDACTED] MAZIMHAKA CHOSE TO PORTRAY AMBASSADOR'S RECOMMENDATION AS A WEAKING OF US POSITION AND ACCEPTANCE OF CDR ENTRY AT SOME LATER DATE. WE REAFFIRMED [REDACTED] OUR POSITION THAT CDR, UNDER THE TERMS OF THE ARUSHA ACCORD, HAS A RIGHT TO AN ASSEMBLY SEAT NOW. WHAT IS NEEDED IS A CLEARLY UNDERSTOOD MECHANISM THAT WOULD SUFFICIENTLY SATISFY BOTH PARTIES SO AS TO PERMIT THE INSTITUTIONS TO BE ESTABLISHED. END COMMENT.

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RPF INSISTS NO CDR NOW...

6. AMBASSADOR TRIED TO REACH RPF'S MAZIMHAKA MORNING 3/26. IN RETURNING THE CALL, MAZIMHAKA CONNECTED WITH DCM WHO MET WITH HIM AND FUTURE HEALTH MINISTER COL. DR. JOSEPH KAREMERA AT CND FOR ONE AND A HALF HOURS. DCM COVERED TALKING POINTS PROPOSED REF A, EMPHASIZING ARUSHA PROVISION FOR ALL PARTIES TO BE REPRESENTED IN TRANSITION ASSEMBLY NOW (ART. 61).
CONFIDENTIAL

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PAGE 04 KIGALI 01335 01 OF 04 281112Z
SHE POSTULATED THAT, UNDER THE ARUSHA ACCORD, SIGNING
THE CODE OF ETHICS WAS THE DEMONSTRATION OF
COMMITMENT TO THE PEACE PROCESS REQUIRED AS A
PREREQUISITE TO PARTICIPATION (ART. 61) AND THAT
THERE WAS NO PREREQUISITE TO SIGNING THE CODE. SHE
REJECTED ACCUSATIONS THAT US POSITION ENHANCED CDR
STATUS AND SUPPORTED CDR VIOLENCE, SAYING IT WAS
INSTEAD SUPPORT FOR INCLUSION OVER EXCLUSION AND
SUPPORT FOR A STABLE PEACE. SHE NOTED THAT ONCE THE
CDR SIGNED THE CODE, CDR VIOLATIONS WOULD BE SUBJECT
TO SANCTIONS AS PROVIDED IN ARTICLES 81 AND 82.

CONFIDENTIAL

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PAGE 01 KIGALI 01335 02 OF 04 281114Z
ACTION AF-01

INFO	LOG-00	CIAE-00	C-01	OASY-00	DODE-00	DOEE-00	EUR-01
	HA-09	H-01	TEDE-00	INR-00	IO-16	L-01	ADS-00
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-----35122C 281114Z /38

P 281105Z MAR 94
FM AMEMBASSY KIGALI
TO SECSTATE WASHDC PRIORITY 6056
INFO AMEMBASSY BRUSSELS PRIORITY
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CONFIDENTIAL

CONFIDENTIAL

PAGE 02 KIGALI 01335 02 OF 04 281114Z

7. THE RPF INSISTED THAT CDR ENTRY INTO THE TRANSITION ASSEMBLY NOW WOULD VIOLATE THE PEACE ACCORD AND AMOUNT TO THE RPF CONDONING VIOLENCE AND SECTARIANISM. REFERRING TO ART. 61, MAZIMHAKA CONTENDED THAT THE CDR MUST DEMONSTRATE COMMITMENT TO THE PEACE PROCESS AND RENOUNCE VIOLENCE BEFORE GAINING ACCESS TO THE CODE OF ETHICS AND, THUS, TO THE TRANSITION INSTITUTIONS. ENTRY AFTER ESTABLISHMENT OF THE INSTITUTIONS WOULD DEPEND, HE SAID, ON CDR BEHAVIOR. DEMONSTRATION BY DEEDS NOT JUST WORDS, HE CLAIMED, IS A PREREQUISITE FOR SIGNING THE CODE OF ETHICS. HE ALSO HINTED THAT OTHER PARTIES, NOT ONLY THE RPF, QUERIED CDR PARTICIPATION.

