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REPORT OF THE THIRD MEETING OF THE
JOINT POLITICAL - MILITARY COMMISSION
ARUSHA, UNITED REPUBLIC OF TANZANIA
22 - 26 OCTOBER, 1992

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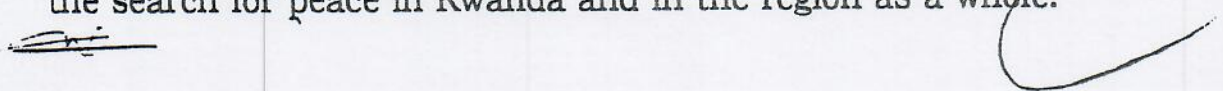
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REPORT OF THE THIRD MEETING OF THE JOINT POLITICAL-
MILITARY COMMISSION (JPMC), ARUSHA, UNITED REPUBLIC OF
TANZANIA, 22 - 26 OCTOBER 1992

OPENING:

1. The third meeting of the Joint Political Military Commission (JPMC) took place at Arusha, United Republic of Tanzania, from 22 to 26 October 1992 under the Chairmanship of H.E. Mr. Romuald MUGEMA, Ambassador of the Republic of Rwanda to Ethiopia and Representative to the OAU.
2. In his opening remarks, Ambassador Mugema welcomed the delegation of the Government of Rwanda led by Ambassador KANYARUSHOKI Claver, the delegation of the Rwandese Patriotic Front led by Mr. Tito RUTAREMARA as well as Observer delegations from Burundi, Senegal, Tanzania, Uganda, Belgium, France, Germany, the United States of America as well as the representative of the OAU Secretary General. He said the last meeting of the JPMC was held in an atmosphere of fraternity and sincerity, and was characterised by the will and commitment on the part of the two parties to work for peace in their country. He called on the Observers to continue to play a very active role in order to bring about an early restoration of peace in Rwanda.
3. He, thereafter, called on the Special Representative of the OAU Secretary General to make a brief statement on behalf of the OAU Secretary General.

Statement by Representative of OAU Secretary General:

4. In a brief statement, Dr. M.T. Mapuranga expressed thanks and appreciation to the government and the people of the United Republic of Tanzania for accepting to shoulder the additional responsibility of playing host to the third Meeting of the Joint Political Military Commission. He stressed that this gesture underscored the commitment of Tanzania to the search for peace in Rwanda and in the region as a whole.
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5. Dr. Mapuranga recalled the deliberations of the Second Meeting of the JPMC held in Addis Ababa, Ethiopia, in September 1992 and reiterated the OAU's gratitude to the donor countries for the support and assistance they have extended to the OAU in order to facilitate the work of the NMOG. He, however, pointed out that lack of adequate logistical and financial resources continue to impede the work of the NMOG and, in this regard, appealed to the Observer countries to ensure the early delivery of their pledged assistance.

6. Addressing the two parties, Dr. Mapuranga drew their attention to the loss of human life and the material destruction caused by the spate of violations of the ceasefire within the period under review. He appealed to them and in particular the forces in the field to ensure the strict adherence to the provisions of the ceasefire agreement and to exercise maximum restraint. The Special Representative noted the efforts made by the Commander and his dedicated group of Observers to demarcate the neutral corridor. He called for the resolution of this matter as soon as possible, and in this regard, called on the two parties to facilitate the NMOG's task.

7. In concluding his remarks, the Special Representative noted that the Rwanda peace process had enabled the OAU to play a pioneering role in an area hitherto outside the domain of the Organisation's preoccupations. He expressed the hope that the work of the JPMC and the experience of the NMOG would be of immense benefit to the organization as it was currently involved in the collection and collation of a corpus of information as well as developing a vade mecum on ceasefire monitoring operations.

8. Dr. Mapuranga informed the meeting that the OAU had already developed a handbook for use by OAU Election Observers and there was the need for a similar document for OAU ceasefire Observers in order to obviate the need to operate on improvisation and on an ad hoc basis.

9. He finally wished the meeting every success.

Statement by Leader of the Rwanda government delegation:

10. The leader of the Rwanda government delegation, Ambassador Kanyarushoki on behalf of his delegation expressed his appreciation to all the Observer countries for their support and assistance.

11. He conveyed the thanks of the government of Rwanda to the governments of Belgium, France, Germany and the United States of America for the material assistance provided to the NMOG.

12. Ambassador Kanyarushoki assured the Commission of his government's commitment to supporting the work of the NMOG pointing to the provision of administrative, logistical and financial support to the Group. On this score, he appealed to the donor countries and others to continue to provide the necessary means to enable the NMOG carry out its task efficiently and effectively.

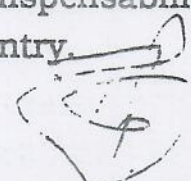
13. On the establishment of the neutral corridor, Ambassador Kanyarushoki informed the meeting of the acceptance, by the Rwanda government, to meet with the RPF in order to resolve this matter. He attributed the continued violations of the ceasefire to the absence of such a corridor. He deplored the violations of the ceasefire which had occurred in particular the shelling of civilian targets in Byumba by the RPF forces.⁴

14. He finally commended the work of the NMOG.

Statement by Leader of the Rwandese Patriotic Front delegation:

15. In his brief statement to the opening session of the JPMC, Mr. Tito Rutaremara, leader of the RPF delegation reminded the meeting that they were in Arusha within the framework of efforts to bring peace to Rwanda. He said there could be no peace in the country as long as the people were oppressed and, in this regard, called for cooperation, understanding and tolerance between the two parties to the conflict.

16. Mr. Rutaremara concluded by stressing the indispensability of peace in Rwanda to the development and unity of the country.



ADOPTION OF THE AGENDA:

17. After a request by the leader of the RPF delegation that item 8 be discussed alongside item 6, the meeting adopted the following agenda.

