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ORIGIN AF-01

INFO	LOG-00	AMAD-01	CIAE-00	PFIP-01	CPR-02	C-01	OASY-00
	DODE-00	EUR-01	HA-09	H-01	INRE-00	INR-01	L-03
	ADS-00	NSAE-00	NSCE-00	OMB-01	PA-01	PM-02	PRS-01
	P-01	SNP-00	SP-00	TRSE-00	T-01	USIE-00	/028R

DRAFTED BY: AF/C:C S FULLER-(AF):CSF
APPROVED BY: AF/FO:J R BYERLY
AF/C:R M PRINGLE. AF/C:R C PORTER

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O 090049Z JAN 93
FM SECSTATE WASHDC
TO AMEMBASSY KIGALI IMMEDIATE
INFO AMEMBASSY BRUSSELS IMMEDIATE
AMEMBASSY DAR ES SALAAM IMMEDIATE
AMEMBASSY KAMPALA IMMEDIATE
AMEMBASSY PARIS IMMEDIATE
AMEMBASSY ADDIS ABABA PRIORITY
AMEMBASSY BONN PRIORITY
AMEMBASSY BUJUMBURA PRIORITY

PGB
Dept. of State, RPS/IPS, Margaret P. Grafeld, Dir.
(X) Release () Excise () Deny (X) Declassify
Date 7/18/88 Exemption _____

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E.O. 12356: DECL: OADR
TAGS: PREL, PGOV, MOPS, RW
SUBJECT: ARUSHA PROTOCOL TO BE SIGNED JANUARY 9

1. [REDACTED]
[REDACTED]
[REDACTED]

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2. SUMMARY: MPUNGWE CALLED AF DAS BYERLY JANUARY 8 TO ADVISE THAT THE GOR AND RPF WOULD SIGN A PROTOCOL OF AGREEMENT JANUARY 9. HE BELIEVES THAT THIS PROTOCOL IS THE BEST POSSIBLE DEAL THAT CAN BE ACHIEVED UNDER THE CIRCUMSTANCES AND THAT FAILURE TO SIGN A PROTOCOL NOW WOULD MAKE IT IMPOSSIBLE TO RESUME THE ARUSHA NEGOTIATIONS LATER ON. WE STILL FEAR HE IS WRONG AND HOPE FOR THE BEST OVER THE WEEKEND. END SUMMARY.

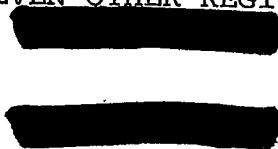
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3. TANZANIAN FACILITATOR MPUNGWE CALLED AF DAS BYERLY LATE JANUARY 8 TO ADVISE THAT THE PROTOCOL OF AGREEMENT BETWEEN THE GOR AND THE RPF WILL BE SIGNED TOMORROW MORNING IN ARUSHA WITH FOREIGN MINISTER DIRIA IN ATTENDANCE. ALTHOUGH HE HAD EXPECTED THE SIGNING TO HAPPEN JANUARY 6, AGREEMENT ON THE WORDING OF THE TEXT AND TRANSLATION INTO ENGLISH CREATED DELAYS. THERE WILL BE 85 ARTICLES IN THE NEW PROTOCOL.

4. THE CABINET PORTFOLIOS WILL BE DIVIDED AS FOLLOWS: MRND (5 PLUS THE PRESIDENT'S VOTE SHOULD HE CHOOSE TO CAST IT); RFF (5); MDR (4); PSD (3); PL (3); PDC (1). MPUNGWE CONFIRMED THAT THE RPF HAD TOLD HIM PRIVATELY THEY WOULD NOT OBJECT TO THE MRND GIVING ONE OF ITS PORTFOLIOS TO A CDR MEMBER. THIS AGREEMENT DOES NOT APPEAR IN THE PROTOCOL, AND MPUNGWE DID NOT INDICATE THAT ANY POLITICAL PARTY HAS ACCEPTED IT.

5. THE 70 ASSEMBLY SEATS WILL BE ALLOCATED AS FOLLOWS: 11 EACH TO THE MRND, RPF, MDR, PSD, AND PL; 4 TO THE PDC; AND 1 EACH TO THE ELEVEN OTHER REGISTERED PARTIES,



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INCLUDING THE CDR. IT WAS AGREED, HOWEVER, THAT EACH OF THE PARTIES TO BE REPRESENTED IN THE ASSEMBLY MUST CONFORM ITS BEHAVIOR TO A "CODE OF ETHICS" THAT ENTAILS SUPPORT FOR THE ARUSHA ACCORDS, ESPECIALLY THE PROTOCOL ON THE RULE OF LAW. BYERLY ASKED IF SIMPLY PLEDGING TO COMPLY WOULD BE ENOUGH. MPUNGWE ADDED "AND ACT ACCORDINGLY" IN THE PERIOD BETWEEN SIGNING OF THE PEACE AGREEMENT AND THE SEATING OF THE TRANSITIONAL GOVERNMENT.