8. MAZIMHAKA ARGUED THAT CDR BEHAVIOR SINCE THE JANUARY 1993 SIGNING OF THE POWER-SHARING PROTOCOL DISQUALIFIED IT FROM AUTOMATIC ENTRY INTO THE TRANSITION INSTITUTIONS. THE CDR, HE MAINTAINED, HAD IN THE INTERIM DENOUNCED THE PEACE ACCORD, REFUSED TO SIGN THE CODE OF ETHICS, USED VIOLENCE, AND ESPOUSED SECTARIANISM. INDEED, HE CONTINUED, AFTER EXPRESSING WILLINGNESS TO SIGN THE CODE DECEMBER 29, 1993, CDR HAD CONTINUED TO USE VIOLENCE. HE CITED THE DEMONSTRATION AT THE FOREIGN MINISTRY AND SACKING OF THE CONSTITUTIONAL COURT OFFICES 2/21 AND CLAIMED THE CDR HAD, ON 3/25, HELD HOSTAGE STUDENTS AT A KIGALI TECHNICAL SCHOOL RUN BY AN RPF MEMBER. (NOTE. CDR DENIES THIS ALLEGATION. UNAMIR INVESTIGATED AND FOUND NO HOSTAGES OR ANY LINK TO THE CDR. END NOTE.)

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 KIGALI 01335 02 OF 04 281114Z
9. RPF INTERLOCUTORS AGREED THAT HAVING THE CDR BOUND BY THE TERMS OF THE CODE OF ETHICS AND SUBJECT TO SANCTIONS FOR FAILING TO ADHERE TO THEM WOULD BE GOOD. MAZIMHAKA CONTENDED THAT IT WOULD BE POSSIBLE ON A TECHNICAL LEVEL TO FIND WAYS OF USING THE PEACE ACCORD TO ADMIT THE CDR, BUT ONLY ONCE TRANSITION INSTITUTIONS ARE IN PLACE. ON THE POLITICAL LEVEL, HOWEVER, HE SAID THE RPF WOULD NOT/NOT BE INTIMIDATED BY THE CDR AND MUST BE CONVINCED IT HAS RENOUNCED VIOLENCE AND IS COMMITTED TO ADHERING TO THE ACCORD.

THE RPF, HE SAID, WILL NOT/NOT REWARD VIOLENCE.

10. IN CONCLUSION, MAZIMHAKA CLAIMED THE DIPLOMATIC COMMUNITY WAS "LOOKING THE WRONG WAY" BY FOCUSING ON THE CDR PROBLEM. HE ALLEGED THE REAL REASON WHY PRESIDENT HABYARIMANA IS DELAYING INSTALLATION OF TRANSITION INSTITUTIONS IS BECAUSE TRAINING AND NATIONWIDE DEPLOYMENT OF INTERAHAMWE (MRND YOUTH WING) IS INCOMPLETE, TRAINING AND DEPLOYMENT OF THE PALIPEHUTU IN BURUNDI IS INCOMPLETE, AND ARMS IMPORTATION IS PROVING PROBLEMATIC. MAZIMHAKA PREDICTED THAT THE PRESIDENT WILL CONTINUE TO USE DIVERSIONARY TACTICS -- IDENTIFYING PROBLEM AFTER PROBLEM -- TO DELAY INSTALLING THE INSTITUTIONS UNTIL HE GETS HIS WAY.

...BUT MAYBE LATER

11. A LETTER FROM RPF PRESIDENT KANYARENGWE, DATED 3/24 BUT DELIVERED 3/26 TO PRIME MINISTER UWILINGIYIMANA, AFFIRMS THE RPF'S "NOT NOW, BUT MAYBE
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 KIGALI 01335 02 OF 04 281114Z
LATER" POLICY ON CDR PARTICIPATION IN THE TRANSITION INSTITUTIONS. WHILE WELCOMING THE CDR'S STATED COMMITMENT TO RESPECT THE PEACE ACCORD, KANYARENGWE ARGUES THAT THE CDR CONTINUES TO PRACTICE VIOLENCE, DISQUALIFYING IT, BY THE TERMS OF ART. 61, FROM ENTERING THE TRANSITION INSTITUTIONS NOW, ALTHOUGH IT MIGHT QUALIFY AT A FUTURE POINT IN TIME. IN CONCLUDING, HE ASSERTS THAT CDR PARTICIPATION CAN NOT/NOT BE USED AS A CONDITION FOR PUTTING THE TRANSITION INSTITUTIONS IN PLACE. (LETTER FAXED TO AF/C.)