1. Opening.
2. Brief Statement by Special Representative of the OAU Secretary General to Rwanda.
3. Statements by:
 - i) Leader of the Rwanda Government delegation.
 - ii) Leader of the Rwandese Patriotic Front delegation.
4. Adoption of the Agenda.
5. Organization of Work.
6. Report of the Commander of the Neutral Military Observer Group:
 - a) Status of Deployment of the NMOG;
 - b) Demarcation of the Neutral Corridor;
 - c) Ceasefire Violations since September 30, 1992;
 - d) Status of Resource Mobilization.
7. Consideration of the Report of the Commander of the Neutral Military Observer Group (NMOG)
8. Follow up of Matters discussed by the Second Meeting of the JPMC:
 - (a) Withdrawal of foreign troops
 - (b) Radio propaganda
 - (c) Human Rights violations
 - (d) Prisoners of War

9. The process of negotiations.
10. Any Other Business.
11. Date and Venue of next meeting of the JPMC.
12. Adoption of the Report of the third meeting of the JPMC.

Organization of Work:

18. The following hours of work were also agreed upon.

Morning: 0900 - 1300hrs

Afternoon: 1600 - 1900 hrs

REPORT OF THE COMMANDER OF THE NMOG

19. In introducing his report, Major General E.B. OPALEYE, Commander of the Neutral Military Observer Group recalled the deliberations of the last meeting of the Joint Political Military Commission. He drew the attention of the meeting to the issues he raised at that meeting, in particular, the measures aimed at alleviating the operational and administrative problems facing the NMOG. He informed the meeting that the Malian and Zimbabwean contingents had arrived in Kigali. He also disclosed that the NMOG had taken delivery of certain logistical items donated by the government of France but stressed that the NMOG still faced many problems of an administrative and logistical nature.

20. On the situation on the ground, Major General Opaleye regretted that since the last meeting of the JPMC, there had been a spate of violations of the ceasefire, the worst, in terms of intensity occurring on October 8, 1992 when the Rwandese government forces shelled Kabongoya and the Rwandese Patriotic Front forces shelled Byumba town.

21. With regard to the staffing position both at NMOG Headquarters and in the field. Major General Opaleye said the arrival of the Malian and Zimbabwean contingents on 3rd and 6th October respectively had improved the situation. However, there was still the need to beef up the

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manpower requirements of the NMOG. He informed the meeting of the partial deployment of the NMOG during the second week of September 1992 indicating that the lack of food and communication had not made it possible for the observers to be deployed permanently on the ground and have had to travel between Kigali and the operational zones. Happily, the NMOG had recently taken delivery of twenty one radio sets (20 from France and one from Zimbabwe). It was the hope of the Commander that the Observers would move to their various operational zones by the 23rd October. Despite the delivery of ration packs by the government of France, it was the Commander's considered view that these could not replace occasional fresh food as the mainstay of the Group.

22. On the demarcation of the neutral corridor the Commander recalled his briefing to the second meeting of the JPMC in September during which he proposed a baseline about which a neutral corridor could be established. He said he had since written to both the Rwandese government and the Rwandese Patriotic Front disclosing that the government of Rwanda had since accepted the proposal and has requested that a meeting between the two parties be arranged to discuss the separation of the two forces.

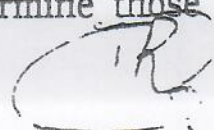
23. The Rwandese Patriotic Front on the other hand has complained of the lack of maps to facilitate their study of the proposal. In the circumstances, a request was made to the Rwandese government for maps, a request currently under consideration by the Rwandese Defence Minister.

24. It was the proposal of the Commander that there should be a 3 km wide corridor to ensure maximum safety to the Observers who are expected to operate in the demilitarised zone. It was therefore the proposal of the Commander that each party should move back by 1.5 km.

25. The Commander next informed the meeting of seventy one (71) reports of violations of the ceasefire since the last meeting of the JPMC. Out of these sixty five (65) had been investigated and formed part of the report as an Annex.

26. With regard to the presence of foreign troops in Rwanda, the Commander informed the meeting that much as he has been seeing foreign troops in Rwanda he was not in a position to determine those

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who were in Rwanda on international bilateral agreements. In the circumstances, he has requested the two parties to provide information on this matter but has so far received no reaction from them.

27. Regarding prisoners of war, the Commander said the NMOG has continued to receive representations from both parties on this matter. The NMOG recently acted on one such representation from the RPF and this led to the release of four (4) prisoners of war bringing the total number of released RPF prisoners of war to twenty seven (27). The issue of the alleged ninety one (91) Rwanda government prisoners of war was receiving the attention of NMOG.

28. On administrative matters, the Commander dwelt at length on the need for an appropriate insurance and medical cover for all NMOG personnel, the adoption of security measures, and the payment of reasonable per diem allowances to NMOG personnel. As Observers enjoying the status of OAU personnel, the Commander requested to be informed of what this status entailed in terms of privileges and immunities. He disclosed that the NMOG has since the last meeting of the JPMC, received an amount of RWF 16,777,151 (US \$ 114,727.37) from the Rwanda government to cover administrative costs and subsistence allowance for the NMOG personnel. He further informed the meeting that France had made available to the NMOG twenty (20) radio sets, compo-ration as well as uniforms.

29. In conclusion, the Commander on a positive note, stressed that despite the difficulties enumerated, the NMOG had made great strides in its mission. He, therefore, called on the JPMC to ensure that the recommendations on the neutral corridor, withdrawal of foreign troops, the payment of reasonable rates of per diem were implemented to enable the NMOG carry out its mission effectively and satisfactorily.

Observations on Report of Commander of NMOG:

30. Preliminary observations were made by the leaders of the delegations of the two parties. While commending the NMOG for their commitment and dedication to their mission, the leader of the RPF delegation requested that, in light of the serious issues raised in the report, his delegation be given time to study these so as to participate meaningfully and positively in the deliberations of the Commission.

31. On his part, the leader of the government delegation said that given the limited time at their disposal, the meeting could consider the Commander's report immediately. He also agreed that the report could be considered item by item.

32. The Special Representative of the OAU Secretary General was given the floor to comment on the issues raised in the Commander's report, in particular, those that fell within the competence of the OAU. These were:

Per diem

- (a) With regard to this issue, the Special Representative recalled his opening statement in which he informed the Commission of the new role the OAU had embarked upon in the area of election monitoring. He reiterated that ceasefire observation was a new domain and the OAU had no precedence to go by. He also recalled the provisions of the N'sele ceasefire agreement as amended at Gbadolite on 16 September 1991 and at Arusha on 12 July 1992 which, in part, stipulate that the NMOG personnel were to enjoy the status of OAU personnel and on the basis of this, he had recommended OAU per diem rates for the observers, a recommendation the Secretary General had approved. He pointed out that the earlier proposals from the Commander of the NMOG which were based on UN rates of per diem were found too high and, considering the financial constraints facing the OAU, did not meet with the approval of the OAU.