6. RESUMPTION OF THE TALKS, IN ARUSHA, IS ENVISIONED FOR JANUARY 25. IN ADDITION TO THE QUESTIONS OF MILITARY INTEGRATION AND REFUGEES, THERE ARE OTHER OPEN ISSUES, INCLUDING DURATION OF THE TRANSITIONAL PERIOD, RELATION OF THE PEACE AGREEMENT TO THE CONSTITUTION, AND ESTABLISHMENT OF A TIMETABLE (E.G., WHEN WILL THE TRANSITIONAL GOVERNMENT AND ASSEMBLY TAKE OFFICE). AS TO DURATION OF THE TRANSITION PERIOD, MPUNGWE SAID "ABOUT 18 MONTHS" SEEMED REASONABLE; HE REJECTED THE RPF'S FOUR YEARS AS OUT OF THE QUESTION.

7. MPUNGWE BELIEVES THE PROTOCOL IS THE BEST POSSIBLE DEAL UNDER THE CIRCUMSTANCES. NOT TO SIGN WOULD MEAN AN

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OPEN-ENDED BREAK IN THE TALKS WITH THE THREAT OF ESCALATING PROPAGANDA AND TENSION IN KIGALI. SINCE IT IS VERY DIFFICULT TO GET THE PARTIES IN ARUSHA TO AGREE ON ANYTHING, IT IS THIS OR NOTHING. BYERLY REPLIED THAT, ALTHOUGH WE ARE CONCERNED ABOUT A POSSIBLE REJECTION OF THE PROTOCOL IN KIGALI, WE WILL DO OUR BEST TO SUPPORT THE ARUSHA PROCESS. MPUNGWE EXPRESSLY ASKED IF WE WOULD ISSUE A PUBLIC STATEMENT OF SUPPORT (READ: SUPPORT FOR THE PROTOCOL). BYERLY PROMISED THAT WE WILL CONSIDER THIS,

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BUT MUST CONSULT FIRST WITH OUR AMBASSADOR IN KIGALI AND OTHERS IN ORDER TO DETERMINE HOW WE CAN BEST ENSURE CALM AND A CONTINUATION OF DIALOGUE. HE EXPRESSED APPRECIATION FOR TANZANIA'S EFFORTS AND PROMISED CONTINUED SUPPORT IN THE FUTURE.

8. MPUNGWE CONCLUDED BY ASKING IF COLONEL MARLEY WOULD ATTEND THE NEXT ROUND IN ARUSHA. BYERLY INDICATED WE WOULD "PENCIL IN" JANUARY 25 IN HIS CALENDAR.

9. IN A SEPARATE CALL WITH DAR ES SALAAM POLOFF ROBERT BENTLEY, MPUNGWE STATED THAT THE FOREIGN MINISTER AND THE OBSERVERS WERE WELL AWARE OF A REQUEST MADE BY THE PRESIDENT TO THE PRIME MINISTER TODAY THAT THE PROTOCOL NOT BE SIGNED. HE REPORTED THAT THE FOREIGN MINISTER IS DETERMINED TO SIGN THE PROTOCOL, RETURN TO KIGALI TO PLACE IT ON HABYARIMANA'S DESK, AND FORCE HIM TO MAKE A DECISION. MPUNWE ADDED THAT THE OBSERVERS IN ARUSHA AGREE WITH THIS DECISION. COMMENT: BY PHONE, AMBASSADOR FLATEN HAS INDICATED THAT THE WESTERN OBSERVERS IN KIGALI DO NOT AGREE. END COMMENT.

10. COMMENT: WE STILL FEAR REJECTION OF THE PROTOCOL IN KIGALI AS WELL AS POTENTIAL VIOLENCE. ALTHOUGH AN "EERIE" CALM APPEARS TO BE HOLDING IN KIGALI ACCORDING TO AMBASSADOR FLATEN, WE MAY BE WAITING FOR THE OTHER SHOE TO DROP OVER THE WEEKEND.

EAGLEBURGER

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