

CASE NO: ICR-98-41-T
EXHIBIT NO: DNT 286
DATE ADMITTED: 19-1-2007
TENDERED BY: DEFENCE
NAME OF WITNESS:

Document 24:

**Impasse of the Arusha Accords by RPA/F improperly attributed to the
Rwandan Government**

1994

US document from the US Embassy in Kigali to the Secretary of State (Washington DC);
25 March 1994; Subject: Demarche request on CDR participation

ACTION COPY

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DEPARTMENT OF STATE AFRICAN AFFAIRS

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KIGALI 01319 00 OF 02 251552Z 8294 AF9615
INSTITUTIONS IN RWANDA.

ACTION OFFICE **RW-01**
INFO **AS-01 EPS-02 EXED-01 DASD-01 ZF-03 DED-01 BY-01 UG-01**
TZ-01 AFP-01 XW-01 /BIS A3 SDB

INFO **LOG-00 AID-00 CIAE-00 C-01 DASY-00 DODE-00 EB-00**
EUR-00 HA-00 H-01 TEDE-00 INR-00 IO-16 L-00
ADS-00 NSAE-00 NSCE-00 OIC-02 OMB-01 PA-01 PM-00
PRS-01 P-01 SNP-00 SP-00 SS-00 TRSE-00 T-00
USIE-00 PMS-00 /R39V

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P 251547Z MAR 94
FM AMEMBASSY KIGALI
TO SECSTATE WASHDC PRIORITY 0047
INFO AMEMBASSY BRUSSELS
AMEMBASSY BUJUMBURA
AMEMBASSY DAR ES SALAAM
AMEMBASSY KAMPALA
AMEMBASSY PARIS
USMISSION USUN NEW YORK

C O N F I D E N T I A L KIGALI 01319

E.O. 12956: DECL: OADR
TAGS: ANGT, RW
SUBJECT: DEMARCHE REQUEST ON CDR PARTICIPATION

1. CONFIDENTIAL ENTIRE TEXT.
2. NEGOTIATIONS OVER INSTALLATION OF THE TRANSITION GOVERNMENT APPEAR TO BE COMING DOWN TO THE WIRE. THE STICKING POINT THAT PREVENTED THE SWEARING-IN

CEREMONY FROM TAKING PLACE 3/25 WAS CDR PARTICIPATION IN THE NATIONAL ASSEMBLY. THE CDR, WHICH INITIALLY DECLINED TO SIGN THE CODE OF ETHICS THAT IS A PREREQUISITE FOR PARTICIPATION, HAS NOW SIGNED ELEVEN OF 20 COPIES.

3. HOWEVER, A FEW POLITICAL PARTIES AND THE RPF HAVE REFUSED TO ALLOW THE CDR TO SIGN THEIR COPIES OF THE CODE. FOREIGN MINISTRY DISTRIBUTED COPIES TO EACH SIGNATORY LAST SEPTEMBER. ARTICLE 3 OF THE CODE REQUIRES THAT 20 COPIES BE SIGNED.) THE RPF INSISTS THAT THE ACCORD (ARTICLE 61) OBLIGES THE CDR TO GO THROUGH A NATIONAL ASSEMBLY SCREENING PROCESS AND WIN THE APPROVAL OF 3/5 OF THE ASSEMBLY MEMBERS. THE PRESIDENT, WHO IDENTIFIED IN A COMMUNIQUE EARLIER THIS WEEK PROBLEMS WITH THREE PARTIES -- MDR, PDI, AND CDR -- THAT NEEDED TO BE RESOLVED BEFORE HE COULD SWEAR-IN THE NATIONAL ASSEMBLY, INDICATED TO UN REP BOON BOON HE WOULD DROP HIS CONCERNS WITH THE PDI AND MDR IF THE ISSUE OF CDR PARTICIPATION WERE RESOLVED. (COMMENT. THE RPF APPROACH APPEARS TO BE A MODIFIED VERSION OF THE EXCLUSION SANCTION THAT APPLIES TO PARTIES WHICH VIOLATE THE CODE OF ETHICS ONCE THEY HAVE SIGNED IT. END COMMENT.)

4. WE BELIEVE IT WOULD BE USEFUL TO CALL IN WASHINGTON RPF REPRESENTATIVE MURIGANDE TO IMPRESS UPON HIM OUR CONCERN ABOUT THE URGENCY OF INSTALLING THE TRANSITION INSTITUTIONS AND THE IMPORTANCE OF NOT LETTING THESE NEWLY DISCOVERED PROBLEMS FORM A NEW POLITICAL IMPASSE. WE SUGGEST THE FOLLOWING TALKING

POINTS:

--- THE UNITED STATES IS CONCERNED ABOUT THE CONTINUING DELAY IN ESTABLISHING TRANSITION

--- WITH EACH DAY OF DELAY, RWANDA IS LOSING OPPORTUNITIES FOR DEVELOPMENT AND RECONSTRUCTION FUNDING.

--- THE ISSUE OF THE CDR SHOULD NOT BE ALLOWED TO HOLD THE WHOLE COUNTRY HOSTAGE TO CONTINUED POLITICAL IMPASSE.

--- THE CDR PUBLICLY COMMITTED ITSELF TO SUPPORT THE ARUSHA PROCESS IN A RECENT LETTER TO THE PRIME MINISTER.

--- BY DENYING THE CDR THE RIGHT TO SIGN THE CODE OF ETHICS, THE RPF IS VIOLATING THE ARUSHA AGREEMENT WHICH PROVIDES THAT EACH PARTY REGISTERED IN RWANDA SHALL BE REPRESENTED IN THE NATIONAL ASSEMBLY (ART. 61). THE SIGNING OF THE CODE (ART. 80) IS EVIDENCE OF THEIR COMMITMENT TO ABIDE BY THE PEACE AGREEMENT.

--- THE RPF POSITION ALSO CONTRADICTS THE ARUSHA SPIRIT OF NATIONAL RECONCILIATION.

--- WE BELIEVE THAT THE PRINCIPLE OF INCLUSION RATHER THAN EXCLUSION IS CRITICAL TO ESTABLISHING A STABLE PEACE.

--- IF THE CDR FAILS TO LIVE UP TO ITS CODE OF ETHICS COMMITMENT, THE ACCORD PROVIDES FOR SANCTIONS. CDR SHOULD BE GIVEN THE CHANCE TO PROVE ITS WORTH WITHIN THE NATIONAL ASSEMBLY, NOT OUTSIDE OF IT.

(NOTE. ARTICLE 82 PROVIDES THAT ANY POLITICAL FORCE THAT VIOLATES THE CODE OF ETHICS IS LIABLE TO EXCLUSION FROM THE TRANSITION INSTITUTIONS. THE PROCEDURE FOR EXCLUSION IS PRESCRIBED. END NOTE.)

5. THE DEPARTMENT MIGHT WISH TO ASK AMBASSADOR CARSON IN UGANDA MAKE SIMILAR POINTS TO PRESIDENT MUSEVENI, IF MUSEVENI IS IN A POSITION TO MAKE A TIMELY INTERVENTION ON THIS ISSUE WITH RPF IN MIND!

RAWSON

**UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: HARRY R. MELONE
DATE/CASE ID: 14 APR 2000 199403871**

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