He recalled the conclusions of the consultative meeting with the donors in Addis Ababa during the second session of the JPMC. At that meeting views of the observers were sought on the per diem rates and on the basis of what was obtaining in some countries, it was agreed that the amount of \$ 10 be paid to the NMOG observers. Those NMOG Observers on field duties were to be paid US \$ 10 only plus a supply of dry ration while those in the urban centres

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like Kigali, Byumba and Ruhengeri were to be paid an additional US\$ 30.

- (b) On the request for the document on the Terms and conditions of service for study by NMOG Members, the Special Representative assured the meeting that this would be made available to the Commander.
- (c) With regard to the issue of OAU Laissez Passer for the NMOG members, the Special Representative explained that, indeed, the RPF had made a request to the OAU for these. The Secretary General has since written to the Rwandese government seeking the latter's concurrence on same adding that there has been no response from the Rwandese government.
- (d) The Special Representative also informed the Commission that the question of an appropriate insurance cover was being handled by the Administration Department of the OAU.

33. At this point the Commander of the NMOG, Major General Opaleye intervened to express concern over the delay in arranging insurance and medical cover for the NMOG observers, stressing that their mission was risky and there was, therefore, the need to insure them against any eventuality.

34. He also clarified the issues of per diem allowances. He informed the Commission that in the case of the NMOG they were expected to operate in small groups and, in the circumstances, it was not feasible to arrange central feeding and, as such, individuals had to fend for themselves while in the urban areas or in the field, hence the request for the per diem allowances..

35. The Commander also stressed that the incidental expenses requested were meant to meet the daily needs of the Observers which were not covered by the per diem or the operational allowance.

36. A number of delegations, including leaders of delegations of the two parties took the floor to commend the Commander for a lucid and informative report. They expressed sympathy for the predicament of the

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Commander and called for a reconsideration of the question of operational allowance and other related issues.

37. Both Ambassador Kanyarushoki and Mr. Rutaremara gave their responses on the question of the OAU Laissez Passer. The leader of the RPF delegation citing the Terms of Reference for the NMOG informed the Commission that all the members of NMOG are of equal status. If the RPF contingent were singularly denied their right, then they could as well be withdrawn. He categorically rejected Ambassador Kanyarushoki's view that his government was still considering whether or not the RPF officers on NMOG should be given OAU Laissez Passer. The idea that the Rwanda government was ready to give them passports, in the RPF's view, was irrelevant.

38. The Chairman at this point adjourned the meeting at almost 1930 hrs it being understood that the report of the Commander of the NMOG was to be considered by the Commission the following day.

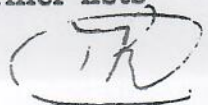
Consideration of the Report of the Commander of the NMOG:

39. The Joint Political Military Commission reconvened on the morning of 23rd October to examine the report of the Commander and other issues related to the peace process in Rwanda.

40. The Commission took note, with appreciation, of the arrival of the Malian contingent and the remaining members of the Zimbabwean contingent. On the coverage of only the demilitarised zone (DMZ) by the NMOG, the delegation of the government of Rwanda sought clarification and wondered why the NMOG could not go beyond this area. The delegation also called on the NMOG to carry out surprise checks.

41. The Commander explained the difficulties involved in trying to operate outside the demilitarised zone giving the fact that this area alone covered a distance of one hundred and ten (110 km) kilometres. Coupled with this was the uneven terrain which would require four hundred (400) officers to be able to monitor any activity and or movement of the two parties at hill tops and below.

42. On the issue of check points, the Commander pointed out that this task was the work of the 'men' and not officers. He also recalled that the NMOG had requested the two parties to make available to the former lists



of their respective stocks which would assist the NMOG to occasionally check on the increase or otherwise of such stocks. However, none of the parties had reacted one way or the other.

43. He, therefore, pleaded with the Commission to allow the NMOG to carry out as efficiently as possible those tasks it was capable of handling instead of entrusting additional responsibilities for which the NMOG had no adequate manpower to carry out. He stressed the need for planning in any operation including the manning of check points remarking that the NMOG would only be dissipating the scarce manpower resources currently at its disposal if it tried to do too many things.

44. The leader of the RPF delegation while appreciating the problems of the Commander urged him to make judicious use of the resources, human and material, presently at his disposal.

Deployment

45. On this matter, the Commission took note of the difficulties of the Commander because of the limitations already stated in the report.

46. The delegate from the USA intervened to state that the Commander's team of Observers was limited to only fifty men. The decision on the figure, he stressed, was made with the understanding that the success of the NMOG mission was dependent on the goodwill of the two parties as they were the best guarantors of the ceasefire.

47. It was therefore the considered view of the Joint Political Commission that there was the need for a recommitment on the part of the two parties to strictly adhere to the provisions of the ceasefire agreement.

Establishment of neutral corridor

48. The Commission noted the efforts made by the Commander, including his demarches with the two parties to establish, as soon as possible, the neutral corridor. It also noted the acceptance by the government of Rwanda to send experts to meet with those of the RPF on this matter. The handicap of the RPF in terms of the lack of maps was also appreciated. The request of the Commander to the Rwandese Minister of Defence for the said maps was also reiterated.

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49. After a brief exchange of views, the leader of the Rwanda government delegation reaffirmed the government's readiness to provide the maps through the NMOG in order to facilitate the demarcation of the neutral corridor with the understanding that these would be returned to the Rwanda Government after the exercise.

Violations

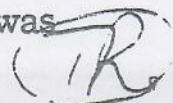
50. The Chairman observed that at the second meeting of the JPMC held in Addis Ababa, Ethiopia, in September, the Commander had reported fifty one (51) ceasefire violations. He noted with regret that there were seventy one (71) ceasefire violations since the last meeting adding that the Commission had expected a decrease in the number of violations and therefore expressed concern over this matter.

51. It was, however, stated by the Observer of the United States of America that the Commission should also look at the positive side of the score board pointing out that since the 12th of October there were no ceasefire violations which illustrated the desire of the two parties to respect the ceasefire.

