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ACTION AF-01

INFO	LOG-00	CIAE-00	C-01	OASY-00	DODE-00	DOEE-00	EUR-01
	E-01	HA-09	H-01	TEDE-00	INR-00	IO-19	LAB-04
	L-03	ADS-00	M-01	NSAE-00	NSCE-00	OIC-02	OMB-01
	PA-01	PM-02	PRS-01	P-01	SNP-00	SP-00	SSO-00
	SS-00	TRSE-00	T-00	USIE-00	CORE-00	SNIS-00	NISC-02

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-----C50726 281345Z /38

O 281335Z MAY 93
FM AMEMBASSY DAR ES SALAAM
TO SECSTATE WASHDC IMMEDIATE 1540
AMEMBASSY KIGALI PRIORITY
USMISSION USUN NEW YORK PRIORITY
AMEMBASSY KAMPALA PRIORITY
AMEMBASSY BUJUMBURA PRIORITY
AMEMBASSY ADDIS ABABA PRIORITY
AMEMBASSY BRUSSELS PRIORITY
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AMEMBASSY BAMAKO PRIORITY
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STATE FOR AF/C-FULLER, AF/RA
ALSO PARIS FOR PERLOW, BRUSSELS FOR DUBROW

E.O. 12356: N/A
TAGS: PREL, MOPS, PGOV, OAU, RW, TZ
SUBJECT: ARUSHA PEACE TALKS: MILITARY ISSUES
CONTINUE

REF: DAR ES SALAAM 2769 AND PREVIOUS

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THE FOLLOWING REPORT WAS PROVIDED BY THE US OBSERVER AT THE ARUSHA TALKS, JOYCE LEADER.

1. SUMMARY: THE FACILITATOR'S REPRESENTATIVE IS CONTINUING SHUTTLE DIPLOMACY TO BRING CLOSURE TO OUTSTANDING MILITARY ISSUES. THE FORCE PROPORTIONS ISSUE IS NOT/NOT YET UNDER DISCUSSION. UNCERTAINTY OVER WHETHER AND WHEN AN INTERNATIONAL FORCE CAN ARRIVE IN RWANDA HAS COMPLICATED THE PROCESS. DISCUSSION OF THE TIMING OF INSTALLATION OF THE BROAD-BASED GOVERNMENT HAS RAISED QUESTIONS ABOUT INTERPRETATION OF THE ACCORDS. END SUMMARY.

2. OUTSTANDING MILITARY ISSUES. THE FACILITATOR'S REPRESENTATIVE IS CONTINUING A SHUTTLE BETWEEN THE GOR AND THE RPF DELEGATIONS TO NARROW THE GAPS, CLARIFY UNDERSTANDINGS AND BRING CLOSURE DIFFERENCES ON OUTSTANDING MILITARY ISSUES. HE IS STANDING FIRM FOR SOLUTIONS BASED ON THE ADVICE OF THE UN MILITARY ADVISOR TO ENSURE THE INTEGRITY OF THE PEACE

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PROCESS. THE RPF IS STILL HOLDING OUT FOR JOINT CONTROL OF HEAVY WEAPONS STORAGE DEPOTS. MPUNGWE WILL BRIEF OBSERVERS ON PROGRESS TOWARD RESOLVING THE PROCESS OF DEMILITARIZING/NEUTRALIZING KIGALI, INCLUDING THE TIMING FOR FORMATION OF THE BROAD-BASED GOVERNMENT, AND OF INTEGRATING THE RPF INTO THE GENDARMERIE. THE QUESTION OF FORCE PROPORTIONS IS NOT YET UNDER DISCUSSION.

3. NIF ARRIVAL. UNCERTAINTY OVER WHETHER AND WHEN A NEUTRAL INTERNATIONAL FORCE (NIF) CAN BE IN RWANDA HAS COMPLICATED DISCUSSIONS OF FORCE DISENGAGEMENT, STATUS OF KIGALI, AND FORMATION OF THE NEW ARMY AND GENDARMERIE. THE GOR SIDE IS COMMITTED TO HAVING SUCH A FORCE PLAY AN INTEGRAL ROLE IN THE ENTIRE IMPLEMENTATION PROCESS AND SEES THE ARRIVAL OF THE NIF AS THE TRIGGER FOR BEGINNING. THE RPF CONTINUES TO EXPRESS SKEPTICISM OVER THE AVAILABILITY OF AN NIF IN A TIMELY MANNER AND ADVOCATES ALTERNATIVE PROPOSALS THAT WOULD CONFER ON THE BROAD-BASED GOVERNMENT RESPONSIBILITIES RELATING TO DISENGAGEMENT AND FORMATION OF NEW FORCES BETTER ENTRUSTED TO A NEUTRAL BODY, IN ACCORDANCE WITH THE UN MILITARY

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OBSERVER'S ADVICE.