CONFIDENTIAL

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PAGE 01 KIGALI
01335 03 OF 04 281116Z

Date Printed: 05/19/1998

DOC_NUMBER: 94KIGALI01335

CHANNEL: n/a

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ACTION AF-01

INFO	LOG-00	CIAE-00	C-01	OASY-00	DODE-00	DOEE-00	EUR-01
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	RPE-01	PMB-00	/038W				

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P 281105Z MAR 94
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 CONFIDENTIAL

CONFIDENTIAL

PAGE 02 KIGALI 01335 03 OF 04 281116Z

RPF BACKSLIDING?

 12. THE RPF TOOK A PUBLIC STANCE EVENING 3/26 THAT SEEMED TO EXCLUDE CDR FROM EVER PARTICIPATING IN TRANSITION INSTITUTIONS. RPF DEPUTY-DESIGNATE TITO RUTAREMARA TOLD A RWANDA RADIO JOURNALIST THAT THE CDR HAD DISQUALIFIED ITSELF FROM PARTICIPATING IN THE TRANSITION INSTITUTIONS BY REPEATED DENUNCIATIONS OF THE PEACE ACCORD, SECTARIANISM, AND USE OF VIOLENCE. HE CHARGED THAT THE CDR WAS AT THE ROOT OF ALL VIOLENCE IN THE COUNTRY. RUTAREMARA SIDESTEPED A QUESTION ABOUT THE CDR ROLE IN DISPLACING RWANDANS FROM RUHENGERI AND BYUMBA, A REFERENCE TO THE CONSEQUENCES OF THE RPF'S ATTACK ON RUHENGERI FEBRUARY 8, 1993.

PM-DESIGNATE CONTINUES EFFORTS

ate Printed: 05/19/1998

DOC_NUMBER: 94KIGALI01335

CHANNEL: n/a

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13. PRIME MINISTR-DESIGNATE FAUSTIN TWAGIRAMUNGU CALLED AMBASSADOR EARLY 3/27. HE CHARACTERIZED RUTAREMARA'S STATEMENT AS "VERY HARD" AND SAID IT MARKED A STEP BACKWARDS IN THE PROCESS OF RESOLVING THE CDR ISSUE. HE SAID THAT HE AND MOST OF THE RWANDAN PARTIES BELIEVE THE CDR SHOULD BE ADMITTED INTO THE TRANSITION INSTITUTIONS. HE TOLD AMBASSADOR HE WOULD BE MEETING THAT MORNING WITH OTHER POLITICAL PARTIES AND THE RPF TO SEE WHETHER THEY COULD FIND A SOLUTION THAT WOULD ALLOW THE INSTITUTIONS TO BE INSTALLED 3/28, AS RESCHEDULED FOLLOWING THE FAILURE
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 KIGALI 01335 03 OF 04 281116Z
ON 3/25. (PRIME MINISTER'S LETTER ANNOUNCING
SWEARING-IN FAXED TO AF/C.)

CDR CHECKS IN

14. CDR DEPUTY-DESIGNATE JEAN-BOSCO BARAYAGWIZA CALLED AMBASSADOR MORNING 3/27 JUST PRIOR TO A CDR MEETING ON THE ISSUE. THE AMBASSADOR SUGGESTED RUTAREMARA'S STATEMENT MIGHT HAVE BEEN A PLOY TO INDUCE A VIOLENT RESPONSE FROM THE CDR AND THUS PROVE THE RPF'S POINT, I.E., THAT THE CDR HAD NOT YET RENOUNCED VIOLENCE. HE URGED THE CDR TO REITERATE ITS COMMITMENT TO NON-VIOLENCE AND PROMISED TO KEEP ON WORKING TO BREAK THE NEW IMPASSE.

15. BARAYAGWIZA SAID THE CDR WOULD SEND A LETTER TO PRIME MINISTER AND DIPLOMATS REITERATING SUPPORT FOR THE ARUSHA ACCORD AND CDR DEMAND TO BE SEATED IN THE NATIONAL ASSEMBLY NOW. THE AMBASSADOR SUGGESTED THE LETTER ALSO INCLUDE AN EXPLICIT STATEMENT RENOUNCING VIOLENCE. (NOTE. FOLLOWING AN RPF-CDR MEETING LAST THURSDAY, 3/24, THE CDR KEPT ITS WORD AND ISSUED A STATEMENT CALLING ON ITS FOLLOWERS TO EXERCISE CALM ON 3/25, THE DAY PLANNED FOR THE INSTALLATION CEREMONY. THREATENED CDR DEMONSTRATIONS DID NOT/NOT TAKE PLACE. END NOTE.)