52. The Representative of the Republic of Uganda, Ambassador Ben Matogo took the floor to express concern over a report made by the Government of Rwanda to the NMOG on 25 September (see Serial 81 Ref CMDRGF/OPS/37) to the effect that the government of Rwanda was "worried about the continuous movement of troops in Uganda territory".

53. The Representative objected to this reference to Uganda on the following grounds:

- a) Uganda was not party to the ceasefire agreement
- b) There was nothing wrong about Ugandan troop movements on Ugandan territory.
- c) NMOG had no jurisdiction over what was happening in Uganda.
- d) Uganda and Rwanda had a mechanism to handle bilateral issues and, this particular incident, if it was



so serious as to be reported to NMOG, could have been handled at the level of the respective governments.

54. He, therefore demanded that that part of the report be deleted, a demand not acceptable to the JPMC on the ground that this matter was reflected in the report to the NMOG and was already on record. It was explained that it was only the government of Rwanda which could retract this report.

55. On their part, the Rwanda delegation explained that the report was made against the background of similar military movements towards the common border which were always followed by armed attacks on Rwanda.

56. After a lengthy and sometimes heated debate, the Special Representative of the OAU Secretary General intervened to remark that the debate had implications on future reporting of the NMOG wondering whether there should be self-censorship on the part of the NMOG or all complaints should be recorded by the JPMC.

57. While noting the sensitivity of the matter, the Commission did not reach any conclusion on the question posed by the Special Representative. On the concern expressed by the Uganda Representative, the JPMC decided that his statement that "the report was irrelevant, inappropriate and beyond the competence of the NMOG and it was also meant to malign and blackmail Uganda" be recorded in the report of the Commission.

58. Thereafter, the two Rwandese parties engaged in accusations and counter accusations as to who was responsible for particular violations. They also tried to justify why one party opened fire first.

59. The Rwanda Government delegation insisted that more than thirteen (13) violations reported by NMOG were part of a series which started with an RPF ceasefire violation on 26th September, 1992 in Mutara as clearly reported by NMOG, and which culminated in the indiscriminate shelling by RPF forces of Byumba town on 8th October, 1992 destroying churches and schools.

60. The Special Representative of the Secretary General took the floor at this juncture to state as follows:

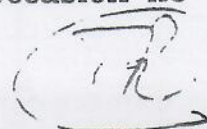
- (a) The JPMC has noted that between the last meeting of the Commission and the third one, there had been an increase in the number of violations, a situation which gives cause for concern and alarm.
- (b) It was noted that these violations most of the time were a result of patrols which were themselves a violation of the ceasefire.
- (c) The JPMC should appeal to the two parties to desist from carrying out patrols.
- (d) The two parties should be exhorted to look to the future with hope and optimism instead of trading in recrimination.

61. Related to the problems of monitoring the ceasefire was the issue of alleged impediments placed in the way of the NMOG as stated by the leader of the RPF delegation. Giving examples, he wondered why, before the attack on Byumba, the NMOG failed for two successive days to investigate RPF complaints that the Rwanda government forces were moving to attack and finally did attack RPF positions.

62 The leader of RPF delegation also wondered why, if the installations shelled in Byumba town were of a civilian nature (as charged by Ambassador Kanyarushoki and the NMOG Commander), an RPF officer in NMOG (Commander Karenzi Karake) was prevented from going with others to see the effects of the alleged Rwandese Patriotic Army's shelling of the said civilian installations.

63. The Commander of the NMOG, however, clarified the issue by stating that the NMOG attempted on three occasions the same day and not on two successive days, to investigate the said complaints.

64. On the allegation that Commander Karake had been prevented by the Government from investigating the RPF shelling of Byumba, the NMOG Commander informed the Commission that it was he who normally gave instructions to the former and that on this occasion he issued no such instructions.



65. He further stated however, that both parties have resident representatives in the Mutara, Byumba and Ruhengeri Sectors. When the RPF delegation sought to know the name of the RPF member of the NMOG who was present at the investigations of the Byumba shelling, this information was not given by the Commander.

66. On the alleged impediments, the Commander informed the Commission that, indeed, he has always had to seek the clearance of the military authorities in Kigali before the NMOG could move to investigate incidents in the field. He said while he appreciated the security concerns of the Rwandese government, this procedure has always led to delays. He cited as an example the prevention by Rwandese government soldiers of the NMOG to pass through a checkpoint after a visit by the Special Representative to the RPF zone in September this year adding that the removal of the block had to be done personally by the Chief Military Observer from the Rwandese government before the Special Representative and his delegation could proceed to Kigali.

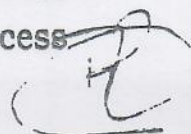
67. Other allegations made by the leader of the RPF delegation included the lack of goodwill on the part of certain people in government and certain provocative actions normally carried out by Rwandese government soldiers each time the NMOG moved away from a particular location. These allegations were denied by the leader of the government delegation who also reaffirmed the government's commitment to a negotiated settlement of the conflict.

68. He assured the JPMC that no impediments would be placed in the way of the NMOG in the course of its duties.

69. A number of delegates including representatives of the Facilitator and Germany took the floor to appeal to the two parties to commit themselves to peace stressing that they were the guarantors of the ceasefire.

70. After an exhaustive debate on the issue of violations, the JPMC,

- (a) Urged the two parties to focus their attention on the future and to respect the ceasefire in order to create the necessary atmosphere conducive to the success of the political negotiations;



- (b) Expressed concern over the spate of ceasefire violations within the period under review.
- (c) Noted with satisfaction that there was mutual understanding regarding the shortcomings of the two parties.
- (d) Appealed to the government of Rwanda to facilitate the movement of the NMOG.
- (e) Congratulated the Commander for commendable work and the NMOG as a whole for their commitment to the mission entrusted to them.

WITHDRAWAL OF FOREIGN TROOPS

71. This issue generated a lengthy and, at times, heated debate. The leader of the Rwandese Patriotic Front delegation recalled that during the second session his delegation had drawn the attention of the Commission to this matter adding that the French troops were still in Rwanda.

