

CASE NO: ICR-98-41-T
EXHIBIT NO: DNT 104
DATE ADMITTED: 13-5-2005
RENDERED BY: DEPT. CE
NAME OF WITNESS: A. SIRJZEK
NATIONS UNIES

UNITED NATIONS

ASSISTANCE MISSION FOR RWANDA

MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

CRN-98 OUTGOING CODE CABLE

FAX NUMBER.....

IMMEDIATE

TO: ANNAN, UNATIONS, NEW YORK
GOULDING, UNATIONS, NEW YORK

INFO: KITTANI, UNATIONS, NEW YORK

FROM: BOOH-BOOH, UNAMIR, KIGALI

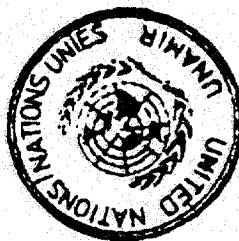
DATE: 28 MARCH 1994

NO OF PAGES: 3

MIR-672

SUBJECT: EFFORTS TO INSTALL THE TRANSITIONAL INSTITUTIONS

1. This morning, I met with the Dean of the Diplomatic Corps, the Representative of the Facilitator and the Ambassadors of observer countries to the Arusha peace process to examine the political impasse that continues to prevent the installation of the transitional institutions.
2. After an examination of the reasons for impasse, we decided that at this stage, a declaration stating our views on the impasse might be helpful. We therefore agreed to issue a communiqué (which is attached) appealing to all political parties to demonstrate a spirit of compromise and urgently resolve the impasse, which basically is a disagreement between the RPF and the Government on whether or not the CDR should be represented in the Transitional National Assembly at the initial stage. We declared that in our view, all political parties that were authorized on the date of the signature of the protocol of power-sharing and the RPF should be represented in the Transitional National Assembly when it is installed.
3. We recommended further that following the setting up of the transitional institutions, the Commission on National Unity and Reconciliation, which is charged with over-seeing the observance of the code of ethics by political parties, should be immediately established so that it could pronounce itself on the behaviour of political parties represented in the transitional institutions.
4. I expect reactions to our communiqué from the political parties, and will transmit these reactions to you. Meanwhile, I am continuing to associate my ongoing efforts with those of the members of the diplomatic corps and other interested parties to ensure that the installation exercise be carried out in a bi-partisan manner.
5. I would appreciate any action the Secretary-General may wish to take in support of our Declaration and would also suggest that the Spokesman of the Secretary-General brings this Declaration to the attention of the media during his mid-day briefing.
6. Regards.



1) The Special Representative of the United Nations Secretary General, the Apostolic Nuncio, Dean of the Diplomatic Corps, the Representative of the Facilitator and the Ambassadors of the observer countries to the Arusha peace process have met to examine the reasons which still impede the setting up of the transitional National Assembly and the broad-based transition government.

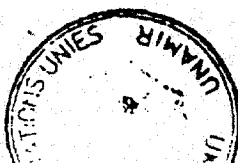
2) They solemnly appeal to the Rwandese parties to show a spirit of compromise and solve the last pending problems. They stress that a solution is urgent, considering political and financial constraints.

3) They are of the opinion, after consideration of the pertinent provisions of the protocol on power-sharing, that all political parties authorized in Rwanda at the date of signature of this protocole and the RPF should be represented at the transitional National Assembly when it is in place, under the condition that they respect the peace agreement.

It will be the task of the Commission on National Unity and Reconciliation to see that every political force respects the principles of the Code of Political Ethics, the violation of which can lead to the exclusion from the institutions, to be decided by the Supreme Court.

4) They recommend this Commission to be set up immediately after the institutions and be asked to give rapidly its preliminary conclusions on the behaviour of the political parties represented in the institutions.

5) They insist that if this principle is agreed by all concerned, no new cause for delay in the installation of the institutions should be brought up. Each political force should abstain from any attempt which might create new problems between or within political parties. A positive and constructive attitude, at this point in time, is indispensable for the smooth functioning of the installations ceremony for the broad-based institutions and their effective operation.





28/03/1994

LISTE DES SIGNATAIRES DE LA DECLARATION
DU 28 MARS 1994

Le Représentant Spécial du
Secrétaire Général de l'ONU
Le Nonce Apostolique
L'Ambassadeur des Etats-Unis
L'Ambassadeur de France
L'Ambassadeur de Belgique
L'Ambassadeur d'Allemagne
Le Représentant du Facilitateur
L'Ambassadeur du Zaïre
L'Ambassadeur d'Ouganda
Le Chargé d'affaires du Burundi

Dr. Jacques-Roger Booh-Booh
Mgr. Giuseppe Bertello
S.E. M. David Rawson
S.E. M. Jean-Michel Marlaud
S.E. M. Johan Swinnen
S.E. M. Dieter Holscher
S.E. M. Saleh Tambwe
S.E. M. Kokule
S.E. M. Ignatius B. Katetegirwe
S.E. M. Severin Mfatiye