16. CDR PASSED BY RESIDENCE AFTERNOON OF 3/27 WITH COPIES OF LETTERS OUTLINING ITS POSITION, ONE TO THE PRESIDENT AND THE OTHER TO THE PRIME MINISTER, RPF AND DIPLOMATS. THE LETTER EXPRESSES APPRECIATION TO
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 KIGALI 01335 03 OF 04 281116Z
ALL FOR SUPPORTING IMMEDIATE, UNCONDITIONAL INCLUSION
OF THE CDR, CLAIMS THE RPF CANNOT SUPPORT ITS

ate Printed: 05/19/1998

DOC_NUMBER: 94KIGALI01335

CHANNEL: n/a

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ALLEGATIONS AGAINST THE CDR, ACCUSES THE RPF OF CIVILIAN MASSACRES IN THE WAR ZONE, AND NOTES THE FAILURE OF THE RPF TO DISCUSS THE ISSUE WITH THE CDR AS RECOMMENDED BY THE 3/35 MEETING OF POLITICIANS AND DIPLOMATS. IN CONCLUDING, THE CDR REAFFIRMS ITS COMMITMENT TO RESPECT THE ARUSHA ACCORD WHICH, IN ITS VIEW "CONSECRAATES THE RULE OF LAW, TOLERANCE, AND NATIONAL RECONCILIATION." (NOTE: THE LETTER, FAXED TO AF/C, DOES NOT EXPLICITLY RENOUNCE VIOLENCE. END NOTE.)

CONFIDENTIAL

NNNN

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PAGE 01 KIGALI 01335 04 OF 04 281117Z
ACTION AF-01

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CONFIDENTIAL

CONFIDENTIAL

PAGE 02 KIGALI 01335 04 OF 04 281117Z

DIPLOMATIC CORPS CONVENES

17. UNAMIR COUNSELOR, TANZANIAN FACILITATOR AND WESTERN AMBASSADORS MET AT US RESIDENCE FOR THREE HOURS AFTERNOON OF 3/27 TO REVIEW SITUATION AND DEVELOP A COMMON POSITION. DURING THE MEETING, CDR DROPPED BY WITH ITS LETTERS (PARA 16 ABOVE) AND PARTICIPATED IN PART OF THE DISCUSSION. THE DIPLOMATS DECIDED TO DRAFT A JOINT DECLARATION SUPPORTING PARTICIPATION OF ALL RECOGNIZED POLITICAL PARTIES WHO ADHERE TO THE ACCORD IN THE TRANSITION INSTITUTIONS FROM THE BEGINNING, AS PROVIDED FOR IN THE PROTOCOL ON POWER-SHARING. THE STATEMENT WOULD ALSO CALL FOR RAPID FORMATION OF THE NATIONAL COMMISSION ON UNITY AND RECONCILIATION TO PROVIDE ITS PRELIMINARY CONCLUSIONS ON POLITICAL BEHAVIOR OF PARTIES IN RELATION TO THE COMMITMENTS PARTIES MADE BY SIGNING THE CODE OF ETHICS. THE DIPLOMATS REVIEWED AND ADOPTED THE DRAFT MORNING OF 3/28. THE STATEMENT (BEING FAXED TO AF/C) IS TO BE SHARED WITH RPF, PRESIDENCY AND PRIME MINISTERS, THEN BROADCAST ON RADIO RWANDA IN KINYARWANDA AT 4 PM AND IN FRENCH AT 8 PM.

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 KIGALI 01335 04 OF 04 281117Z
COMMENT

18. THE PRIME MINISTER ANNOUNCED A SWEARING-IN CEREMONY FOR MORNING 3/28. ONLY PARTIES LOYAL TO HER ATTENDED. WITH THE CDR DEPUTY NOT/NOT SLATED TO BE SWORN IN, THE PRESIDENT AND THE MRND DID NOT SHOW UP. ALSO, MOST OF THE CONCERNED RPF MEMBERS WERE STILL IN MULINDI AND NEVER REQUESTED A UNAMIR ESCORT TO THE CEREMONIES. RPF HAS ISSUED A LONG COMMUNIQUE EXPLAINING ITS ABSENCE FROM THE 3/25 AND 3/28 CEREMONIES AND ITS OPPOSITION TO CDR PARTICIPATION NOW. IT REMAINS TO BE SEEN WHETHER A UNIFIED

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Date Printed: 05/19/1998

DOC_NUMBER: 94KIGALI01335

CHANNEL: n/a

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DIPLOMATIC INITIATIVE CAN BRING SIDES TOGETHER.

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*** Current Handling Restrictions *** n/a
*** Current Classification *** CONFIDENTIAL