72. The leader of the Rwanda government delegation pointed out that under Article II (6) of the ceasefire Agreement, military personnel under bilateral agreements were exempted and reiterated that those foreign troops in Rwanda were covered by such agreements. He also referred to the same Article II (6) which called for "the withdrawal of foreign troops after the effective deployment of the Neutral Military Observer Group (NMOG)" pointing out that the NMOG could not be said to be effectively deployed as the Commander had stated in his report that they would be deployed on the 23rd October. He, however, assured the Commander of the NMOG that he was free to verify the truth or otherwise of the status of the foreign troops in Rwanda.

73. The Commander disclosed that he had indeed written to the two parties for information on foreign troops but he had so far received no such information. The leader of the RPF delegation in response said they had already given all the available information during the second (2nd) meeting of the Commission. The leader of the RPF delegation proposed that if there was any information required over and above the detailed

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account (on the question of French troops) presented to the last meeting of the JPMC in Addis Ababa then the NMOG Commander could mention it. However, if the Commander wanted the information already given in writing his delegation was ready to do so remarking that the RPF had no foreign troops in their ranks. The NMOG was still free to verify this on the ground.

74. At one point when the debate assumed a rather unbrotherly atmosphere, the Representatives of the Facilitator and of the Current Chairman intervened to appeal to the two parties to concentrate on the search for peace instead of on matters that tended to sow seeds of suspicion and mistrust.

75. In concluding the debate on this matter, the Commission requested the OAU and the NMOG to ensure the implementation of the provision of the ceasefire on the withdrawal of foreign troops from Rwanda.

76. The two parties were also requested to facilitate the work of the OAU and NMOG by making available all the relevant information to the latter.

RADIO PROPAGANDA

77. On this item, the Chairman invited the Secretary General's Special Representative to Rwanda and the NMOG Commander to inform the meeting of the efforts made in reducing hostile radio propaganda which could bring about a violation of the Ceasefire.

78. On his part, Dr. Mapuranga stated that the NMOG mission of monitoring radio propaganda had proved impossible as the persons entrusted with the task did not understand Kinyarwanda, the language in which the propaganda was being made.

79. The leader of the RPF delegation took the floor and gave an account of the numerous occasions when political officials in Rwanda, including leaders of political parties, used Radio Rwanda to vilify the RPF, inciting ethnic hatred, and ridiculing or disapproving of the on-going political negotiations.

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80. He condemned, as he had earlier done in Addis Ababa, the statements pronounced very often by the Rwanda Head of State, which were against the spirit needed to bring about national reconciliation and the return of peace to Rwanda.

81. In the same vein, he pointed out that statements challenging the timing of the negotiations are regularly made on Radio Rwanda by Mr. James GASANA, Minister for Defence.

82. He, in particular, condemned the statements made by the MRND Secretary General, aimed at discouraging the Arusha negotiations. He said that was a very serious matter when it is known that MRND still holds all the National Assembly seats, half of the ministerial portfolios, all the important posts at the Presidency of the Republic and in the Central and Local administration.

83. Furthermore, he said the Chairman of MDR had declared on Radio France International on 24/10/92 that the Rwanda Minister of Foreign Affairs who is heading the Government delegation in Arusha was presenting the opinion of MRND, thereby negating the convictions of MDR which is his own party. He deplored the fact that even the Prime Minister, who is also a member of the MDR, had given an interview to the journalists of the weekly magazine JEUNE AFRIQUE during which interview he stated that the Coalition Government was going ahead to organise and carry out elections irrespective of the current negotiations with the RPF. The elected government would continue the negotiations with the RPF.

84. The leader of the RPF delegation then went ahead to warn against any attempts to violate the Ceasefire and recalled that he had already indicated to the participants in the second meeting of the JPMC in Addis Ababa that the RPF would always consider the campaign on Radio Rwanda as a flagrant violation of the Ceasefire pointing out that there was a limit to tolerance.

85. He then asked the Rwanda government delegation if they were talking on their own behalf or on behalf of the Government which sent them, since apparently, their positions during the negotiations were being challenged back home.

86. He concluded by saying that the RPF as a party to the negotiations and member of the JPMC was under obligation to report any ceasefire violation, of which propaganda on national radio was a concrete example.

87. Intervening on behalf of the Government delegation, Ambassador INSONERE Simon declared the statement made by the RPF representative as a pack of false accusations.

88. He drew the attention of the meeting to the fact that Rwanda was undergoing political pluralism and that the people had the right of freedom of expression. He moreover stressed that statements made by officials of political parties did not reflect Government policy. The Government was not responsible for statements made by those officials even when their parties are represented in the transitional government.


89. Having said that, he underscored the need for the parties to the negotiations to avoid being drawn into calumny and polemics. He, on the contrary, implored the RPF to show a spirit of reconciliation and to be imbued with the need for preparing for cohabitation. He also called upon the RPF to immediately put an end to the propaganda on Radio Muhabura which is making the population believe, through its broadcasts, that the present Government does not care about peace.

90. He warned against any attempts to malign any personality in Rwanda, especially so when accusations levelled against him by the RPF are not supported by verifiable facts.

91. He stressed that the NMOG remains the only way for channelling complaints relating to the ceasefire violations as decided during the second meeting of the JPMC held in Addis Ababa in September.

92. It would be inappropriate to refer cases of violations of the ceasefire to the JPMC because this may be considered as going beyond its mission.

93. At this juncture, the leader of the RPF delegation cited the Rules of Procedure of the JPMC, maintaining that it is part of its mission, when necessary, to point out and find solutions for ceasefire violations even when these have not been presented to the NMOG.



94. The Chairman of the meeting took the floor to remind both parties that the JPMC was not a tribunal and that the debates should be oriented towards concrete proposals on the best way to discourage any pernicious propaganda by any of the two parties despite their commitments.

95 The following conclusions were drawn on this matter:

- (a) the two parties undertake to put an end to any propaganda which could adversely affect the process of peace and respect for ceasefire.
- (b) the two parties undertake to avoid disinformation which may undermine the morale of the troops and create tension among the population.
- (c) any member of the JPMC from the two parties has the right and the duty to refer to the NMOG any threat to violate the ceasefire, including propaganda broadcasts and to make concrete proposals on how to put an end to these.
- (d) the Commander of the NMOG has the responsibility to handle cases of radio propaganda which violate the ceasefire agreement.