4. THE SCENARIO THAT IS EMERGING, HOWEVER, WOULD KEEP AN ENLARGED NMOG IN THE BUFFER ZONE, HAVE AN ADVANCE TEAM OF AN NIF ARRIVE WITHIN TWO WEEKS OF THE SIGNING, AND HAVE THE FULL NIF IN PLACE AS QUICKLY THEREAFTER AS POSSIBLE. THE ARRIVAL OF THE ADVANCE TEAM, POSSIBLY BORROWED FROM AN EXISTING PEACE LIMITED OFFICIAL USE

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KEEPING OPERATION (UN MILITARY OBSERVER COMMANDED A FORCE BORROWED FROM LEBANON FOR SERVICE IN KUWAIT AFTER THE GULF WAR), WOULD SET LIMITED IMPLEMENTATION IN PROCESS, INCLUDING FORMATION OF THE TRANSITIONAL NATIONAL ASSEMBLY AND BROAD-BASED GOVERNMENT, AND TRAINING OF THE FIRST CONTINGENT OF THE INTEGRATED ARMY AND GENDARMERIE FOR SERVICE IN KIGALI. THE GENERAL DISENGAGEMENT PROCESS, INVOLVING TROOPS MOVING INTO ASSEMBLY POINTS AND DEPOSITING WEAPONS IN STORAGE DEPOTS, WOULD AWAIT THE ARRIVAL OF THE FULL NIF.

5. CONSTITUTIONAL ISSUES SURFACE. EXAMINATION OF THE QUESTION OF WHEN IN THE PROCESS THE BROAD-BASED

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SS-00 TRSE-00 T-00 USIE-00 CORE-00 SNIS-00 NISC-02

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GOVERNMENT COULD BE FORMED BROUGHT TO THE FOREFRONT
KEY CONSTITUTIONAL ISSUES SURROUNDING APPOINTMENT OF
THE NEXT PRIME MINISTER AND THE STATUS OF THE CURRENT
GOVERNMENT IN THE INTERIM BEFORE THE BROAD-BASED
GOVERNMENT IS FORMED. WHO ARE THE AUTHORITIES
("INSTANCES HABILITEES") RESPONSIBLE FOR DESIGNATING
THE PRIME MINISTER TO THE PRESIDENT FOR APPOINTMENT
("NOMER" - WRONGLY TRANSLATED, IT SEEMS, AS
"NOMINATED" IN ENGLISH VERSION OF ACCORDS)? WHEN IS

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THE "DESIGNATION" TO BE MADE? (SEE ARTICLES 6, 51 OF POWER-SHARING ACCORDS) DOES THE SIGNING OF THE PEACE AGREEMENT CONSTITUTE "DESIGNATION" OF THE PM TO THE PRESIDENT? AT ISSUE IS THE GAP BETWEEN THE NEW PM TAKING UP HIS FUNCTIONS, WHICH OCCURS AUTOMATICALLY THREE DAYS AFTER HIS NAME IS PRESENTED TO THE PRESIDENT, AND THE FORMATION OF THE BROAD-BASED GOVERNMENT. ALSO, WHAT IS THE STATUS OF THE CURRENT MINISTERS ONCE THE NEW PM IS IN OFFICE? DOES THE PRESIDENT HAVE TO TAKE A NEW OATH OF OFFICE (UGANDAN AND BURUNDIAN OBSERVERS SAY YES)?

6. COMMENT. GIVING PEACE A CHANCE IN RWANDA HINGES LIMITED OFFICIAL USE

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ON IMMEDIATE AVAILABILITY OF AN NIF. THE URGENCY OF THIS CANNOT BE UNDERESTIMATED. US OBSERVER WOULD APPRECIATE COMMENTS ON LEGAL ISSUES RAISED PARA 5. END COMMENT.

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