PRISONERS OF WAR

96. The Chairman recalled that at the Commission's last meeting the question of prisoners of war was brought to its attention. It was decided then, to urge the Commander to continue with his efforts to secure the release of any prisoners of war that were still being held by either party. A list of alleged ninety one (91) government prisoners of war was also given to the Commander.

97. The Chairman noted with appreciation the report of the Commander on this matter. He therefore on behalf of the Commission urged the two parties to continue to demonstrate the same goodwill in order to ensure that all prisoners of war are released as soon as possible.

ADMINISTRATION

Insurance

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98. The Special Representative of the OAU Secretary General gave a background to this question when he reminded the Commission that the matter was infact raised during the last meeting of the Commission. He said the OAU was requested to take appropriate measures towards securing an insurance cover for all NMOG personnel. He added that the matter was receiving the attention of the Administration Department of the OAU.

99. The Commander of the NMOG in a strong but understandable reaction expressed dissatisfaction with the handling by the OAU of welfare matters of the NMOG. He drew the attention of the Commission to the risks the observers were exposed to pointing out that he had a responsibility to these observers and to their families in the event, God forbid, of fatal accidents in the field. He sought to know whether as OAU personnel they could presume to be covered by the same insurance arrangements for the OAU Staff.

100. The Commander recalled that he had made representations to the OAU to consider posting an officer to Kigali who could serve as a liaison with the OAU General Secretariat but this had not been approved. He pointed out that there were many issues of a political nature which he could not, given his other duties, handle effectively and the presence of an OAU Staff Member who was versatile could ease the burden on his office.

101. It was the Commander's view that a desk officer of an administrative background at Headquarters responsible for NMOG affairs would also contribute to minimizing delays in dealing with urgent matters that affect the welfare and operations of the NMOG.

102. The Special Representative intervened a number of times to explain the procedures that have to be followed before an office of the OAU can be opened in any of the Member States. He drew the attention of the Commission to the financial implications involved in such an exercise and wondered whether the Rwanda government was prepared to present this case to the Advisory Committee on Administrative, Budgetary and Financial Matters, the organ competent to pronounce on this matter in the first instance before such a proposal is submitted to

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the Council of Ministers and subsequently, to the Summit of Heads of State and Government.

103. He said it would indeed benefit the OAU immensely if there was a Political Officer in Kigali but there was no budgetary provision for such an office.

104. He also said he did not want to leave any grey areas and in this regard, sought to know who would meet the expenses of the officer in Kigali.

105. Many delegates, especially the African observers, took the floor to express sympathy with the Commander. They also supported his request for a Liaison Officer to be posted to Kigali and recommended that he should be posted from the OAU Headquarters, and the OAU should be responsible for his upkeep while in Kigali. The government of Rwanda was also to notify the Secretary General of its readiness to provide for the needs of the officer pending formal approval by the Advisory Committee on Administrative, Budgetary and Financial Matters, for Rwanda to spend on the officer and recoup the expenses from that country's assessed contribution to the OAU.

106. After a very exhaustive exchange of views and with the persistence of the Commander on the need for immediate insurance cover, the Commission reached the following conclusion:

- (a) The NMOG personnel must be insured as soon as practicable
- (b) It is the responsibility of the OAU to implement (a) above. The Secretary General and the Current Chairman were therefore to be requested to find how best to resolve the problem.
- (c) The Observer of the United States of America was requested to contact Washington to find out whether part of the US financial contribution could be utilized in paying for the insurance premium.

107. With regard to the request for a liaison officer, the Commission decided to request the Special Representative to convey the concerns of the Commander over this matter and the sentiments of the Commission to the Secretary General.


Security of Personnel

108. The leader of the Rwandese Patriotic Front delegation sought to know whether the OAU Laissez Passer would be given to the RPF team within NMOG stressing that if this was not the case his organization would withdraw its members.

109. The Special Representative recapitulated what he had said on this issue during his preliminary remarks the previous day. He however added that the Secretary General was ready to issue the said documents to the NMOG personnel including the RPF provided there was no objection by the Government of Rwanda. He further explained that the documents were the property of the Member States and the Secretary General only issued them in the name and on behalf of the Member States. He informed the Commission that this was the first time the Secretary General would be issuing the documents to non OAU Staff and as such he had to seek clearance from the Member State concerned. He also drew the attention of the Commission to the fact that the two parties had embarked on the peace process but in the unlikely event of a break down of the negotiations, the alternative was war. Therefore, in the eyes of the Rwanda government, the RPF was a rebel Movement and until there was a Peace Agreement that would be the case as far as the Rwanda government was concerned. In that event, the RPF would not qualify for the OAU Laissez Passer.

110. The Special Representative again assured the RPF delegation that the Secretary General was ready to issue the documents to the NMOG including members of the RPF team, once the Government of Rwanda had stated that it had no objection to this.

111. Thereafter, there was a brief exchange of views and clarification during which the leader of the Rwanda government delegation formally announced that his government had no objection to the principle of equal status for all NMOG members and added that his government had no objection on the matter indicating that the OAU was free to issue its travel documents to whoever it wanted and deemed fit. He added that this verbal communication would be followed up with an official letter from the government confirming this position.



Per diem

112. On this issue, the Special Representative recalled his preliminary remarks during the opening session the previous day. He said it was he who had, in fact, proposed the OAU rates of per diem to the Secretary General.

113. He gave the background leading to the decision to pay US \$ 10 and US \$ 30 respectively to the NMOG personnel deployed on the field and those in urban centres. Thereafter, he gave clarifications on some related issues.

114. A number of delegates took the floor to share their experiences with peace keeping and observer mission operations in various parts of the world.

115. In his intervention, the Commander of the NMOG rejected the comparison made between the NMOG and operations such as the ECOMOG in Liberia. He reiterated his argument advanced the previous day for the payment of per diem. He made it clear that US \$ 40 could not meet the needs of the Observers. He pleaded with the Commission to find a solution to his problem as he was faced with possible withdrawal, from the operation, by some of the contingents.

116. The host country Rwanda, was also requested to comment on the recommendation of the Commander that the government should consider making a contribution to the upkeep of NMOG. The leader of delegation expressed support for the stand of the Commander that the level of per diem should be reconsidered by the JPMC as it was important to maintain the morale and enthusiasm of the group.

117. The German Ambassador had earlier on taken the floor to announce that the sixteen vehicles pledged by his country were scheduled to leave Hamburg on the 2nd of November and would arrive in Mombasa during the first week of December.

118. He also informed the Commission that the German government was also sending along with the vehicles one thousand five hundred (1500) packs of ration worth 25,000 DM for the use of NMOG.

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119. He then sought unobtained clarification on how the rates of per diem were arrived at. It was his view, like other observers, that the matter was a direct responsibility of the OAU.

120. The Chairman, on behalf of the Commission expressed thanks and appreciation to the government of Germany for the generous assistance. He directed that this should be reflected in the report.

121. In the light of the inconclusive debate on the question of the per diem allowances and with the Commander alleging that the OAU was insensitive to NMOG welfare, the Commission decided to constitute a task force comprising the two parties and the OAU Observer countries and chaired by the Representative of the Facilitator to study the issue further and to make recommendations for the consideration of the Commission.

122. The task force was to meet at 8.30 am on Saturday 24 October 1992.

123. Before the adjournment of the meeting at almost 2030 hrs, the representative of the Facilitator, Ambassador Mpungwe announced that he had received information that due to unforeseen circumstances, Hon. Diria would arrive on the afternoon of 24 October instead of the 23 as was expected.

124. On the task force, he drew the attention of the Commission to the fact that the OAU was in financial straits. He, however, pointed out that this difficult situation did not mean the OAU should not meet its obligations including the Rwanda case as well as others. But in doing so the OAU should not set wrong precedents for its future involvement in conflict resolution. He then expressed the hope that through consultation a solution would be found to the question of per diem allowances for the NMOG personnel.

Human Rights Violations

125. The leader of the Rwandese Patriotic Front delegation recalled that during the second meeting of the JPMC, his delegation had drawn the attention of the Commission to many cases of human rights violations

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occurring in Rwanda. He then sought to know what action the OAU and the NMOG had taken on these complaints.

126. On his part, the leader of the government delegation recapitulated the steps that the government had taken to curb and to eliminate altogether human rights abuses in Rwanda including the apprehension and trial of all suspects. He admitted that there were cases of banditry in Rwanda like in other parts of the world. He reiterated that the government had invited International Human Rights Organizations to investigate human rights abuses in Rwanda noting that the RPF had been requested to assist in the establishment of such a Commission..


127. The leader of the RPF delegation then took the floor to state as follows:

- a) what had the OAU Secretary General (as supervisor of NMOG) and the NMOG itself done on the question of human rights violations which the RPF mentioned in the last meeting of the JPMC in Addis Ababa?
- b) There is strong evidence that the MRND, the CDR, the Presidency as well as the Central and Local administration officials were involved in the perpetration of such human rights violations.

128. The Representative of the Secretary General in response to the question raised by the RPF delegation referred to the relevant provisions of the N'sele ceasefire Agreement on the mandate of the NMOG. He pointed out that the issues that come close to human rights violations such as the release of prisoners of war and those persons imprisoned as a result of the war had been reported on in the Commander's report.

129. The Commander while endorsing the statement of the Special Representative complemented it by pointing out that NMOG had no mandate to deal with human rights issues. However, he was prepared to shoulder that responsibility if it was the wish of the Commission.

130. The leader of the RPF delegation refuted both the OAU Special Representative's and the NMOG Commander's position that Human Rights violations were not within their competence. He stated that both Article V and Article VII of the Ceasefire Agreement (Arusha amendment)



considered human rights violations as well as hostile radio propaganda as ceasefire violations. He stressed that the JPMC should ensure that human rights violations as well as hostile radio propaganda stop.

131. In summarizing the debate, the Chairman stated that the Commission had urged the two parties to avoid human rights abuses.

132. The Commission once again appealed to the two parties to respect human rights as a way of building a democratic and united Rwanda.

PROCESS OF NEGOTIATIONS

133. Ambassador Mpungwe representing the Facilitator briefed the Commission on the status of the political negotiations. He recounted the conclusions of the first phase of the political negotiations, leading to the adoption, by the two parties, of the Protocol on the Rule of Law. He next informed the Commission of the negotiations on power sharing, the second phase of which was currently under way in Arusha. The two parties had earlier agreed on the transfer of power from the President to the Cabinet, the functions of the government etc. He disclosed that the issues of the allocation of Ministerial portfolios, composition of the Transitional National Assembly as well as the duration of the transition period were yet to be negotiated and agreed upon by the two parties. He concluded by informing the Commission that the Facilitator had earlier in the course of the political negotiations on power sharing encouraged direct negotiations between the two parties.

134. He finally said the last plenary session was held on Saturday 17th October. He informed the Commission that another plenary session was to be held at 1800 hrs on 24th October so as to be updated by the two parties on the state of the Political Negotiations.

135. At the end of the submission by Ambassador Mpungwe, the leader of the RPF delegation took the floor to draw the attention of the Commission to the fact that the deadline of the 10th October set for the conclusion of the political negotiations had not been met by the two parties. He attributed this state of affairs to the negative attitude of the government in Kigali to the political negotiations. He also blamed the President and his party, MRND for the slow progress of the negotiations. In the RPF's view, the Rwandese government delegation was neither

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representative of the government nor of the political parties even though there were five political parties which constituted the present government in Kigali. He stated that the Government of Rwanda was just wasting time.

136. The leader of the Rwanda Government delegation in a very brief statement supported the content of the brief given by a representative of the Facilitator and added that this was confirmed by the statement issued on 12th October, 1992 by the Facilitator in consultation with the two parties. With regard to the allegations made by the leader of the RPF delegation, the leader of the Rwanda Government delegation said that the Observers who had been following the political negotiations had all the elements to make their own judgement.

137. A number of delegations including the representatives of the Facilitator, the Current Chairman, Uganda and Germany took the floor to appeal for decorum in the debate.

138. It was the considered view of the Observers that the political negotiations have not been a waste of time. They stressed that it was because the observers believed in the eventual success of the negotiations that they had extended assistance in material and human terms to support the work of the NMOG.

139. The Chairman, at the end of the consideration of the item, endorsed the sentiments expressed by various observers. He called on the two parties to avoid actions and statements that could jeopardise the political negotiations.

140. He then drew the attention of the Commission to the outstanding issues of the payment of per diem allowances to NMOG personnel which had been entrusted to a Task Force for study. He called on the Representative of the Facilitator to report on the outcome of the task force's consultation to the Commission.

141. In a brief submission, Ambassador Mpungwe who chaired the meeting of the Task Force on the morning of 24 October stated as follows:

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- (a) The Task Force noted with appreciation the provision of funds by donor countries part of which could be spent on food and accommodation for the NMOG personnel.
- (b) It also noted that because of the nature of operations of the NMOG where the observers operated in small groups, it was difficult to organise central feeding as this would create administrative problems.
- (c) After an exhaustive exchange of views, the Task Force recommended the payment of a flat daily rate of US \$ 40 to all observers.
- (d) In addition, the government of Rwanda offered to pay 1/3 of the per diem of US \$ 140 originally approved by the OAU which amounts to US 46 (forty six dollars), it being understood that the provision of accommodation for the NMOG personnel, administrative and operational expenses of NMOG would no longer be borne by the Rwanda government. This offer was accepted by the Task force.

142. On this note, Ambassador Kanyarushoki took the floor to confirm and clarify the statement made by Ambassador Mpungwe pointing out that the Rwanda government's aim was to provide better conditions for the NMOG. He stressed that the Rwanda Government's contribution to the NMOG account amounting to US \$ 46 per person per day would exclusively serve to pay for the incidental expenses of the NMOG personnel. The accommodation, feeding, administrative and operational expenses (such as fuel and maintenance of vehicles) of the NMOG were, therefore, to be met from the external donors' contribution to the accounts of NMOG.

143. The Representative of Uganda intervened to appeal for the understanding of donor countries. He informed the Commission that the task force considered every aspect of the issue very carefully and arrived at the flat rate of \$ 40. It was the belief of the Task Force that the total amount of US \$ 86 should be able to take care of the accommodation, food and other needs of the NMOG personnel and this was confirmed by the NMOG Commander.

144. The Commission, in concluding consideration of this matter decided to request the OAU Secretary General to make demarches with donor countries including the Nordic countries with the objective of securing funds to meet the per diem allowances of the NMOG personnel.

145. The Commission finally expressed appreciation to the government of Rwanda for its pledged contribution to the welfare of the NMOG.

146. CONCLUSIONS AND RECOMMENDATIONS

- (a) The Commission appealed to the Rwanda government to make maps available to facilitate the determination and establishment of the neutral corridor.
- (b) The Commission urged the two parties to cooperate with the NMOG with regard to the provision dealing with the withdrawal of foreign troops.
- (c) The Commission noted with appreciation the approval of the United States government for part of its financial contribution to be utilized for the insurance premium of the NMOG.
- (d) The Commission noted with satisfaction that the OAU had already made available to the Commander the Terms and Conditions of Service of OAU personnel.
- (e) The Commission noted with appreciation the satisfactory solution to the question of the rate of per diem for the NMOG personnel and called on the OAU Secretary General to pursue his efforts to secure additional funds for not just the per diem allowances but other requirements of the NMOG as well.
- (f) The Commission appealed to the donor countries to make good their pledges of assistance as soon as possible.
- (g) The Commission once again appealed to the two parties to respect human rights as a way of building a democratic and united Rwanda.

147. The Commission finally expressed gratitude to the governments of Belgium, France, Germany and the United States as well as the observer



contributing countries for their concrete expression of support and solidarity with Rwanda and Africa.

DATE AND VENUE OF THE FOURTH MEETING OF THE JPMC

148. It was the view of the Commission that since the next round of political negotiations on the integration of the forces was scheduled to take place in Arusha some time in mid November, the next meeting (4th) of the Joint Political Military Commission could take place within this period.

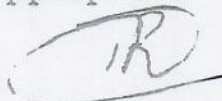
149. The Representative of the Facilitator intervened to point out that there were financial implications in hosting the meeting of the JPMC for which no financial provision had been made by the government as was the case with the political negotiations. However, if the meeting of the JPMC took place concurrently with the political negotiations, the Tanzania government was prepared to host it since the expenses involved in terms of technical and conference services and facilities would be covered by the same budgetary allocation earmarked for the political negotiations.

150. In the light of the foregoing, the Commission finally decided that the next meeting of the Joint Political Military Commission should be held towards the end of the next round of political negotiations on the integration of forces. The exact dates were, however, to be decided upon and all informed accordingly.

151. Before the meeting adjourned at 1330 hrs, the Commander of the NMOG took the floor to express his sincere thanks and appreciation to the Commission for the sympathy and realism with which his report and recommendations were treated by the Commission. He reaffirmed the commitment of the Observers in NMOG to carrying out their task efficiently and in a dedicated manner.

ADOPTION OF REPORT

152. The Commission met at 1600 hrs on Monday 26th October, 1992 considered its report and after the necessary and appropriate amendments adopted the report of its Third Meeting..



CLOSING REMARKS

153 H.E. Mr. Thomas MUNYANEZA, Ambassador of the Republic of Rwanda to Tanzania, who presided over the closing session of the third meeting of the Joint Political Military Commission in the absence of the Chairman. H.E. Mr. Romuald MUGEMA on behalf of the Commission expressed thanks and appreciation to the leaders and members of the delegations of the Government of Rwanda and the Rwandese Patriotic Front for the demonstration of maturity, tolerance and fraternity throughout the meeting.

154. He also, on behalf of the two delegations, expressed gratitude to all the Observers for the support and material assistance so far extended to the OAU and the Neutral Military Observer Group.

155. He formally closed the Third Meeting of the Joint Political Military Commission at 20:00 hrs on Monday 26th October, 1992.

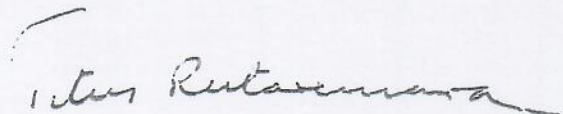
For the Rwandese Government



Ambassador KANYARUSHOKI Claver

Leader of Delegation

For the Rwandese Patriotic Front



RUTAREMARA Tito

Leader of Delegation